

BOARD OF DENTAL EXAMINERS OF ALABAMA
ADMINISTRATIVE CODE

CHAPTER 270-X-4
MISCELLANEOUS

270-X-4-.07 Registered Limited Liability Partnerships.

(1) This rule is promulgated pursuant to the Alabama Limited Liability Partnership Act, Code of Ala. 1975, §10-A-5-8.01. This rule is applicable to professional registered limited liability partnerships formed for the purpose of rendering dental professional services by dentists licensed to practice dentistry in the State of Alabama.

(2) Any dentist licensed to practice dentistry in the State of Alabama who desire to render dental professional services as a professional registered limited liability partnership shall comply with the provisions of Code of Ala. 1975, §10-A-5-8.01 and this Rule.

(3) The names of professional registered limited liability partnerships formed by dentists shall be governed by the provisions of Code of Ala. 1975, §10A-1-5.06. If the names of the professional registered limited liability partnership utilizes the name or names of the dentists who are partners or employees of the professional registered limited liability partnership, then such name shall include the designation "D.M.D." or "D.D.S." whichever is appropriate. In addition, the following requirements shall be applicable to professional registered limited liability partnership.

(a) Practicing dentists forming or who formed a professional registered limited liability partnership may practice under a name other than the one(s) of the participating dentist(s) only if the following requirements are met:

1. That the name of the participating dentist(s) shall appear following or beneath the name selected.

2. That the name so selected should not suggest a non-profit or charitable activity or be false, fraudulent, misleading or deceptive.

3. That the name of the dentist(s) and the words "Registered Limited Liability Partnership" or the abbreviation "L.L.P.", as required by Code of Ala. 1975, §10A-1-5.07 shall be displayed with similar prominence as the name so selected.

(4) Every professional registered limited liability partnership organized for the rendering of dental professional service shall file with the Board of Dental Examiners of Alabama a certified copy of the Registration and any all amendments to the Registration, a complete list of the names and addresses of the partners, changes of the partners of the professional registered limited liability partnership or changes in the business address of the professional registered limited liability partnership.

As to professional registered limited liability partnerships formed after the effective date of this Rule, the filing referenced above shall be made within thirty (30) days of the effective date of the instrument or document filed. As to professional registered limited liability partnerships in existence on the effective date of the Rule, the filings referenced above shall be made within thirty (30) days of that effective date.

(5) Every professional registered limited liability partnership governed by the provisions of the Act shall file with the Board of Dental Examiners of Alabama a certified copy of a Termination Notice or Statement of Cancellation of Registration within thirty (30) days of the dissolution or cancellation.

(6) Dentists licensed to practice dentistry who render dental professional services as a professional registered limited liability partnership shall comply with the conditions and restrictions of Code of Ala. 1975, §10A-8-10.10. A professional registered limited liability partnership organized to render dental professional services, foreign or domestic, may render dental professional services in Alabama only through individuals licensed to practice dentistry in the state of Alabama.

(7) In addition to the requirements of Code of Ala. 1975, §10A-8-10.10(h), no interest may be transferred until there is presented to and filed with the professional registered limited liability partnership a certificate by the Board of Dental Examiners of Alabama stating that the individual to whom the transfer is made is licensed to practice dentistry in the State of Alabama.

(8) No employee of a professional registered limited liability partnership who is not licensed to practice dentistry shall anticipate in any decision constituting the practice of dentistry or shall interfere with the exercise of the independent professional judgment of a dentist in matters related to the practice of dentistry. In addition, a dentist's actions with respect to the practice of dentistry shall not be subject to the control of any individual not licensed to practice dentistry, including but not limited to those matters set forth in Code of Ala. 1975, §34-9-9(b).

(9) A foreign professional registered limited liability partnership rendering dental professional services in the State of Alabama shall, in addition to the requirements of Code of Ala. 1975, §10A-8-10.10, be subject to the following:

(a) All partners or employees of a foreign professional registered limited liability partnership who render dental professional services in Alabama shall be dentists licensed to practice dentistry in the State of Alabama.

(b) Filings with the Board of Dental Examiners of Alabama the registration form required by Code of Ala. 1975, §10A-8-10.06 and the withdrawal notice referenced in Code of Ala. 1975, §10A-8-10.06. Both these documents shall be filed within thirty (30) days of their filing with the Secretary of State. As to those foreign professional registered limited liability partnership registered on the effective date of this Rule, the above referenced filings shall be made within thirty (30) days of that effective date.

Author: Board of Dental Examiners

Statutory Authority: Code of Ala. 1975, §§10A-1-5-.06, 10A-1-5-.07, 10A-5-8-.01, 10A-8-10.06, 10A-8-10-.10, 34-9-43.

History: New Rule: Filed March 23, 2001; effective April 27, 2001. **Amended:** Filed February 22, 2012; effective March 28, 2012. **Amended:** Filed January 16, 2013; effective February 20, 2013.