

# LEGAL SERVICES

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## MEMORANDUM

January 22, 2018

**SUBJECT:** Temporary permits to substitute for incapacitated dentists  
(Work Order No. 30-LS1284\A)

**TO:** Senator David Wilson  
Attn: Jody Simpson

**FROM:** Claire Radford  
Legislative Counsel 

Attached to this memorandum is the draft you requested to allow the Board of Dental Examiners (board) to issue a temporary permit to a dentist to substitute for an incapacitated dentist. Below is a drafting note for your consideration as you review the draft.

This draft allows the board to waive the proof of continued competence requirements under AS 08.36.234 when issuing a temporary permit. This provision will exempt dentists who hold a temporary permit from meeting the new requirements established under HB 159, enacted 25 July 2017, for education in pain management and opioid use and addiction. A physician or osteopath who is issued a temporary permit for locum tenens practice, for example, must comply with these continuing education requirements. What is the purpose of exempting a dentist who is issued a temporary permit from these requirements? Is this consistent with your intent?

If I may be of further assistance, please advise.

CER:mlp  
18-025.mlp

Attachment