

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

April 9, 2011

**SUBJECT:** Sectional summary of CSSB 92(FIN)  
(Work Order No. 27-LS0403\E)

**TO:** Senator Dennis Egan  
Chair of the Senate Labor and Commerce Committee  
Attn: Dana Owen

**FROM:** Alpheus Bullard *AB*  
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

**Section 1.** Removes a requirement that a person practicing dental hygiene, or who is offering to practice dental hygiene, must have a current certificate of registration.

**Section 2.** Establishes the qualifications necessary for licensure as a dental hygienist.

**Section 3.** Amends the qualifications necessary for a dental hygienist to be licensed by credentials.

**Section 4.** Edits the dental hygiene licensing provision to provide that successful applicants for licensure will no longer be registered by the Board of Dental Examiners (board) (see sec. 25 for a parallel provision applicable to dentists).

**Sections 5 - 6.** Conforms the "renewal of license" and "lapse and reinstatement of license" provisions applicable to dental hygienists to the bill's removal of the registration requirement for dental hygienists. Permits the Department of Commerce, Community, and Economic Development (development) to notify a dental hygienist whose license is about to expire by means other than by mail.

**Section 7.** Allows a dental hygienist who has completed a course offered by or under the auspices of a program accredited by the Commission on Dental Accreditation of the

American Dental Association or other equivalent course or program to receive a restorative function endorsement from the board.

**Section 8.** Changes the levels of supervision required for a dental hygiene student performing dental hygiene procedures. Makes the section applicable to all students enrolled in dental hygiene programs.

**Sections 9 - 11.** Change the permitted scope of practice for a dental hygienist and clarify what practices and procedures may not be delegated to a dental hygienist by a dentist.

**Section 12.** Clarifies what practices and procedures a dental hygienist, who has entered into a collaborative agreement with a dentist, may be authorized by the dentist to perform.

**Section 13.** Makes stylistic changes.

**Section 14.** Permits the board to sanction a dental hygienist who used or knowingly cooperated in deceit, fraud, or intentional misrepresentation to obtain a certificate or endorsement and amends the other grounds for discipline, suspension, or revocation of a dental hygienist's license.

**Section 15.** Gives the board the authority to impose a civil fine of up to \$25,000 for a violation of AS 08.32 or a regulation adopted under the chapter.

**Section 16.** Amends the list of dental hygienists to whom the provisions of AS 08.32 do not apply.

**Section 17.** Provides new definitions applicable to AS 08.32 for "licensed dental hygienist" and "licensed dentist."

**Section 18.** Adds a qualification for the public member of the board.

**Section 19.** Requires the members of the board to take an oath. Requires the board to adopt a seal.

**Section 20.** Requires the president of the board to be a dentist or dental hygienist.

**Section 21.** Amends the powers of the board.

**Section 22.** Requires the Department of Commerce, Community, and Economic Development to employ an investigator for the board.

**Section 23.** Requires the board to establish standards for dental radiological equipment that comply with applicable federal law. Permits the board to charge a fee for equipment

registered under the section. Removes a requirement that inspections of radiologic equipment be performed by a person with certain qualifications.

**Section 24.** Requires the board to maintain a registry of persons licensed as dentists or dental hygienists and persons registered as dental assistants, and a registry of licenses, certificates, registrations, and endorsements revoked by the board.

**Section 25.** Edits the dentist licensing provision to provide that successful applicants for a license will no longer be registered by the board (see sec. 4 for a parallel provision applicable to dental hygienists).

**Section 26.** Amends the qualifications for a license to practice dentistry in the state.

**Section 27.** Requires that an applicant for licensure as a dentist must be interviewed in person by the board.

**Sections 28 - 29.** Amend what is necessary for a dental hygienist to be licensed by credentials.

**Section 30.** Permits all persons enrolled as students in an accredited school of dentistry to perform dental procedures without a license if certain conditions are met.

**Section 31.** Conforms the "renewal of registration" provision applicable to dentists to the bill's removal of the registration requirement for dentists. Permits the department to notify a dentist whose license is about to expire by means other than mail.

**Section 32.** Provides that a dentist who does not pay the license renewal fee forfeits the dentist's license. Permits the board to reinstate a license upon certain conditions.

**Section 33.** Amends the grounds for discipline, suspension, or revocation of a license to practice dentistry.

**Section 34.** Permits a dental assistant who has completed a course offered by or under the auspices of a program accredited by the Commission on Dental Accreditation of the American Dental Association or other equivalent course or program to receive a restorative function certificate from the board.

**Section 35.** Adds a new provision allowing persons enrolled in a program or course of study to perform dental assisting procedures as part of that course of study or program without a registration if certain conditions are met.

**Section 36.** Amends the list of dentists to whom the provisions of AS 08.32 do not apply.

**Section 37.** Adds a new section that provides who may own, operate, or maintain a dental practice, office, or clinic.

**Section 38.** Provides new definitions applicable to AS 08.36 for "licensed dental hygienist," "licensed dentist," and "registered dental assistant."

**Section 39.** Repeals AS 08.32.020, 08.32.035, 08.32.040, 08.32.060, 08.32.097, 08.32.100, 08.32.120, 08.32.130, 08.32.140, 08.32.190(2); AS 08.36.075(b), 08.36.075(c), 08.36.075(d), 08.36.075(e), 08.36.114, 08.36.230, 08.36.244, 08.36.246, 08.36.247, 08.36.248, 08.36.260, 08.36.271, and 08.36.290.

**Section 40.** Provides an instruction to the revisor of statutes to change the catchline of a statutory provision applicable to dentists.

TLAB:plm

11-239.plm