



NOTICE OF INTENT TO CONSIDER RULE-MAKING 22 TEX. ADMIN. CODE 108.54

At the February 27, 2015, Board meeting, the Board directed Staff to prepare a report related to Rule 108.54, Advertising of Specialties, for presentation to the Board or a committee of the Board at a later date. Staff was directed to solicit stakeholder input related to the possible amendment of Rule 108.54 and to consider stakeholder input in its report to the Board or a committee of the Board.

Stakeholders are invited to submit informal input related to Rule 108.54 by emailing stakeholders@tsbde.texas.gov.

BACKGROUND

Rule 108.54 addresses which areas of dental practice may be considered “specialty areas” of dental practice for the purposes of advertising. Rule 108.54 also addresses the qualifying criteria a dentist must meet in order to advertise as specialist in one of the specialty areas.

At the November 21, 2014, Board meeting, Staff requested clarification of the Board’s meaning of Rule 108.54 and recommended the Board consider the inclusion of language permitting the advertising of areas of dental practice not currently recognized as “specialty areas”, as specialty areas, when accompanied by a disclosure that the area of practice is not a specialty area recognized by the Board or the ADA.

At the February 27, 2015, Board meeting, the Board directed Staff to prepare a report based on research and stakeholder input addressing the use of disclosures in other states, other methods of regulating advertising of specialty areas, and the legal implications of restricting advertising, for presentation to the Board or a committee of the Board.

Staff held a stakeholder meeting on Rule 108.54 on May 12, 2015. Staff held a second stakeholder meeting on Rule 108.54 on August 7, 2015.

Staff will hold a third stakeholder meeting on Rule 108.54 on October 23, 2015, at 2:00 p.m., in the William P. Hobby Jr. Building, Tower 3, Room 102.

Stakeholders may submit informal input by email to stakeholders@tsbde.texas.gov. Should the Board vote to propose an amendment to Rule 108.54, the proposal would be published in the *Texas Register* for a formal public comment period.

Persons who have special communication or other accommodation needs who are planning to attend the stakeholder meeting should contact Cristabel Bodden, at cbodden@tsbde.texas.gov or (512) 305-9332. Arrangements should be made as far in advance as possible.