

STATE BOARD OF DENTAL EXAMINERS

Enabling Laws

Act 91 of 2007
A.C.A. §17-82-201

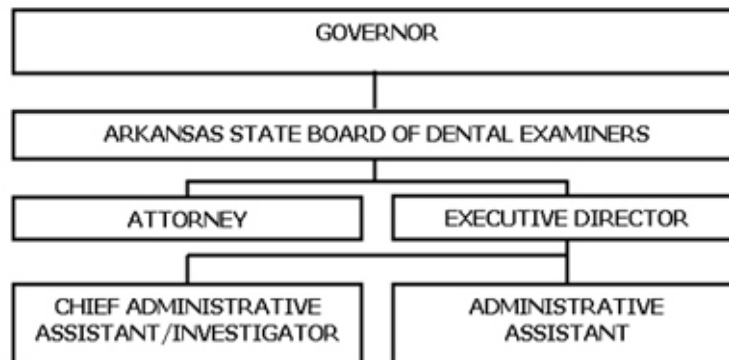
History and Organization

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 has sufficient cash funding for the Base Level request for the 2009-11 biennium.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
AUDIT OF :
ARKANSAS STATE BOARD OF DENTAL EXAMINERS

FOR THE YEAR ENDED JUNE 30, 2007

Findings

Review of receipts revealed untimely deposits. Instances were noted in which the time lapse from the date receipted to the date deposited was approximately one month. Failure to make timely deposits places assets at risk.

Recommendations

Strengthen internal control by requiring deposits be made in a timely manner.

Employment Summary

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

Cash Fund Balance Description as of June 30, 2008

Fund Account	Balance	Type	Location
3120000	\$1,016,807	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. 17-82-201 et 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

FY2006 - 2007						FY2007 - 2008						FY2008 - 2009					
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	Filled	Unfilled			Total	Total	Filled	Unfilled	
5	2	1	3	2	60.00 %	3	3	0	3	0	0.00 %	3	3	0	3	0	0.00 %

The number of positions fell from 5 to 3 in FY07 due to the Board's decision to leave the positions unbudgeted in FY06 and subsequent choice not to request them in the 2007-09 biennium.

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 Board, as authorized by Arkansas Code § 17-82-310.

Base Level positions were changed from unclassified to classified to reflect the recommendation of the Pay Plan Study and the salary was adjusted accordingly. A 2.3% Cost of Living Allowance is reflected in the second year of the biennium. The Base Level amount includes board member Stipend payments along with Career Service payments for eligible employees. The corresponding Personal Services Matching includes a \$75 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$425.

The Board is requesting Base Level for the 2009-2011 biennium.

The Executive Recommendation provides for the Agency Request. Expenditure of appropriation is contingent upon available funding.

Appropriation Summary

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

Historical Data

Agency Request and Executive Recommendation

Commitment Item	Historical Data			2009-2010			2010-2011		
	2007-2008 Actual	2008-2009 Budget	2008-2009 Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries 5010000	145,010	158,204	157,504	161,537	161,537	161,537	165,533	165,533	165,533
# Positions	3	3	3	3	3	3	3	3	3
Personal Services Matching 5010003	40,292	40,690	44,012	44,102	44,102	44,102	44,849	44,849	44,849
Operating Expenses 5020002	105,550	114,637	114,637	114,637	114,637	114,637	114,637	114,637	114,637
Conference & Travel Expenses 5050009	3,100	7,166	7,166	7,166	7,166	7,166	7,166	7,166	7,166
Professional Fees 5060010	29,272	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	239	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
Capital Outlay 5120011	0	0	0	0	0	0	0	0	0
Total	323,463	372,823	375,445	379,568	379,568	379,568	384,311	384,311	384,311
Funding Sources									
Fund Balance 4000005	690,622	1,016,807		978,984	978,984	978,984	934,416	934,416	934,416
Cash Fund 4000045	649,648	335,000		335,000	335,000	335,000	600,000	600,000	600,000
Total Funding	1,340,270	1,351,807		1,313,984	1,313,984	1,313,984	1,534,416	1,534,416	1,534,416
Excess Appropriation/(Funding)	(1,016,807)	(978,984)		(934,416)	(934,416)	(934,416)	(1,150,105)	(1,150,105)	(1,150,105)
Grand Total	323,463	372,823		379,568	379,568	379,568	384,311	384,311	384,311

The FY09 Budget amounts in Regular Salaries exceed the authorized amounts due to salary and matching rate adjustments during the 2007-2009 biennium.