

1 21 NCAC 16R .0204 is amended as published in 37:16 NCR 1101-02 as follows:

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3 **21 NCAC 16R .0204 VARIANCES AND EXEMPTION FROM AND CREDIT FOR CONTINUING**  
4 **EDUCATION**

5 (a) Upon receipt of written evidence, the Board ~~may~~will grant exemptions from the mandatory continuing education  
6 requirements set out in ~~Rule~~Rules .0201 and .0206 of this Section as follows:

7 (1) A dentist who practices not more than 250 clock hours in a calendar year shall be classified as a  
8 semi-retired Class I dentist, and shall: exempt from all continuing education requirements. Such  
9 dentists, who shall be known as semi-retired Class I dentists, shall maintain current CPR  
10 certification.

11 (A) be exempt from the requirement set out in Rule .0201(a) of this Section to complete 15  
12 clock hours of continuing education each calendar year;

13 (B) complete the course required in Rule .0201(b) of this Section if the dentist prescribes  
14 controlled substances; and

15 (C) maintain an unexpired CPR certification.

16 (2) A dentist who practices not more than 1,000 clock hours in a calendar year shall be classified as a  
17 semi-retired Class II dentist, and shall: exempt from one half of the continuing education courses  
18 required of dentists who practice full time. Such dentists, who shall be known as semi-retired Class  
19 II dentists, shall maintain current CPR certification.

20 (A) be exempt from one half of the total continuing education hours required in Rule .0201(a)  
21 of this Section;

22 (B) complete the course required in Rule .0201(b) of this Section if the dentist prescribes  
23 controlled substances;

24 (C) complete the continuing education requirement on substance abuse and mental health set  
25 out in Rule .0206 of this Section; and

26 (D) maintain an unexpired CPR certification.

27 (3) A retired dentist who does not practice any dentistry shall be exempt from all continuing education  
28 and CPR certification requirements.

29 (4) ~~A dentist who is unable to practice dentistry because of a physical or mental illness may request a~~  
30 ~~variance in continuing education hours during the period of the disability. The Board may grant or~~  
31 ~~deny requests for variance in continuing education hours based on a disabling condition on a case~~  
32 ~~by case basis, taking into consideration the particular disabling condition involved and its effect on~~  
33 ~~the dentist's ability to complete the required hours. In considering the request, the Board may require~~  
34 ~~additional documentation substantiating any specified disability.~~

35 (b) ~~In those instances where~~If a dentist who has been exempted from continuing education requirements is waived  
36 and the exempt individual wishes to resume practice, the Board shall require continuing education courses for the  
37 calendar year in which he or she resumes practice in accordance with Paragraph (a) of this Rule and Rules .0201 and

1 .0206 of this Section when reclassifying the ~~licensee-dentist~~. A dentist who has been classified as retired and wishes  
2 to resume practice shall satisfy the reinstatement requirements of 21 NCAC 16B .1101. ~~The Board may require those~~  
3 ~~licensees who have not practiced dentistry for a year or more to undergo a bench test before allowing the licensee to~~  
4 ~~resume practice if there is evidence that the licensee is unable to practice dentistry competently, such as a failing score~~  
5 ~~on a dental licensing examination, a written report of a licensed physician, evaluation conducted by a substance abuse~~  
6 ~~treatment facility, appointment of a guardian for the dentist or adjudication of incompetence by a court.~~

7 (c) Dentists shall receive 10 hours credit per year for continuing education when engaged in any of the following:

8 (1) service on a full-time basis on the faculty of an educational institution with involvement in  
9 education, training, or research in dental or dental ~~auxiliary hygiene~~ programs; or

10 (2) service on a ~~full-time~~ full-time basis with a federal, ~~state,~~ State, or county government agency whose  
11 operation is related to ~~dentistry, dentistry or dental auxiliaries~~. Verification of credit hours shall be  
12 maintained in the manner specified in Rule .0203 of this Section.

13 (d) Dentists who do not work on a full-time basis but work at least 20 hours per week in an institution or entity  
14 described in Subparagraph (c)(1) or (2) of this Rule shall receive five hours credit per year for continuing education.

15 (e) Dentists shall receive up to two hours of continuing education credits per year for providing dental services on a  
16 volunteer basis at any ~~state,~~ State, city, or county operated site. Credit will be given at ratio of 1:5, with one hour credit  
17 given for every five hours of volunteer work.

18 (f) Eligible licensees as defined by 21 NCAC 16B .0901 shall be granted a waiver of their mandatory continuing  
19 education requirements.

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21 *History Note: Authority G.S. 90-31.1; 90-38;*

22 *Eff. July 1, 2015;*

23 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,*  
24 *2018;*

25 *Amended Eff. July 1, 2023; December 1, 2020.*