

SENATE BILL NO. 160

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY SENATOR TAYLOR BY REQUEST

Introduced: 4/4/97

Referred: Labor and Commerce, HESS

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to registration, inspection, and testing relating to radiological
2 equipment in dentists' offices."

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

4 * **Section 1.** AS 08.36 is amended by adding a new section to read:

5 **Sec. 08.36.075. Dental radiological equipment.** (a) The board shall establish
6 standards for the shielding, immediate surroundings, operation, and maintenance of
7 dental radiological equipment, including standards for record keeping relating to the
8 equipment and its operation.

9 (b) The board shall require each dentist licensed under this chapter to register
10 with the board any dental radiological equipment in the dentist's office. The board
11 may charge a fee for the initial registration of each piece of equipment registered under
12 this subsection, but may not charge a periodic registration fee.

13 (c) The board shall require periodic inspection of equipment registered under
14 (a) of this section every five years and require that records concerning the inspection

1 of the equipment be provided to the board and kept on file where the equipment is
2 located.

3 (d) In this section, "dental radiological equipment" means equipment for use
4 in the practice of dentistry in a dentist's office if the equipment emits electronic
5 product radiation, as defined in AS 18.60.545, or uses radionuclides, as defined in
6 AS 18.60.545.

7 * **Sec. 2.** AS 18.05 is amended by adding a new section to read:

8 **Sec. 18.05.065. Dental radiological equipment.** This chapter does not
9 authorize the department to register, inspect, test, or otherwise regulate dental
10 radiological equipment or records relating to dental radiological equipment regulated
11 by the Board of Dental Examiners under AS 08.36.075.

12 * **Sec. 3.** AS 18.60.525 is amended by adding a new subsection to read:

13 (e) AS 18.60.475 - 18.60.545 do not authorize the department to register,
14 inspect, test, or otherwise regulate dental radiological equipment or records relating to
15 dental radiological equipment regulated by the Board of Dental Examiners under
16 AS 08.36.075.

17 * **Sec. 4.** AS 44.29 is amended by adding a new section to read:

18 **Sec. 44.29.027. Dental radiological equipment.** This chapter does not
19 authorize the department to register, inspect, test, or otherwise regulate dental
20 radiological equipment or records relating to dental radiological equipment regulated
21 by the Board of Dental Examiners under AS 08.36.075.

22 * **Sec. 5.** AS 44.46 is amended by adding a new section to read:

23 **Sec. 44.46.029. Dental radiological equipment.** This chapter does not
24 authorize the department to register, inspect, test, or otherwise regulate dental
25 radiological equipment or records relating to dental radiological equipment regulated
26 by the Board of Dental Examiners under AS 08.36.075.

27 * **Sec. 6.** AS 46.03 is amended by adding a new section to read:

28 **Sec. 46.03.022. Dental radiological equipment.** This title does not authorize
29 the department to register, inspect, test, or otherwise regulate dental radiological
30 equipment or records relating to dental radiological equipment regulated by the Board
31 of Dental Examiners under AS 08.36.075.

1 * **Sec. 7. TRANSITIONAL PROVISIONS.** (a) All litigation, hearings, investigations, and
2 other proceedings pending under a law amended by this Act, or in connection with functions
3 transferred by this Act, continue in effect and may be continued and completed
4 notwithstanding a transfer or amendment provided for in this Act. Certificates, orders, and
5 regulations issued or adopted under authority of a law amended by this Act remain in effect
6 for the term issued or until revoked, vacated, or otherwise modified under the provisions of
7 this Act. All contracts, rights, liabilities, and obligations created by or under a law amended
8 by this Act, and in effect on the day before the effective date of this Act, remain in effect
9 notwithstanding this Act's taking effect. Records, equipment, and other property of agencies
10 of the state whose functions are transferred under this Act shall be transferred commensurate
11 with the provisions of this Act.

12 (b) Notwithstanding other provisions of this Act, the Department of Health and Social
13 Services and the Department of Environmental Conservation may continue to regulate dental
14 radiological equipment and record keeping relating to dental radiological equipment, as
15 defined in AS 08.36.075, added by sec. 1 of this Act, to the same extent that the respective
16 departments were authorized to regulate dental radiological equipment and records on the day
17 before the effective date of this Act until the effective date of regulations adopted by the
18 Board of Dental Examiners to implement AS 08.36.075, added by sec. 1 of this Act.