



NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

Notice with a scheduled hearing

Notice without a scheduled hearing

Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 14. If a hearing is scheduled, complete block 5.

Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: [Board of Dental Examiners](#)

2. Link to agency website pursuant to G.S. 150B-19.1(c): www.ncdentalboard.org

3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

ADOPTION:

AMENDMENT: [21 NCAC 16B .0501; 16U .0204](#)

REPEAL:

READOPTION with substantive changes:

READOPTION without substantive changes:

REPEAL through READOPTION:

4. Proposed effective date: [08/01/2026](#)

5. Is a public hearing planned? [Yes](#)

If yes:

Date	Time	Location
04/16/2026	6:30 pm	2000 Perimeter Park Drive, #160, Morrisville, NC 27560

6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

7. Explain Reason For Proposed Rule(s):

21 NCAC 15B .0501 is proposed for amendment to provide clarification on requirements for individuals applying for licensure by credentials pursuant to G.S. 90-36(b1)(2).

21 NCAC 16U .0204 is proposed for amendment to update requirements and procedures related to settlement conferences.

8. Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or email. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

Rule(s) is automatically subject to legislative review. Cite statutory reference:

9. The person to whom written comments may be submitted on the proposed rule(s):

Name: Bobby White
Address: 2000 Perimeter Park Drive, Suite 160
Morrisville, NC 27560
Phone (optional):
Fax (optional):
EMail (optional)

10. Comment Period Ends: 05/15/2026

11. Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

No fiscal note required

12. Rule-making Coordinator:

Name: Whitney S. Waldenberg
919-610-0573
whitney@brokerlawfirm.com

Agency contact, if any:

Name:
Phone:
Email:

13. The Agency formally proposed the text of this rule(s) on

Date: 12/12/2025

1 21 NCAC 16B .0501 is proposed for amendment as follows:

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3 **21 NCAC 16B .0501 DENTAL LICENSURE BY CREDENTIALS**

4 (a) Except for instructors applying under Rule .0502 of this Section, an applicant for a dental license by credentials
5 shall submit to the Board:

- 6 (1) a notarized application form provided by the Board at www.ncdentalboard.org that includes the
7 information and materials required by Rule .0301(a) of this Subchapter;
- 8 (2) the non-refundable licensure by credentials fee set forth in 21 NCAC 16M .0101;
- 9 (3) an affidavit from the applicant stating for the five year period set out in G.S. 90-36(c)(1):
- 10 (A) the dates that and locations where the applicant has practiced dentistry;
- 11 (B) that the applicant has provided at least 5,000 hours of clinical care to patients, not including
12 postgraduate training, residency programs, or an ~~internship~~; internship, except that
13 applicants applying under G.S. 90-36(b1)(2) may rely upon the hours of clinical care
14 provided to patients during their participation in an advanced dental education program to
15 meet the 5,000-hour requirement of this Part;
- 16 (C) that the applicant has held an active, unrestricted dental license issued by another U.S. state
17 or U.S. territory, without any period of interruption; and
- 18 (4) a statement disclosing and explaining any investigations, malpractice claims, or state or federal
19 agency complaints, judgments, or settlements that are related to licensure and are not disclosed
20 elsewhere in the application.

21 (b) In addition to the requirements of Paragraph (a) of this Rule, an applicant for a dental license by credentials shall
22 request the applicable entity to send the following required information or documents, in a sealed envelope or via
23 secure electronic transmission, directly from the entity to the Board office:

- 24 (1) the applicant's official transcripts from a dental school or college accredited by the Commission on
25 Dental Accreditation of the American Dental Association ("CODA") showing the applicant
26 graduated with a DDS or DMD ~~degree; degree, except that for applicants applying under G.S. 90-~~
27 36(b1)(2), a copy of the applicant's general dental degree and the applicant's official transcripts from
28 an advanced dental education program accredited by CODA that issued either a certificate or a
29 degree to the applicant;
- 30 (2) a certificate of the applicant's licensure status from the dental regulatory authority or other
31 occupational or professional regulatory authority and a disclosure of any disciplinary action taken
32 or investigation pending, from all licensing jurisdictions where the applicant holds or has ever held
33 a dental license or other occupational or professional license;
- 34 (3) scores from:
- 35 (A) the National Board Dental Examination administered by the Joint Commission on National
36 Dental Examinations; and

1 (B) a clinical examination accepted by the Board based on the criteria set out in Rule .0303(d)
2 of this Subchapter;

3 (4) a report of any pending or final malpractice actions against the applicant verified by any malpractice
4 insurance carrier covering the applicant; and

5 (5) a letter of coverage history from all current and all previous malpractice insurance carriers covering
6 the applicant.

7 (c) An application shall be complete when the Board receives all information and documentation set forth in
8 Paragraphs (a) and (b) of this Rule and the applicant's passing scores on all examinations required by this Rule. Partial
9 applications that are not completed within one year of the date the first document is submitted to the Board shall be
10 disregarded as expired without a refund of the application fee.

11 (d) An applicant for dental licensure by credentials shall pass the Board's written examinations in sterilization and
12 jurisprudence as set out in Rule .0303(a) of this Subchapter. Individuals who do not pass either written examination
13 after three attempts within one year in accordance with Rule .0317(b) of this Subchapter shall not be eligible for
14 reexamination under Rule .0317(c) of this Subchapter and may not reapply for licensure by credentials.

15 (e) If an applicant graduated with a certificate or a degree from a CODA-accredited advanced dental education
16 program, the applicant shall be subject to all the requirements of this Rule, except:

17 (1) the applicant is not required to hold a dental license issued by any U.S. state or territory; and

18 (2) the applicant shall satisfy the educational credentials requirement set out in Subparagraph (b)(1) of
19 this Rule by requesting the applicable entity to send directly to the Board office, in a sealed envelope
20 or via secure electronic transmission:

21 (A) official transcripts from any school or college showing the applicant graduated with a
22 general dental degree; and

23 (B) official transcripts from a school or college showing the applicant graduated with a
24 certificate or a degree from a CODA-accredited advanced dental education program in the
25 school.

26 (f) Any applicant who changes his or her address shall notify the Board office in writing within 10 business days.

27 (g) Any license obtained through fraud or by any false representation shall be revoked.

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29 *History Note: Authority G.S. 90-28; 90-36; 90-41;*

30 *Temporary Adoption Eff. January 1, 2003;*

31 *Eff. January 1, 2004;*

32 *Recodified from 21 NCAC 16B .0401 Eff. March 1, 2006;*

33 *Amended Eff. September 1, 2014; February 1, 2010;*

34 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,*
35 *2018;*

36 *Amended Eff. _____; December 1, 2023; March 1, 2020.*

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1 21 NCAC 16U .0204 is proposed for amendment as follows:

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3 **21 NCAC 16U .0204 SETTLEMENT CONFERENCES**

4 (a) A settlement conference shall not be conducted unless the Respondent agrees to participate and to waive any
5 objection to the Board members being ~~exposed to~~provided a forecast of the evidence.

6 (b) A settlement conference shall be conducted before the Board or a panel of the Board appointed by the President.

7 At the settlement conference, ~~a Board investigator~~ the Board's investigative panel shall summarize the ~~circumstances~~
8 information obtained during the course of the investigation and present a forecast of the Board's evidence. The

9 Respondent shall have an opportunity to forecast his or her evidence. ~~Forecasts of the evidence may be presented~~
10 ~~orally or in writing and exhibits may be presented. Witnesses may forecast their own testimony but shall not be sworn~~
11 ~~nor cross-examined.~~ The settlement conference shall not be recorded nor open to the public. ~~The allowed time for~~
12 ~~initial presentations shall be agreed upon by counsel ten days prior to the conference, subject to approval by the~~
13 ~~presiding Board member.~~

14 (c) If the Board ~~deems~~ determines that sanctions, discipline, or other action ~~is~~ are necessary, a Consent Order or letter
15 ~~of reprimand~~ other written disposition shall be prepared and proposed to Respondent. ~~Should~~ If the Respondent ~~reject~~
16 ~~rejects the terms of the proposed~~ Consent Order or other disposition letter of reprimand, a contested case hearing ~~may~~
17 shall be scheduled.

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19 *History Note: Authority G.S. 90-28; 90-41; 90-41.1; 90-48; 90-223; 90-229; 90-231; 150B-41;*

20 *Eff. October 1, 1996;*

21 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,*
22 *2018; 2018;*

23 *Amended Eff. _____.*

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