



Economic Impact Analysis Virginia Department of Planning and Budget

18 VAC 60-20 –Regulations Governing Dental Practice
Department of Health Professions
April 12, 2011

Summary of the Proposed Amendments to Regulation

Rules on registration of dental assistants II (DAII) were added to these regulations and became effective on March 2, 2011. In these rules pulp capping procedures are among the duties that a dentist may delegate to a DAII. However, training in pulp capping as part of training in amalgam or composite resin restorations was inadvertently omitted in the educational requirements for DAII's set forth in the regulations. The Board of Dentistry (Board) therefore proposes to include the topic of pulp capping in Section 61 of these regulations without adding to the number of hours of training required for each area of practice.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

In the initial development of regulations for DAII, pulp capping was not initially listed in as a duty delegable to a DAII, so it was not considered in the formulation of regulations for education and training of DAII's. In the adoption of proposed regulations, it was stricken from the list of duties that a dentist cannot delegate and added to the list that could be delegated to a DAII. According to the Department of Health Professions, training in pulp capping procedures should have been added to the list of educational requirements but was inadvertently omitted.

In September of 2010, the Board recognized the omission and authorized the promulgation of a fast-track action as soon as the regulations for DAII's were effective. There are no additional hours of training required, and it is generally acknowledged that appropriate training in amalgam and composite resin restoration should be inclusive of pulp capping

procedures. There should not be a significant increase in cost since under the proposed amendment the number of hours of required training does not change. The proposed amendment is beneficial in that it provides assurance that DAII's are trained to perform a procedure which dentists may delegate to them under these regulations.

Businesses and Entities Affected

The proposed amendments potentially affect those seeking to meet educational and training requirements for registration as a DAII. Since the registration of DAII's only became effective March 2, 2011, there is no one currently registered and the Board does not know how many students are working towards registration. There are currently three educational programs planned for DAII; those programs will need to ensure training in pulp capping as part of training in restorations. There are currently 6,392 licensed dentists in the Commonwealth. The proposed amendment potentially affects dentists who delegate tasks to DAII's.

Localities Particularly Affected

The proposed amendments do not disproportionately affect particular localities.

Projected Impact on Employment

The proposal amendments are unlikely to significantly affect employment.

Effects on the Use and Value of Private Property

The proposed amendments are unlikely to significantly affect the value of private property, but may moderately increase the likelihood that dentists assign pulp capping tasks to DAII's.

Small Businesses: Costs and Other Effects

The proposed amendments are unlikely to significantly affect costs for small businesses.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed amendments do not adversely affect small businesses.

Real Estate Development Costs

The proposed amendments are unlikely to significantly affect real estate development costs.

Legal Mandate

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.04 of the Administrative Process Act and Executive Order Number 14 (10). Section 2.2-4007.04 requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.04 requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.