

SENATE CS FOR CS FOR HOUSE BILL NO. 135(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 3/6/98

Referred: Rules

**Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE LEGISLATIVE BUDGET AND
AUDIT COMMITTEE**

A BILL

FOR AN ACT ENTITLED

1 "An Act extending the termination date of the Board of Dental Examiners to
2 June 30, 2001; eliminating a requirement that a dental applicant's photograph be
3 autographed; specifying the circumstances under which a person may be licensed
4 as a dentist in this state without examination when the person is licensed as a
5 dentist in another jurisdiction whose licensing requirements are not equivalent to
6 this state's requirements; and providing for an effective date."

7 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

8 * **Section 1.** AS 08.03.010(c)(7) is amended to read:

9 (7) Board of Dental Examiners (AS 08.36.010) -- June 30, 2001
10 [1997];

11 * **Sec. 2.** AS 08.36.120 is amended to read:

12 **Sec. 08.36.120. Signing, photograph, and filing date of application.** Each
13 applicant shall submit a recent unmounted [, AUTOGRAPHED] photograph of the

applicant. Applications shall be signed by the applicant and filed at least 45 days before the date scheduled for an examination.

* **Sec. 3.** AS 08.36.234(a) is amended to read:

(a) The board shall provide for the licensing without examination, except as provided in (2) of this subsection, of a dentist who

(1) provides certification to the board that the dentist

(A) is a graduate of a dental school accredited by the Commission on Accreditation of the American Dental Association, or its successor agency, and holds a certificate from the American Dental Association Joint Commission on National Dental Examinations that the dentist has passed the written examination given by the commission;

(B) has passed clinical and written examinations required for licensure in another state, territory, or region of the United States and has been licensed to practice dentistry in that state, territory, or region of the United States; the state, territory, or region must have licensing requirements at least generally equivalent to those of this state at the time of application; **if the board does not consider the licensing requirements of the other jurisdiction to be generally equivalent to those of this state at the time of application because certain areas of subject matter were not included in the other jurisdiction's examinations, the board may find compliance with the requirements of this subparagraph if the dentist holds a specialty certification in the omitted subject areas;**

(C) is in good standing with the licensing entity in the jurisdiction where the dentist is currently licensed and in all jurisdictions in which the dentist was previously licensed while practicing in those jurisdictions; if the dentist is employed by the federal government, the dentist must be in good standing with the employing federal agency;

(D) has been engaged in continuous active clinical practice averaging at least 20 hours a [PER] week for each of the five years immediately preceding the application

(i) in a jurisdiction in which the dentist was licensed and

1 in good standing; or

2 (ii) working for the federal government while in good
3 standing with the employing federal agency and after having been
4 licensed by a jurisdiction;

5 (E) is not the subject of an adverse decision based upon a
6 complaint, investigation, review procedure, or other disciplinary proceeding
7 within the five years immediately preceding application, or of an unresolved
8 complaint, investigation, review procedure, or other disciplinary proceeding,
9 undertaken by a state, territorial, local, or federal dental licensing jurisdiction
10 or a dental society;

11 (F) is not the subject of an unresolved or an adverse decision
12 based upon a complaint, investigation, review procedure, or other disciplinary
13 proceeding undertaken by a state, territorial, local, or federal dental licensing
14 jurisdiction, dental society, or law enforcement agency that relates to criminal
15 or fraudulent activity, dental malpractice, or negligent dental care and that
16 adversely reflects on the applicant's ability or competence to practice dentistry
17 or on the safety or well-being of patients;

18 (G) has not previously had a license to practice dentistry
19 suspended for grounds similar to those specified under AS 08.36.315, revoked,
20 or voluntarily surrendered;

21 (H) has completed at least 42 hours of continuing education
22 related to clinical dentistry in the three years preceding application for a license
23 in this state; the continuing education must have been approved by the
24 American Dental Association, the Academy of General Dentistry, or the
25 appropriate specialty board;

26 (I) has not within the previous three years failed the clinical
27 exam given by the Western Regional Examining Board;

28 (J) is not the subject of an adverse report from the National
29 Practitioner Data Bank or the American Association of Dental Examiners
30 Clearinghouse for Disciplinary Information that relates to criminal or fraudulent
31 activity, negligent dental care, or malpractice;

1 (2) has passed, to the satisfaction of the board, a written examination
2 that consists of the portion of the written examination given under AS 08.36.160(b)
3 that pertains to the state's laws on the practice of dentistry; the board may not require
4 a higher passing score for applicants under this section than the board requires for
5 applicants under AS 08.36.110;

6 (3) is personally interviewed by the board for purposes of verifying
7 credentials;

8 (4) pays all required fees;

9 (5) provides the board with an affidavit that the dentist is not an
10 impaired practitioner;

11 (6) provides to the board an authorization for release of records in a
12 form prescribed by the board.

13 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).