

MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS

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Marion Lewis Grubbs, D.M.D., Vice-President
Alexa L. Lampkin, D.M.D., Secretary



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John B. Carlton, D.M.D.
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PUBLIC PARTICIPATION IN RULE MAKING PROCESS

Miss. Code Ann. § 25-43-3.104. Public participation.

(1) For at least twenty-five (25) days after proper filing with the Secretary of State of the notice of proposed rule adoption, an agency shall afford persons the opportunity to submit, in writing, argument, data and views on the proposed rule.

(2)(a) An agency, in its discretion, may schedule an oral proceeding on any proposed rule. However, an agency shall schedule an oral proceeding on a proposed rule if, within twenty (20) days after the proper filing of the notice of proposed rule adoption, a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. At that proceeding, persons may present oral or written argument, data and views on the proposed rule.

(b) An oral proceeding on a proposed rule, if required, may not be held earlier than twenty (20) days after notice of its location and time is properly filed with the Secretary of State for publication in the administrative bulletin. Within three (3) days after its proper filing with the Secretary of State for publication in the administrative bulletin, the agency shall cause a copy of the notice of the location and time of the oral proceeding to be mailed to each person who has made a timely request to the agency to be placed on the mailing list maintained by the agency of persons who have requested notices of proposed rule adoptions.

(c) The agency, a member of the agency, or another presiding officer designated by the agency shall preside at a required oral proceeding on a proposed rule. Oral proceedings must be open to the public and may be recorded by stenographic or other means.

(d) An agency may issue rules for the conduct of oral rule-making proceedings or prepare reasonable guidelines or procedures for the conduct of any such proceedings. Those rules may include, but not be limited to, provisions calculated to prevent undue repetition in the oral proceedings.

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Guidelines for Participation in Public Hearing

Pursuant to Miss. Code Ann. § 25-43-3.104 (d), an agency may issue rules for the conduct of oral rule-making proceedings or prepare reasonable guidelines or procedures for the conduct of any such proceedings. Those rules may include, but not be limited to, provisions calculated to prevent undue repetition in the oral proceedings.

1. In order to speak at a scheduled public hearing regarding a proposed regulation, the speaker must first complete and submit a MSBDE speaker request form no later than forty-eight (48) hours prior to the hearing. The speaker request form shall include the following information:
 - a. Speaker's full name;
 - b. Speaker's contact information;
 - c. Interest or stake in the proposed regulation;
 - d. Identification of specific provisions of the proposed regulation which the speaker intends to address;
 - e. Concise summary of the speaker's intended commentary; and
 - f. Attachment of supplement information which the speaker want the Board to consider;
2. The Board's President, or designee, shall preside as Chair of the hearing. The Hearing Chair shall be responsible for maintaining decorum and recognizing speakers. The order of speakers shall be determined at the discretion of the Hearing Chair. The Hearing Chair may call for break periods as needed. Public attendance of the hearing may be limited according to maximum occupancy requirements of the location of the hearing.
3. At his discretion, the Hearing Chair, or designee, may make a brief presentation detailing the proposed regulatory changes at the inception of the hearing. Physical copies of the proposed regulatory changes will be available for participants and public attendees.
4. Each speaker shall be allowed ten (10) minutes to address the Board, not including questions from the Board. Board Members shall be allowed the opportunity to question

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speakers following each presentation. At the discretion of the Hearing Chair, Board staff may also ask question the speaker.

5. The Hearing Chair may reasonably limit presentations in which the commentary is substantially similar to prior presentations.
6. The Hearing Chair may excuse from participation and/or attendance any person that interferes with the orderly conduct of the hearing. The Hearing Chair should attempt to warn a participant or other public attendee to refrain from disruptive behaviors prior to excusal from the hearing.