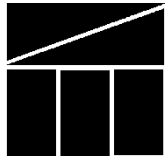


Adverse impact notification sent to Joint Commission on Administrative Rules, House Committee on Appropriations, and Senate Committee on Finance (COV § 2.2-4007.04.C): Yes<sup>1</sup>  Not Needed

If/when this economic impact analysis (EIA) is published in the *Virginia Register of Regulations*, notification will be sent to each member of the General Assembly (COV § 2.2-4007.04.B).



## Virginia Department of Planning and Budget Economic Impact Analysis

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**18 VAC 60-21 Regulations Governing the Practice of Dentistry**  
**Department of Health Professions**  
**Town Hall Action/Stage: 5281 / 8623**  
June 17, 2019

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### **Summary of the Proposed Amendments to Regulation**

The Board of Dentistry (Board) proposes to clarify that the dental clinical competency examination required for an unrestricted license to practice dentistry must include sections on endodontics, prosthodontics, periodontics, and operative dentistry consisting of a posterior class II and anterior class III restoration.

### **Result of Analysis**

The benefits likely exceed the costs for all proposed changes.

### **Estimated Economic Impact**

An individual can obtain an unrestricted license to practice dentistry in the Commonwealth either by examination or by credentials. Among the requirements for licensure by examination is for the candidate to have passed a dental clinical competency examination that is accepted by the Board. Among the requirements for licensure by credentials is for the candidate to have successfully completed a clinical competency examination acceptable to the Board. The Board only accepts dental clinical competency examinations that include sections on

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<sup>1</sup> Adverse impact is indicated if there is any increase in net cost or reduction in net revenue for any entity, even if the benefits exceed the costs for all entities combined.

endodontics, prosthodontics, periodontics, and operative dentistry consisting of a posterior class II and anterior class III restoration.<sup>2</sup>

The Board proposes to specify in the regulation that the required dental clinical competency examination for both the examination and credentials routes must include sections on endodontics, prosthodontics, periodontics, and operative dentistry consisting of a posterior class II and anterior class III restoration. Since this merely clarifies the current requirement, it does not introduce new cost and is beneficial to the extent that it reduces uncertainty as to what is required for licensure in practice.

### **Businesses and Entities Affected**

The proposed amendments pertain to applicants for an unrestricted license to practice dentistry in the Commonwealth. According to the Department of Health Professions, the number of persons who obtain an unrestricted license to practice dentistry in Virginia varies by quarter, with the largest in the 1st quarter of a fiscal year (approximately 150-200) and the smallest in the 2nd quarter (approximately 50-55). Most dentists likely work for small firms.

### **Localities Particularly Affected**

The proposed amendments do not disproportionately affect particular localities.

### **Projected Impact on Employment**

The proposed amendments are unlikely to substantially affect total employment.

### **Effects on the Use and Value of Private Property**

The proposed amendments are unlikely to substantially affect the use and value of private property.

### **Real Estate Development Costs**

The proposed amendments do not affect real estate development costs.

### **Small Businesses:**

#### **Definition**

Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as “a business entity, including its affiliates, that (i) is independently owned and operated and

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<sup>2</sup> See

[https://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\GuidanceDocs\223\GDoc\\_DHP\\_6358\\_v3.pdf](https://townhall.virginia.gov/L/GetFile.cfm?File=C:\TownHall\docroot\GuidanceDocs\223\GDoc_DHP_6358_v3.pdf)

(ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.”

### **Costs and Other Effects**

The proposed amendments do not substantially affect costs for small businesses.

### **Alternative Method that Minimizes Adverse Impact**

The proposed amendments do not adversely affect small businesses.

### **Adverse Impacts:**

#### **Businesses:**

The proposed amendments do not adversely affect businesses.

#### **Localities:**

The proposed amendments do not adversely affect localities.

#### **Other Entities:**

The proposed amendments do not adversely affect other entities.

### **Legal Mandates**

**General:** The Department of Planning and Budget has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order 14 (as amended, July 16, 2018). Code § 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to: (1) the projected number of businesses or other entities to whom the proposed regulatory action would apply, (2) the identity of any localities and types of businesses or other entities particularly affected, (3) the projected number of persons and employment positions to be affected, (4) the projected costs to affected businesses or entities to implement or comply with the regulation, and (5) the impact on the use and value of private property.

**Adverse impacts:** Pursuant to Code § 2.2-4007.04(C): In the event this economic impact analysis reveals that the proposed regulation would have an adverse economic impact on businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected, the Department of Planning and Budget shall advise the Joint Commission on Administrative Rules, the House Committee on Appropriations, and the Senate Committee on Finance within the 45-day period.

If the proposed regulatory action may have an adverse effect on small businesses, Code § 2.2-4007.04 requires that such economic impact analyses include: (1) an identification and estimate of the number of small businesses subject to the proposed regulation, (2) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents, (3) a statement of the probable effect of the proposed regulation on affected small businesses, and (4) a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation. Additionally, pursuant to Code § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules shall be notified.