

STATE BOARD OF DENTAL EXAMINERS

Enabling Laws

Act 229 of 2005
A.C.A. §17-82-201

History and Organization

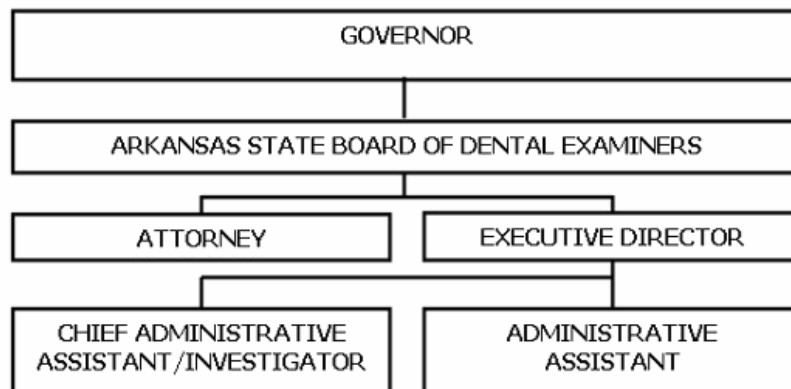
The Arkansas State Board of Dental Examiners was created by Act 144 of 1887 and has been in continuous existence for 115 years. Act 14 of 1995, known as the Dental Practice Act, governs Board operations. The Board regulates the practice of dentistry, dental hygiene, and dental assisting, by examining applicants for competency and issuing licenses to candidates meeting the requirements of the State and the Board.

The Board is also vested with the power to revoke or suspend the privilege of practicing professionally under any license or permit issued by it; it may place a licensee or permittee on probation, may impose a fine, or a combination of these sanctions; it has the authority to promulgate Rules and Regulations governing the practice of dentistry; it may conduct disciplinary hearings under the Administrative Procedures Act.

The Board is composed of six practicing dentists, one practicing dental hygienist, and two consumer representatives; one represents the senior citizens of the State. Members are appointed by the Governor for five year terms; officers are elected annually. The Board meets seven or more times a year and conducts disciplinary hearings in conjunction with those meetings.

The Board employs an executive director and two other employees. The Board participates in the Southern Regional Testing Agency with five other states; this agency administers clinical examinations to dentists and dental hygienists. The board members who are dentists and the dental hygienist board member participate with other professional examiners at sixteen examinations each year. The Board also holds individual examinations for applicants in the dental specialty fields.

More than 5,500 individuals hold a current license or permit issued by the Board of Dental Examiners.



Agency Commentary

The State Board of Dental Examiners is a medically related cash fund agency with one appropriation. Funds are collected by the Board through application fees for licensure, renewal of licenses and permits, issuance of permits, late penalties, and disciplinary fines. The Board is totally self-funded.

The Board was established in 1887 to regulate dentistry. Through the Dental Practice Act [A.C.A. §17-82-101 et seq.] and its Rules and Regulations, the Board prescribes those acts, services, procedures and practices which define the practice of dentistry and those acts, services, procedures and practices which can be performed by dental hygienists and dental assistants.

The Board's office staff of three receives written complaints from the public about dental services, answers questions from the public and licensees of the Board, dispenses applications and information about licensure and permitting in the State, and plans and schedules hearings and meetings. The Board implemented minimum standards of continuing education and mandatory CPR several years ago. The Board uses its website [www.asbde.org] to provide application forms for licensure, minutes of meetings, newsletters and lists of licensed dentists and dental hygienists. Our website is linked to the national group of dental examiners.

The Board is requesting an increase in Refunds/Reimbursements of \$7,200 which is needed due to an increase in refunds for specialty exams, and Licensees by Credentials exam refunds being a high amount per licensee requiring refund (\$2,250). Currently the Agency would be able to refund exam monies to one Licensee by Credentials applicant. It is essential for board operations to be able to make these refund obligations and the various other Refund/Reimbursement requirements.

The Board has sufficient cash funding for Base Level and Change Level requests for the 2007-09 biennium.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
AUDIT OF :
ARKANSAS STATE BOARD OF DENTAL EXAMINERS
FOR THE YEAR ENDED JUNE 30, 2005

Findings	Recommendations
None	None

Employment Summary

	Male	Female	Total	%
White Employees	0	2	2	67 %
Black Employees	0	1	1	33 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			1	33%
Total Employees			3	100 %

Cash Fund Balance Description as of June 30, 2006

Fund Account	Balance	Type	Location
3120000	\$864,378	Checking, MM, CD, Treasury	Pulaski, Simmons, Twin City, One, Metropolitan Bank, State Treasury.

Statutory/Other Restrictions on use:

A.C.A. 17-82-103, A.C.A. 17-82-211, Provides for the Agency to collect fines and penalties and for the Agency treasurer to disburse as necessary.

Statutory Provisions for Fees, Fines, Penalties:

A.C.A. 17-82-100 et seq., A.C.A. 17-82-201et seq., A.C.A. 17-82-301 et seq., A.C.A. 17-82-401 et seq., A.C.A. 17-82-501 et seq.

Revenue Receipts Cycle:

January 1 Odd numbered years - Biennial renewal of dental and hygiene licenses, corporation registry, anesthesia permits. January 1 Even numbered years - Biennial renewal of dental assistant permits.

Fund Balance Utilization:

To pay all expenses of board operations including board meetings, disciplinary hearings, complaint investigations, staff training, board member examiners training, and office operations.

Publications

A.C.A 25-1-204

Name	Statutory Authorization	Required for		# Of Copies	Reason (s) for Continued Publication and Distribution
		Governor	General Assembly		
None	N/A	N	N	0	N/A

Agency Position Usage Report

FY2004-2005						FY2005-2006						FY2006-2007					
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Total	Total	Total	Total			Total				
5	3	2	5	0	40.00%	5	3	2	5	0	40.00%	5	3	0	3	2	40.00%

Analysis of Budget Request

Appropriation: A41 - Cash Operations

Funding Sources: 312 - Dental Examiners-Cash

The State Board of Dental Examiners is funded from the receipt of fees charged by the Agency, as authorized by Arkansas Code § 17-82-310.

A cost of living increase is not incorporated in Base Level pending the outcome of the Classification and Compensation Study. The Base Level request is \$151,896 for FY08 and \$151,896 for FY09 for Regular Salaries. FY07 salary levels have been held flat each year. Personal Services Matching reflects increases in the Base Level due to the Social Security Tax maximum income limit and certain increases in Worker's Compensation and Unemployment Tax rates. Personal Services Matching also includes a \$30 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$350 per month.

The Agency is requesting Base Level of \$361,458 for both years of the 2007-2009 biennium plus an increase of \$7,200 for both years of the 2007-09 biennium for Refunds/Reimbursements. Licensees by Credentials exams cost the examinee \$2,250 per exam. The increase will be used to make refunds to examinees when needed.

The Executive Recommendation provides for the Agency Request.

Appropriation

Appropriation: A41 Cash Operations
Funding Sources: 312 - Dental Examiners-Cash

Historical Data

Agency Request and Executive Recommendation

Commitment Item	2005-2006	2006-2007	2006-2007	2007-2008			2008-2009		
	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	148,080	151,896	196,633	151,896	151,896	151,896	151,896	151,896	151,896
#Positions	3	3	5	3	3	3	3	3	3
Personal Services Matching 5010003	50,705	41,745	57,996	42,833	42,833	42,833	42,833	42,833	42,833
Operating Expenses 5020002	94,217	114,637	114,637	114,637	114,637	114,637	114,637	114,637	114,637
Conference & Travel Expenses 5050009	4,497	7,166	7,166	7,166	7,166	7,166	7,166	7,166	7,166
Professional Fees 5060010	30,914	42,126	42,126	42,126	42,126	42,126	42,126	42,126	42,126
Data Processing 5090012	0	0	0	0	0	0	0	0	0
Refunds/Reimbursements 5110014	2,073	2,800	2,800	2,800	10,000	10,000	2,800	10,000	10,000
Capital Outlay 5120011	0	0	0	0	0	0	0	0	0
Total	330,486	360,370	421,358	361,458	368,658	368,658	361,458	368,658	368,658
Funding Sources									
Fund Balance 4000005	577,401	864,378		629,008	629,008	629,008	760,350	760,350	760,350
Cash Fund 4000045	617,463	125,000		492,800	500,000	500,000	117,800	125,000	125,000
Total Funding	1,194,864	989,378		1,121,808	1,129,008	1,129,008	878,150	885,350	885,350
Excess Appropriation/(Funding)	(864,378)	(629,008)		(760,350)	(760,350)	(760,350)	(516,692)	(516,692)	(516,692)
Grand Total	330,486	360,370		361,458	368,658	368,658	361,458	368,658	368,658

Change Level by Appropriation

Appropriation: A41-Cash Operations
Funding Sources: 312 - Dental Examiners-Cash

Agency Request

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	361,458	3	361,458	100.0	361,458	3	361,458	100.0
C01	Existing Program	7,200	0	368,658	101.9	7,200	0	368,658	101.9

Executive Recommendation

Change Level		2007-2008	Pos	Cumulative	% of BL	2008-2009	Pos	Cumulative	% of BL
BL	Base Level	361,458	3	361,458	100.0	361,458	3	361,458	100.0
C01	Existing Program	7,200	0	368,658	101.9	7,200	0	368,658	101.9

Justification

C01	The increase in Refunds/Reimbursements (\$7,200) is needed due to increase in refund for specialty exams, and Licensees by Credentials exam refunds being a high amount per licensee requiring refund (\$2,250).
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