

~~(IX) HOME OF A NONAMBULATORY PATIENT OF RECORD OF A DENTIST WHO HAS ISSUED A PRESCRIPTION FOR THE SERVICES OF A DENTAL HYGIENIST; OR~~

~~(X) SETTING AUTHORIZED BY REGULATIONS ADOPTED BY THE BOARD.~~

{(2) The Board may waive, on a ~~facility by facility~~ CASE BY CASE basis only, the supervision requirements of this subsection for a ~~dental facility owned and operated by the federal, State, or local government if the facility applies to the Board and shows good cause for the waiver.~~

~~(3) The Board shall maintain in its minutes the criteria or basis for granting a waiver to a facility.}~~

(I) A DENTAL FACILITY OWNED AND OPERATED BY THE FEDERAL, STATE, OR LOCAL GOVERNMENT;

(II) A HEALTH FACILITY LICENSED BY THE DEPARTMENT;

(III) A FACILITY PROVIDING MEDICAL CARE TO THE POOR, ELDERLY, OR HANDICAPPED THAT IS OWNED AND OPERATED BY:

1. THE STATE OR A LOCAL GOVERNMENT; OR

2. A BONA FIDE CHARITABLE ORGANIZATION; OR

(IV) ANY OTHER SETTING AUTHORIZED UNDER REGULATIONS ADOPTED BY THE BOARD.

(3) THE BOARD MAY GRANT A WAIVER UNDER PARAGRAPH (2) OF THIS SUBSECTION IF:

(I) THE FACILITY REQUESTING THE WAIVER HAS SUBMITTED A WRITTEN APPLICATION; AND

(II) THE BOARD FINDS THAT:

1. GOOD CAUSE EXISTS TO JUSTIFY THE GRANTING OF THE WAIVER;

2. ADEQUATE FACILITIES AND EQUIPMENT, INCLUDING PORTABLE EQUIPMENT WHERE APPROPRIATE, ARE AVAILABLE FOR THE APPROPRIATE DELIVERY OF DENTAL HYGIENE SERVICES; AND

3. ADEQUATE SAFEGUARDS ARE PRESENT TO PROTECT THE PATIENT'S HEALTH AND SAFETY.

(4) (I) THE BOARD ~~MAY~~, UPON WRITTEN REQUEST OR ITS OWN MOTION, ~~MAY~~ CONDUCT A PUBLIC ~~HEARING~~ INFORMATIONAL MEETING ON ANY WAIVER APPLICATION.