**G.S. 150B-21.3A Report for 21 NCAC 16, DENTAL EXAMINERS**

**Agency - Board of Dental Examiners**

**Comment Period -May 11, 2026 - July 15, 2026**

**Date Submitted to APO - October 30, 2026**

| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2) | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| SUBCHAPTER 16A – ORGANIZATION | | 21 NCAC 16A .0101 | DEFINITIONS | Amended Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16A .0105 | SUSPENSION OF AUTHORITY TO EXPEND FUNDS | Eff. October 1, 2019 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16A .0106 | PETITION FOR PREDETERMINATION | Eff. April 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16A .0107 | BOARD CONTACT INFORMATION; SUBMISSION OF INFORMATION AND DOCUMENTS TO THE BOARD | Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| SUBCHAPTER 16B - LICENSURE DENTISTS | SECTION .0100 - GENERAL PROVISIONS | 21 NCAC 16B .0101 | EXAMINATION REQUIRED; EXEMPTIONS | Amended Eff. December 1, 2023 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | SECTION .0200 - QUALIFICATIONS | 21 NCAC 16B .0201 | IN GENERAL | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16B .0202 | STUDENT MAY APPLY | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | SECTION .0300 - APPLICATION FOR LICENSURE | 21 NCAC 16B .0301 | APPLICATION FOR LICENSURE | Amended Eff. March 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16B .0302 | CONSENT FOR BOARD INVESTIGATION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16B .0303 | BOARD APPROVED EXAMINATIONS | Amended Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16B .0317 | REEXAMINATION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | SECTION .0500 – LICENSURE BY CREDENTIALS | 21 NCAC 16B .0501 | DENTAL LICENSURE BY CREDENTIALS | Amended Eff. December 1, 2023 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16B .0502 | DENTAL LICENSURE VIA INSTRUCTOR'S LICENSE | Eff. December 1, 2023 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | SECTION .0600 – LIMITED VOLUNTEER DENTAL LICENSE | 21 NCAC 16B .0601 | LIMITED VOLUNTEER DENTAL LICENSE | Amended Eff. March 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | SECTION .0700 – INSTRUCTOR'S LICENSE | 21 NCAC 16B .0701 | INSTRUCTOR'S LICENSE | Amended Eff. March 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | SECTION .0800 – SPECIAL RESTRICTED LICENSES | 21 NCAC 16B .0801 | TEMPORARY VOLUNTEER DENTAL PERMIT | Amended Eff. March 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | SECTION .0900 – EXEMPTIONS FOR ACTIVE MILITARY | 21 NCAC 16B .0901 | DEFINITIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | Yes<br>If yes, include the citation to the federal law | 26 U.S.C. 7508 | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16B .0902 | EXEMPTIONS GRANTED | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | Yes<br>If yes, include the citation to the federal law | 26 U.S.C. 7508 | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | SECTION .1000 - LICENSURE BY MILITARY ENDORSEMENT | 21 NCAC 16B .1001 | DENTAL LICENSURE BY ENDORSEMENT BASED ON MILITARY SERVICE | Amended Eff. March 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16B .1002 | DENTAL LICENSURE BY ENDORSEMENT BASED ON STATUS AS MILITARY SPOUSE | Amended Eff. March 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | SECTION .1100 - REINSTATEMENT | 21 NCAC 16B .1101 | APPLICATION FOR REINSTATEMENT | Amended Eff. June 1, 2025 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| SUBCHAPTER 16C - LICENSURE DENTAL HYGIENISTS | SECTION .0100 - GENERAL PROVISIONS | 21 NCAC 16C .0101 | LICENSURE | Amended Eff. July 1, 2022 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |

**G.S. 150B-21.3A Report for 21 NCAC 16, DENTAL EXAMINERS**

**Agency - Board of Dental Examiners**

**Comment Period -May 11, 2026 - July 15, 2026**

**Date Submitted to APO - October 30, 2026**

| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2) | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | **SECTION .0200 - QUALIFICATIONS** | 21 NCAC 16C .0202 | STUDENT MAY APPLY | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | **SECTION .0300 - APPLICATION** | 21 NCAC 16C .0301 | APPLICATION FOR LICENSURE | Amended Eff. March 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16C .0302 | CONSENT FOR BOARD INVESTIGATION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16C .0303 | BOARD APPROVED EXAMINATIONS | Amended Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16C .0311 | REEXAMINATION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | **SECTION .0500 – LICENSURE BY CREDENTIALS** | 21 NCAC 16C .0501 | DENTAL HYGIENE LICENSURE BY CREDENTIALS | Amended Eff. July 1, 2023 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | **SECTION .0600 – REINSTATEMENT OF DENTAL HYGIENE LICENSE** | 21 NCAC 16C .0601 | APPLICATION FOR REINSTATEMENT | Amended Eff. June 1, 2025 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16D - PROVISIONAL LICENSURE: DENTISTS** | **SECTION .0100 - GENERAL PROVISIONS** | 21 NCAC 16D .0101 | ELIGIBILITY REQUIREMENTS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16D .0102 | RESTRICTIONS ON PRACTICE | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16D .0104 | APPLICATION FOR PROVISIONAL LICENSE | Amended Eff. March 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16E - PROVISIONAL LICENSURE: DENTAL HYGIENIST** | | 21 NCAC 16E .0102 | RESTRICTIONS ON PRACTICE | Amended Eff. March 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16E .0103 | APPLICATION FOR PROVISIONAL LICENSE | Amended Eff. March 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16E .0104 | EXAMINATION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Unnecessary | No | | No | Unnecessary | No comments with merit | Unnecessary and should expire on the first day of the month following the consultation | Rule expired - remove from Code |
| **SUBCHAPTER 16F - PROFESSIONAL CORPORATIONS** | **SECTION .0100 - SCOPE** | 21 NCAC 16F .0102 | APPLICATION FOR CERTIFICATION OF LICENSURE | Amended Eff. July 1, 2022 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16F .0103 | CORPORATE OR LIMITED LIABILITY COMPANY NAME | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16F .0104 | CERTIFICATE OF REGISTRATION | Amended Eff. July 1, 2022 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16F .0105 | APPLICATION FOR RENEWAL OR REINSTATEMENT | Amended Eff. July 1, 2022 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16F .0107 | AMENDMENTS TO ARTICLES OF INCORPORATION OR ORGANIZATION, OR ARTICLES OF DISSOLUTION | Eff. July 1, 2022 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16F .0110 | CORPORATE OFFICERS OR MANAGERS SHALL EXECUTE DOCUMENTS | Amended Eff. July 1, 2022 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16G - DENTAL HYGIENISTS** | **SECTION .0100 - FUNCTIONS THAT MAY BE DELEGATED** | 21 NCAC 16G .0101 | FUNCTIONS THAT MAY BE DELEGATED | Amended Eff. April 1, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16G .0103 | PROCEDURES PROHIBITED | Amended Eff. July 1, 2022 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16G .0106 | DENTAL HYGIENE SCHOOL EXTENSION FACILITIES AND OFF CAMPUS CLASSES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16G .0107 | DENTAL HYGIENE LICENSURE BY ENDORSEMENT BASED ON MILITARY SERVICE | Amended Eff. March 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |

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**Agency - Board of Dental Examiners**

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| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2) | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 21 NCAC 16G .0108 | DENTAL HYGIENE LICENSURE BY ENDORSEMENT BASED ON STATUS AS MILITARY SPOUSE | Amended Eff. March 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16G .0109 | DENTAL HYGIENIST CERTIFICATION TO ADMINISTER LOCAL ANESTHETICS | Eff. July 1, 2022 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16H - DENTAL ASSISTANTS** | **SECTION .0100 - CLASSIFICATION AND TRAINING** | 21 NCAC 16H .0101 | CLASSIFICATION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16H .0102 | DENTAL ASSISTANT I | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16H .0103 | DENTAL ASSISTANT II | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16H .0104 | APPROVED EDUCATION AND TRAINING PROGRAMS | Amended Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16H .0105 | DENTAL RADIOLOGY COURSE AND EXAMINATION REQUIREMENTS | Eff. July 1, 2023 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | **SECTION .0200 – PERMITTED FUNCTIONS OF DENTAL ASSISTANT** | 21 NCAC 16H .0201 | GENERAL PERMITTED FUNCTIONS OF DENTAL ASSISTANT I | Amended Eff. October 1, 2019 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16H .0203 | PERMITTED FUNCTIONS OF DENTAL ASSISTANT II | Amended Eff. April 1, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16H .0205 | SPECIFIC PROHIBITED FUNCTIONS OF DENTAL ASSISTANTS I AND II | Amended Eff. June 1, 2025 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16H .0206 | DIRECT CONTROL AND SUPERVISION DEFINED | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16H .0208 | LIMITED EXCEPTION FOR ASSISTING HYGIENISTS | Eff. October 1, 2019 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16I - ANNUAL RENEWAL OF LICENSE AND CONTINUING EDUCATION REQUIREMENTS: DENTAL HYGIENIST** | **SECTION .0100 - ANNUAL RENEWAL** | 21 NCAC 16I .0101 | APPLICATIONS | Amended Eff. September 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16I .0106 | FEE FOR LATE FILING | Amended Eff. October 1, 2019 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16I .0107 | LICENSE VOID UPON FAILURE TO RENEW | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16I .0108 | FORM OF CERTIFICATE | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Unnecessary | No | | No | Unnecessary | No comments with merit | Unnecessary and should expire on the first day of the month following the consultation | Rule expired - remove from Code |
| | | 21 NCAC 16I .0109 | CERTIFICATE DISPLAYED | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16I .0110 | DEFINITIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | Yes<br>If yes, include the citation to the federal law | 26 U.S.C. 7508 | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16I .0111 | EXEMPTIONS GRANTED | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | Yes<br>If yes, include the citation to the federal law | 26 U.S.C. 7508 | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | **SECTION .0200 – CONTINUING EDUCATION** | 21 NCAC 16I .0201 | CONTINUING EDUCATION REQUIRED | Amended Eff. July 1, 2023 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16I .0202 | APPROVED COURSES AND SPONSORS | Amended Eff. July 1, 2022 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |

**G.S. 150B-21.3A Report for 21 NCAC 16, DENTAL EXAMINERS**

**Agency - Board of Dental Examiners**

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| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2) | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 21 NCAC 16I .0203 | REPORTING CONTINUING EDUCATION | Recodified from 21 NCAC 16I .0104 Eff. January 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16I .0205 | PENALTY/NON-COMPLIANCE/CONTINUING EDUCATION REQUIREMENT | Recodified from 21 NCAC 16I .0105 Eff. January 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16I .0206 | CONTINUING EDUCATION ON MENTAL HEALTH | Amended Eff. June 1, 2025 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16J - SANITATION, STERILIZATION, AND INFECTION CONTROL** | | 21 NCAC 16J .0101 | PREMISES | Amended Eff. June 1, 2021 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16J .0103 | STERILIZATION AND INFECTION CONTROL | Amended Eff. June 1, 2021 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16K - DENTAL SCHOOL EXTENSION FACILITIES** | | 21 NCAC 16K .0103 | INSTRUCTORS TO BE APPROVED | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Unnecessary | No | | No | Unnecessary | No comments with merit | Unnecessary and should expire on the first day of the month following the consultation | Rule expired - remove from Code |
| | | 21 NCAC 16K .0104 | NO FEES FOR SERVICES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Unnecessary | No | | No | Unnecessary | No comments with merit | Unnecessary and should expire on the first day of the month following the consultation | Rule expired - remove from Code |
| | | 21 NCAC 16K .0106 | REPORTS TO BOARD | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16L - BOARD OF DENTAL ELECTIONS** | | 21 NCAC 16L .0101 | BALLOTS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16L .0102 | NOTICE TO NOMINEE | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Unnecessary | No | | No | Unnecessary | No comments with merit | Unnecessary and should expire on the first day of the month following the consultation | Rule expired - remove from Code |
| | | 21 NCAC 16L .0104 | SOLICITATIONS FOR VOTES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16M - FEES PAYABLE** | **SECTION .0100 - FEES PAYABLE** | 21 NCAC 16M .0101 | DENTISTS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16M .0102 | DENTAL HYGIENISTS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16M .0103 | PRIMARY SOURCE VERIFICATION FEE | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Unnecessary | No | | No | Unnecessary | No comments with merit | Unnecessary and should expire on the first day of the month following the consultation | Rule expired - remove from Code |
| **SUBCHAPTER 16N - RULEMAKING AND ADMINISTRATIVE HEARING PROCEDURES** | **SECTION .0100 - PETITIONS FOR ADOPTION OF RULES** | 21 NCAC 16N .0101 | PETITION FOR RULEMAKING HEARINGS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16N .0102 | CONTENTS OF PETITION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16N .0103 | DISPOSITION OF PETITIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | **SECTION .0200 - NOTICE OF RULEMAKING HEARINGS** | 21 NCAC 16N .0202 | NOTICE OF MAILING LIST | Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | **SECTION .0300 - RULEMAKING HEARINGS** | 21 NCAC 16N .0302 | CONTENT OF REQUEST: GENERAL TIME LIMITATIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Unnecessary | No | | No | Unnecessary | No comments with merit | Unnecessary and should expire on the first day of the month following the consultation | Rule expired - remove from Code |
| | | 21 NCAC 16N .0304 | WRITTEN SUBMISSIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Unnecessary | No | | No | Unnecessary | No comments with merit | Unnecessary and should expire on the first day of the month following the consultation | Rule expired - remove from Code |

**G.S. 150B-21.3A Report for 21 NCAC 16, DENTAL EXAMINERS**

**Agency - Board of Dental Examiners**

**Comment Period -May 11, 2026 - July 15, 2026**

**Date Submitted to APO - October 30, 2026**

| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2) | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 21 NCAC 16N .0305 | BOARD PRESIDENT TO PRESIDE: POWERS AND DUTIES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16N .0307 | RECORD OF PROCEEDINGS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | **SECTION .0400 - DECLARATORY RULINGS** | 21 NCAC 16N .0402 | SUBMISSION OF REQUEST FOR RULING | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16N .0403 | DISPOSITION OF REQUESTS | Amended Eff. September 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16N .0404 | RECORD OF DECISION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | **SECTION .0500 - ADMINISTRATIVE HEARING PROCEDURES** | 21 NCAC 16N .0501 | RIGHT TO HEARING | Amended Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16N .0502 | REQUEST FOR HEARING | Amended Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16N .0503 | GRANTING OR DENYING HEARING REQUEST | Amended Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16N .0504 | NOTICE OF HEARING | Amended Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16N .0505 | WHO SHALL HEAR CONTESTED CASES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16N .0506 | PETITION FOR INTERVENTION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16N .0507 | TYPES OF INTERVENTION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16N .0508 | DISQUALIFICATION OF BOARD MEMBERS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | **SECTION .0600 - ADMINISTRATIVE HEARINGS: DECISIONS:RELATED RIGHTS AND PROCEDURES** | 21 NCAC 16N .0602 | SIMPLIFICATION OF ISSUES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16N .0603 | SUBPOENAS | Amended Eff. October 1, 2019 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16N .0604 | FINAL DECISION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16N .0605 | PROPOSALS FOR DECISIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16N .0606 | FAILURE TO APPEAR | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16N .0607 | DISCIPLINARY FACTORS | Eff. October 1, 2019 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16O – NITROUS-OXIDE-OXYGEN CONSCIOUS SEDATION** | **SECTION .0300 - DEFINITIONS** | 21 NCAC 16O .0301 | CONSCIOUS SEDATION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Unnecessary | No | | No | Unnecessary | No comments with merit | Unnecessary and should expire on the first day of the month following the consultation | Rule expired - remove from Code |
| | | 21 NCAC 16O .0302 | MONITORING | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |

**G.S. 150B-21.3A Report for 21 NCAC 16, DENTAL EXAMINERS**

**Agency - Board of Dental Examiners**

**Comment Period -May 11, 2026 - July 15, 2026**

**Date Submitted to APO - October 30, 2026**

| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2) | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | **SECTION .0400 - QUALIFICATIONS TO PERFORM FUNCTIONS** | 21 NCAC 16O .0401 | NON-DELEGABLE FUNCTIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Unnecessary | No | | No | Unnecessary | No comments with merit | Unnecessary and should expire on the first day of the month following the consultation | Rule expired - remove from Code |
| | | 21 NCAC 16O .0402 | EDUCATIONAL REQUIREMENTS | Amended Eff. November 1, 2021 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16P - ADVERTISEMENT OF DENTAL SERVICES** | | 21 NCAC 16P .0101 | COMMUNICATIONS CONCERNING DENTAL SERVICES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16P .0102 | ADS MUST INCLUDE DENTIST'S NAME AND AREA OF PRACTICE | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16P .0103 | ADVERTISEMENT OF FEES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16P .0104 | TESTIMONIALS AND ENDORSEMENTS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16P .0105 | ADVERTISING AS A SPECIALIST | Readopted Eff. February 1, 2019 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16Q - GENERAL ANESTHESIA AND SEDATION** | **SECTION .0100 – GENERAL** | 21 NCAC 16Q .0101 | GENERAL ANESTHESIA AND SEDATION DEFINITIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Q .0102 | APPLICATION FOR GENERAL ANESTHESIA OR SEDATION PERMIT, PERMIT RENEWAL, AND PERMIT REINSTATEMENT | Eff. August 1, 2021 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Q .0103 | EQUIPMENT, PERSONNEL, AND CLINICAL REQUIREMENTS TO ADMINISTER ANESTHESIA OR MODERATE SEDATION | Eff. June 17, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Q .0104 | REQUIREMENTS FOR INSPECTIONS AND EVALUATIONS | Eff. June 17, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | **SECTION .0200 - GENERAL ANESTHESIA** | 21 NCAC 16Q .0201 | GENERAL ANESTHESIA CREDENTIALS AND PERMIT | Amended Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Q .0202 | GENERAL ANESTHESIA EQUIPMENT AND CLINICAL REQUIREMENTS | Eff. June 17, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Q .0204 | PROCEDURE FOR GENERAL ANESTHESIA EVALUATION OR INSPECTION AND RE-INSPECTION | Amended Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Q .0206 | ITINERANT (MOBILE) GENERAL ANESTHESIA PERMIT, EQUIPMENT AND EVALUATION | Amended Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Q .0207 | ANNUAL RENEWAL OF GENERAL ANESTHESIA AND ITINERANT (MOBILE) GENERAL ANESTHESIA PERMIT REQUIRED | Amended Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | **SECTION .0300 - MODERATE CONSCIOUS SEDATION** | 21 NCAC 16Q .0301 | CREDENTIALS AND PERMITS FOR MODERATE PARENTERAL AND ENTERAL CONSCIOUS SEDATION | Amended Eff. December 1, 2025 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Q .0302 | MODERATE PARENTERAL AND ENTERAL CONSCIOUS SEDATION CLINICAL REQUIREMENTS AND EQUIPMENT | Eff. June 17, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Q .0304 | ITINERANT (MOBILE) MODERATE PERMIT, EQUIPMENT AND EVALUATION | Amended Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Q .0305 | ANNUAL RENEWAL OF MODERATE PARENTERAL AND ENTERAL CONSCIOUS SEDATION PERMIT REQUIRED | Amended Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |

**G.S. 150B-21.3A Report for 21 NCAC 16, DENTAL EXAMINERS**

**Agency - Board of Dental Examiners**

**Comment Period -May 11, 2026 - July 15, 2026**

**Date Submitted to APO - October 30, 2026**

| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2) | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 21 NCAC 16Q .0306 | PROCEDURE FOR MODERATE CONSCIOUS SEDATION EVALUATION OR INSPECTION AND RE-INSPECTION | Amended Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | **SECTION .0400 - PEDIATRIC MODERATE CONSCIOUS SEDATION** | 21 NCAC 16Q .0404 | CREDENTIALS AND PERMITS FOR MODERATE PEDIATRIC CONSCIOUS SEDATION | Amended Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Q .0405 | MODERATE PEDIATRIC CONSCIOUS SEDATION CLINICAL REQUIREMENTS AND EQUIPMENT | Amended Eff. June 17, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Q .0406 | ITINERANT (MOBILE) MODERATE PEDIATRIC CONSCIOUS SEDATION PERMITS | Amended Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Q .0407 | ANNUAL RENEWAL OF MODERATE PEDIATRIC CONSCIOUS SEDATION PERMIT REQUIRED | Amended Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Q .0408 | PROCEDURE FOR MODERATE PEDIATRIC SEDATION EVALUATION OR INSPECTION AND RE-INSPECTION | Amended Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | **SECTION .0500 - ENTERAL MINIMAL CONSCIOUS SEDATION** | 21 NCAC 16Q .0504 | MINIMAL CONSCIOUS SEDATION CREDENTIALS AND PERMIT | Amended Eff. August 1, 2021 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Q .0505 | MINIMAL CONSCIOUS SEDATION CLINICAL REQUIREMENTS AND EQUIPMENT | Amended Eff. August 1, 2021 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Q .0506 | ANNUAL RENEWAL OF MINIMAL CONSCIOUS SEDATION PERMIT REQUIRED | Eff. August 1, 2021 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Q .0507 | PROCEDURE FOR MINIMAL CONSCIOUS SEDATION EVALUATION OR INSPECTION AND RE-INSPECTION | Eff. August 1, 2021 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | **SECTION .0700 – COMPLIANCE AND REPORTING** | 21 NCAC 16Q .0701 | FAILURE TO COMPLY | Amended Eff. June 1, 2025 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Q .0703 | REPORTS OF ADVERSE OCCURRENCES | Amended Eff. June 17, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Q .0704 | INSPECTION AUTHORIZED | Amended Eff. July 1, 2022 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16R – ANNUAL RENEWAL OF LICENSE AND CONTINUING EDUCATION REQUIREMENTS: DENTIST** | **SECTION .0100 - RENEWAL OF LICENSE** | 21 NCAC 16R .0101 | APPLICATIONS | Amended Eff. September 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16R .0102 | FEE FOR LATE FILING AND DUPLICATE LICENSE | Amended Eff. September 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16R .0108 | LICENSE VOID UPON FAILURE TO TIMELY RENEW | Amended Eff. September 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16R .0110 | RENEWAL CERTIFICATE MUST BE DISPLAYED | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | **SECTION .0200 - CONTINUING EDUCATION** | 21 NCAC 16R .0201 | CONTINUING EDUCATION REQUIRED | Amended Eff. November 1, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16R .0202 | APPROVED COURSES AND SPONSORS | Amended Eff. July 1, 2022 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16R .0203 | REPORTING CONTINUING EDUCATION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |

**G.S. 150B-21.3A Report for 21 NCAC 16, DENTAL EXAMINERS**

**Agency - Board of Dental Examiners**

**Comment Period -May 11, 2026 - July 15, 2026**

**Date Submitted to APO - October 30, 2026**

| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2) | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 21 NCAC 16R .0204 | EXEMPTION FROM AND CREDIT FOR CONTINUING EDUCATION | Amended Eff. July 1, 2023 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16R .0205 | PENALTY/NON-COMPLIANCE/CONTINUING EDUCATION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16R .0206 | CONTINUING EDUCATION ON MENTAL HEALTH | Amended Eff. June 1, 2025 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16S - CARING DENTAL PROFESSIONALS PROGRAM** | **SECTION .0100 - GENERAL** | 21 NCAC 16S .0101 | DEFINITIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16S .0102 | BOARD AGREEMENTS WITH PEER REVIEW ORGANIZATIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | **SECTION .0200 - GUIDELINES FOR PROGRAM ELEMENTS** | 21 NCAC 16S .0201 | RECEIPT AND USE OF INFORMATION OF SUSPECTED IMPAIRMENT | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16S .0202 | CONFIDENTIALITY | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16S .0203 | INTERVENTION AND REFERRAL | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16S .0204 | MONITORING TREATMENT | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16S .0205 | MONITORING REHABILITATION AND PERFORMANCE AFTER TREATMENT | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16T – PATIENT RECORDS** | **SECTION .0100 – PATIENT RECORDS** | 21 NCAC 16T .0101 | RECORD CONTENT | Readopted Eff. January 1, 2019 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16T .0102 | TRANSFER OF RECORDS UPON REQUEST | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16T .0103 | INFORMED CONSENT | Eff. January 1, 2019 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16T. 0104 | NOTICE AND TRANSFER OF RECORDS UPON CEASING PRACTICE | Eff. June 1, 2025 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16U - INVESTIGATIONS** | **SECTION .0100 - PROCEDURES** | 21 NCAC 16U .0101 | SECRETARY-TREASURER | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16U .0102 | INVESTIGATIVE PANEL | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16U .0103 | REPORTS FROM THE CONTROLLED SUBSTANCES REPORTING SYSTEM | Amended Eff. March 1, 2022 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16U .0104 | COOPERATION WITH BOARD INQUIRY | Eff. August 1, 2024 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | **SECTION .0200 - COMPLAINTS** | 21 NCAC 16U .0201 | PROCESSING | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16U .0202 | DISPOSITION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16U .0203 | PRE-HEARING CONFERENCES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16U .0204 | SETTLEMENT CONFERENCES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |

**G.S. 150B-21.3A Report for 21 NCAC 16, DENTAL EXAMINERS**

**Agency - Board of Dental Examiners**

**Comment Period -May 11, 2026 - July 15, 2026**

**Date Submitted to APO - October 30, 2026**

| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2) | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **SUBCHAPTER 16V – UNPROFESSIONAL CONDUCT** | **SECTION .0100 - UNPROFESSIONAL CONDUCT** | 21 NCAC 16V .0101 | DEFINITION: UNPROFESSIONAL CONDUCT BY A DENTIST | Amended Eff. July 1, 2022 | Necessary | Yes<br>If yes, include the citation to the federal law | 45 CFR 160.103 | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16V .0102 | DEFINITION: UNPROFESSIONAL CONDUCT BY A DENTAL HYGIENIST | Amended Eff. July 1, 2022 | Necessary | Yes<br>If yes, include the citation to the federal law | 45 CFR 160.103 | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16W – PUBLIC HEALTH HYGIENISTS** | **SECTION .0100 - PUBLIC HEALTH HYGIENISTS** | 21 NCAC 16W .0101 | DIRECTION DEFINED | Amended Eff. June 1, 2025 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16W .0102 | TRAINING FOR PUBLIC HEALTH HYGIENISTS | Amended Eff. October 1, 2019 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16W .0103 | TRAINING FOR PUBLIC HEALTH HYGIENISTS PERFORMING PREVENTIVE PROCEDURES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16W .0104 | DENTAL ACCESS SHORTAGE AREAS | Eff. February 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16X – MANAGEMENT ARRANGEMENTS** | **SECTION .0100 – MANAGEMENT ARRANGEMENTS** | 21 NCAC 16X .0101 | MANAGEMENT ARRANGEMENTS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16Y - INTERN PERMITTING: DENTISTS** | | 21 NCAC 16Y .0101 | ELIGIBILITY REQUIREMENTS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Y .0102 | APPLICATION FOR INTERN PERMIT | Amended Eff. March 1, 2020 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Y .0103 | EMPLOYMENT | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Y .0104 | DIRECTION AND SUPERVISION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Y .0105 | COMPLIANCE | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| **SUBCHAPTER 16Z - LIMITED SUPERVISION HYGIENISTS** | | 21 NCAC 16Z .0101 | ELIGIBILITY TO PRACTICE HYGIENE OUTSIDE DIRECT SUPERVISION | Amended Eff. July 1, 2022 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Z .0102 | RECORD KEEPING | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Necessary | No | | No | Necessary | No comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 21 NCAC 16Z .0103 | INSPECTIONS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018 | Unnecessary | No | | No | Unnecessary | No comments with merit | Unnecessary and should expire on the first day of the month following the consultation | Rule expired - remove from Code |