



# LAWS OF ALASKA

2018

**Source**

SCS CSHB 346(FIN)

**Chapter No.**

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**AN ACT**

Relating to the licensure of dentists; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1



**AN ACT**

1 Relating to the licensure of dentists; and providing for an effective date.

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3 \* **Section 1.** AS 08.36.100 is amended to read:

4           **Sec. 08.36.100. License required.** Except as provided in AS 08.36.238 **and**  
5           **08.36.254**, a person may not practice, or attempt to practice, dentistry without a  
6           license.

7 \* **Sec. 2.** AS 08.36 is amended by adding a new section to article 2 to read:

8           **Sec. 08.36.254. Temporary permit to substitute for an incapacitated**  
9           **dentist.** (a) The board may issue a temporary permit to practice dentistry to a dentist  
10           for the purpose of substituting for an incapacitated dentist licensed in this state.

11           (b) A dentist applying for a temporary permit under (a) of this section shall

12                           (1) hold an active license from a board of dental examiners established  
13                           under the laws of a state or territory of the United States issued after thorough  
14                           examination;

15                           (2) pay the required fee; and

1 (3) meet other qualifications for a temporary permit established by  
2 regulation.

3 (c) A temporary permit issued under this section is valid only to treat patients  
4 of the incapacitated dentist at an address listed on the business license of the  
5 incapacitated dentist.

6 (d) The fee for a permit issued under this section is one-fourth of the fee for a  
7 biennial license plus the appropriate application fee.

8 (e) The board may not issue a temporary permit under this section if another  
9 dentist licensed under this chapter may reasonably substitute for the incapacitated  
10 dentist.

11 (f) A temporary permit issued under this section is initially valid for 90  
12 consecutive calendar days. Upon request of a permittee, the board shall extend a  
13 permit issued under this section for 60 calendar days if, before the expiration of the  
14 initial 90-day permit, the permittee submits to the board a completed application form  
15 and the fee required under this chapter, except that the board may refuse to grant a  
16 request for an extension for the same reasons the board may revoke a license under  
17 AS 08.36.315. Permits and extensions of permits issued to a permittee under this  
18 section are not valid for more than 240 calendar days during any consecutive 24  
19 months.

20 (g) The board may extend a permit issued under this section for a period that  
21 exceeds the limit established in (f) of this section if the board determines that the  
22 extension is necessary to provide essential dental services and the board has received a  
23 clearance report from the

24 (1) National Practitioner Data Bank; and

25 (2) United States Drug Enforcement Administration.

26 (h) In this section, "incapacitated" means impaired by a health condition that  
27 renders a dentist unable to practice dentistry for more than 30 days.

28 \* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to  
29 read:

30 TRANSITION: REGULATIONS. The Department of Commerce, Community, and  
31 Economic Development and the Board of Dental Examiners may adopt regulations necessary

1 to implement the changes made by this Act. The regulations take effect under AS 44.62  
2 (Administrative Procedure Act), but not before the effective date of the relevant provision of  
3 this Act implemented by the regulation.

4 \* **Sec. 4.** Section 3 of this Act takes effect immediately under AS 01.10.070(c).

5 \* **Sec. 5.** Except as provided in sec. 4 of this Act, this Act takes effect January 1, 2019.