

SHORT TITLE: Board of Dentistry; disapproval of rules;
distribution; effective date.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE JOINT
RESOLUTION NO. 13

By: Weedn, Smith, Easley,
Stipe, Long, Wilkerson,
Rozell, Shurden, Snyder,
Williams and Muegge of the
Senate

and

Roach, Boyd (Betty),
Tyler, Hilliard, Easley
and Satterfield of the
House

AS INTRODUCED

A Joint Resolution relating to certain rules adopted by the Board of Governors of Registered Dentists of Oklahoma; disapproving rules OAC 195:20-1-4(c) and (d), OAC 195:20-1-10 and OAC 195:20-1-13, which relate to the administration of anesthesia, certain methods of anesthesia including parenteral methods, minimal standards for dentists, and permits and inspections; directing adoption of emergency rules; requiring compliance with certain statute and guidelines; directing distribution; and declaring an emergency.

WHEREAS, pursuant to the Administrative Procedures Act, 75 O.S. 1991, Section 250, et seq., as amended, the Legislature reserves the right to disapprove any rule, establish policy, determine that a rule is not consistent with legislative intent, and designate the method for rule promulgation; and

WHEREAS, the rules of the Board of Dentistry do not adequately protect public access to quality dental anesthesia including access by the mentally ill and retarded; and

WHEREAS, it is the intent of the Legislature that the Board of Dentistry adopt the "Guidelines for the Use of Conscious Sedation, Deep Sedation and General Anesthesia for Dentists" which were

adopted by the American Dental Association House of Delegates in October, 1996; and

WHEREAS, rules OAC 195:20-1-4(c) and (d), OAC 195:20-1-10 and OAC 195:20-1-13 do not reflect the intent of the Legislature and are in conflict with the provisions of paragraph 11 of subsection B of Section 328.15 of Title 59 of the Oklahoma Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 46TH OKLAHOMA LEGISLATURE:

SECTION 1. The Legislature hereby disapproves rules OAC 195:20-1-4(c) and (d), OAC 195:20-1-10 and OAC 195:20-1-13.

SECTION 2. The Legislature hereby directs and authorizes the Board of Dentistry to adopt and promulgate replacement emergency rules to be effective no later than September 1, 1997. These rules shall not conflict with paragraph 11 of subsection B of Section 328.15 of Title 59 of the Oklahoma Statutes or the "Guidelines for the Use of Conscious Sedation, Deep Sedation and General Anesthesia for Dentists" which were adopted by the American Dental Association in October, 1996.

SECTION 3. The Secretary of State is hereby directed to distribute copies of this resolution to the Board of Dentistry and to the Editor of "The Oklahoma Register".

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

46-1-1562

MHR