

ALASKA STATE LEGISLATURE
HOUSE LABOR AND COMMERCE STANDING COMMITTEE

April 2, 2008

3:07 p.m.

MEMBERS PRESENT

Representative Kurt Olson, Chair
Representative Mark Neuman, Vice Chair
Representative Carl Gatto
Representative Gabrielle LeDoux
Representative Robert L. "Bob" Buch
Representative Berta Gardner

MEMBERS ABSENT

Representative Jay Ramras

COMMITTEE CALENDAR

HOUSE BILL NO. 383

"An Act establishing an exemption from the dentist licensing exam for certain persons."

- MOVED CSHB 383(L&C) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 383

SHORT TITLE: DENTIST LICENSE EXAM EXCEPTION

SPONSOR(S): REPRESENTATIVE(S) COGHILL

02/19/08	(H)	READ THE FIRST TIME - REFERRALS
02/19/08	(H)	MLV, L&C
03/18/08	(H)	MLV AT 1:00 PM BARNES 124
03/18/08	(H)	-- MEETING CANCELED --
03/25/08	(H)	MLV AT 1:00 PM BARNES 124
03/25/08	(H)	Moved Out of Committee
03/25/08	(H)	MINUTE(MLV)
03/26/08	(H)	MLV RPT 4DP 1NR
03/26/08	(H)	DP: LEDOUX, DAHLSTROM, RAMRAS, ROSES
03/26/08	(H)	NR: KAWASAKI
04/02/08	(H)	L&C AT 3:00 PM CAPITOL 17

WITNESS REGISTER

KAREN LIDSTER, Staff

to Representative John Coghill
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 383 on behalf of the bill's sponsor, Representative John Coghill.

DAVID L. EICHLER, DMD
North Pole, Alaska

POSITION STATEMENT: Testified in support of HB 383.

ACTION NARRATIVE

CHAIR KURT OLSON called the House Labor and Commerce Standing Committee meeting to order at [3:07:08 PM](#). Representatives Buch, Gardner, LeDoux, Neuman, and Olson were present at the call to order. Representative Gatto arrived as the meeting was in progress.

HB 383-DENTIST LICENSE EXAM EXCEPTION

[3:07:21 PM](#)

CHAIR OLSON announced that the only order of business would be HOUSE BILL NO. 383, "An Act establishing an exemption from the dentist licensing exam for certain persons."

[3:07:28 PM](#)

KAREN LIDSTER, Staff to Representative John Coghill, Alaska State Legislature, explained that that Dr. Eichler is one of Representative Coghill's constituents. Dr. Eichler also serves as the Chair of the Board of Dental Examiners (BDE), she noted. Dr. Eichler requested a statutory change that would allow the state to capture the talent and expertise of military dentists who serve in command supervisory positions. This bill would allow military dentists who serve in full-time supervisory positions an exemption to the licensure requirement of actively practicing for 20 hours per week. She stated that the Alaska Dental Society and the Department of Labor & Workforce Development support HB 383.

[3:08:54 PM](#)

MS. LIDSTER, in response to Chair Olson, noted that there has not been any opposition to HB 383.

[3:09:04 PM](#)

REPRESENTATIVE BUCH offered his understanding that the Chair of the Board of Dental Examiners supports the bill, but that the board as a whole has not endorsed HB 383 because the BDE has not held a meeting since HB 383 was introduced. He inquired as to the how often the BDE meets.

MS. LIDSTER said she was not sure.

[3:09:48 PM](#)

DAVID L. EICHLER, DMD, in response to Representative Buch, stated that the BDE meets quarterly and last met on February 7-8, 2008. In response to Representative Buch, Dr. Eichler noted that the BDE will hold its next meeting on June 27, 2008. He explained that he personally contacted Representative Coghill to request a statutory change to assist military dentists serving in Alaska to obtain licensure in the state. He stated that HB 383 was introduced shortly after the BDE met in February 2008. He stated that he notified other BDE members about HB 383, but that he has not yet received any comments on the bill.

[3:11:39 PM](#)

REPRESENTATIVE NEUMAN inquired as to whether HB 383 would affect dental businesses in the state.

DR. EICHLER stated that he did not think that HB 383 would affect dental practices since the bill would probably affect only a few military dentists. He opined that usually high ranking officers such as a Lieutenant Colonel or a Colonel would be the dentists affected by HB 383. He offered that typically, these military officers are commanders who do not practice dentistry clinically. Instead, the commanders oversee administrative duties to ensure that the dental needs of the military are met. Thus, these dentists don't meet 20 hours of weekly clinical practice required by the state's licensure by credential statutes. He characterized this matter as merely an oversight to the dental practices statutes. In further response to Representative Neuman, Dr. Eichler explained that he does not think the bill would affect practicing dentists.

[3:13:28 PM](#)

REPRESENTATIVE BUCH inquired as to whether HB 383 would reduce or diminish patient care by licensing dentists serving in the military that may not have practiced clinically for a number of

years. He opined these dentists probably have not met any ongoing continuing education requirements.

DR. EICHLER opined that he did not think licensing dentists under HB 383 will cause a problem with the level of care offered to patients. Although he said he could not be absolutely certain, several factors mitigate any competency problems. The dentists who would be affected by HB 383 would have practiced dentistry for a minimum of 20 years in clinical practice prior to being promoted to command positions, he noted. Secondly, the military has far and away more continuing education requirements than the state requires, he asserted. These dentists serve in a group setting in which their practices are observed by many people and are promoted based on their abilities, he surmised. Further, if the dental military commanders felt their ability to practice dentistry was not up to standards, these dentists would be motivated to seek additional continuing education to elevate their skill levels.

[3:16:05 PM](#)

REPRESENTATIVE LEDOUX referred to page 2, lines 14-15, and inquired as to whether the dentist would be required to specifically supervise other dentists or if the military dentist could be engaged in any supervisory position and still qualify for licensure.

DR. EICHLER answered that he assumes that since HB 383 only affects the dental practices statutes, the commander would be supervising other dentists.

REPRESENTATIVE LEDOUX expressed concern that a dentist serving in the military may be working in a supervisory capacity that has nothing to do with dentistry. She suggested that HB 383 might need to be tightened up to ensure that the bill is limited to military dentists who are supervising other dentists.

DR. EICHLER agreed that HB 383 should only apply to dentists supervising other dentists. He pointed out that the intention of HB 383 is to correct an unforeseen oversight that excludes military dentists from licensure in the state.

[3:18:12 PM](#)

REPRESENTATIVE GARDNER echoed Representative LeDoux's concern. She related her understanding that the dentists serving in the military would most likely have 20 years of clinical practice,

have achieved the rank of Colonel or Lieutenant Colonel, and are supervisors. She surmised that these military commanders would not likely have practiced dentistry for 5 to 10 years and inquired as to whether such dentists would be competent since they are not required to pass any examination in Alaska prior to licensure.

DR. EICHLER acknowledged the concern, but argued that currently a dentist licensed in Alaska may renew his/her license without proof of clinical practice since proof of practice is not required as a condition of license renewal. He explained that he does not share Representative Gardner's concern because he is confident that anyone who has reached the status these military officers have achieved is competent clinically and ethically. He stated that the dentists in question would ensure their skills are not just adequate, but are exemplary.

[3:20:16 PM](#)

REPRESENTATIVE GATTO echoed similar thoughts as Dr. Eichler about the military commanders. He then referred to Section 1, which reads, "(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 ..." He pointed out that this statute further requires under subsections (a)-(d), that the dentist is a graduate of a dental school, has passed the clinical and written examinations required for licensure in another state, and is in good standing with the licensing entity in the jurisdiction where the dentist is currently licensed. He expressed concern that a dentist serving in the military may not be actively practicing dentistry while on active duty as the dentist might be assigned to some other duty. He opined that the dentist should submit to continuing education prior to licensure.

DR. EICHLER reiterated his earlier testimony such that any dentist licensed in Alaska is not required to practice dentistry to maintain his/her dental license. He asserted that he did not think competency in clinical practice would be an issue for the dentists affected under HB 383.

[3:22:36 PM](#)

REPRESENTATIVE LEDOUX suggested that competency might be less of an issue since the dentists that would be affected by HB 383 are dentists who are currently licensed in another jurisdiction and must be in good standing in the state of original licensure.

DR. EICHLER agreed that the military dentists seeking licensure would be licensed without further examination since they must be currently licensed in another jurisdiction [as a condition of licensure by credentials]. In further response to Representative LeDoux, Dr. Eichler agreed that the dentist serving in the military applying for licensure in Alaska is currently licensed in another jurisdiction and must also demonstrate 42 hours of continuing education in the three years prior to licensure. He reminded members that the only licensure requirement being waived is the requirement that the dentist be engaged in continuous active clinical practice averaging at least 20 hours a week.

[3:24:36 PM](#)

REPRESENTATIVE GARDNER inquired as to whether Alaska offers reciprocity for dental licenses from other jurisdictions.

DR. EICHLER answered that the licensure is not considered reciprocity. He explained that the state has licensure by credentials for dentists who hold a license in another jurisdiction. He pointed out that the statutes affected by HB 383 are statutes that solely apply to dentists already licensed in another jurisdiction. In further response to Representative Gardner, Dr. Eichler reiterated that the only requirement that would be waived under HB 383 is a provision that requires that a dentist must be engaged in continuous active clinical practice averaging at least 20 hours a week. The reason to grant the waiver is that many dentists don't have the opportunity to practice clinically due to the nature of their supervisory position.

REPRESENTATIVE GARDNER referred to page 2, line 8, subparagraph (C), which reads: "is in good standing with the licensing entity in the jurisdiction where the dentist is currently licensed ...". She related her understanding that this means that the dentist is currently licensed elsewhere and will be allowed to use that license, essentially, to practice in Alaska.

DR. EICHLER answered that is not exactly true. He explained that under HB 383, the dentist would be granted a license in Alaska, but that the dentist would not be practicing under the license he holds from another jurisdiction.

[3:26:51 PM](#)

CHAIR OLSON inquired as to whether it is a safe assumption that the military dentist would not likely be actively practicing in Alaska.

DR. EICHLER answered that it is a good possibility that the dentist would not practice dentistry in Alaska. He pointed out that HB 383 would allow the state to recognize the contributions these dentists have made to the profession and to attract them to remain in the state. He opined that the state has a good reason to retain high ranking military officers in the state since the officers have a lot to offer.

[3:27:53 PM](#)

CHAIR OLSON, after first determining no one else wished to testify, closed public testimony on HB 383.

[3:28:06 PM](#)

REPRESENTATIVE NEUMAN echoed Dr. Eichler's testimony that this bill is a means to help military dentists gain recognition. He related his understanding that licensed dentists are not required to practice dentistry [as a condition of license renewal], that the military dentists have a lot to offer the state, and not enough dentists currently practice in the state. He offered his support for HB 383.

[3:29:01 PM](#)

REPRESENTATIVE LEDOUX agreed with the intent of HB 383, but asked if it would help to clarify with a conceptual amendment that the dentists serving in the military that would be affected by HB 383 are supervising dentists.

MS. LIDSTER referred to the proposed change on page 2, lines 13-16, and stated that the proposed change is for a full-time supervisory position and that the statutes in question are within the dental practices. She stated that she did not think that the sponsor would need to clarify that the military dentist must be supervising other dentists.

[3:30:13 PM](#)

REPRESENTATIVE LEDOUX suggested a conceptual amendment be made on page 2, line 15, after, position to insert, "full-time supervisory position supervising dentists."

REPRESENTATIVE GATTO asked for clarification of whether the conceptual amendment would read "dental supervisor".

CHAIR OLSON asked for clarification if the conceptual amendment would read: after supervisory, to add "dental."

3:31:02 PM

REPRESENTATIVE GARDNER suggested after, "full-time" to add "dental" which would read, "full-time dental supervisory".

REPRESENTATIVE LEDOUX agreed with Representative Gardner's suggestion. She made a motion to adopt Conceptual Amendment 1, as follows:

On page 2, line 14,
after, "full-time" insert, "dental"

3:31:37 PM

REPRESENTATIVE GATTO asked for clarification of the meaning of "full-time". He asked whether a dentist who worked a lesser amount such as 98 percent would qualify for licensure.

CHAIR OLSON answered that the military already defines the term, "full-time" and he said he did not think that the term needed to be defined in this bill.

REPRESENTATIVE LEDOUX speculated that a person might work an average of 10 hours per week performing dentistry and rest of time the person supervised military dentists.

3:33:10 PM

CHAIR OLSON reminded members that a motion was before the committee. He asked if there was any objection to Conceptual Amendment 1, which read:

On page 2, line 14,
after, "full-time" insert, "dental"

There being no objection, Conceptual Amendment 1 was adopted.

3:33:29 PM

REPRESENTATIVE LEDOUX restated her concern that a person might work an average of 10 hours per week performing dentistry and

rest of time the dentist would supervise other military dentists. She inquired as to how the dentist would fit within HB 383.

DR. EICHLER said he thought he could satisfy Representative LeDoux's concern. He pointed out that a dentist who is in the supervisory position could also perform clinically any number of hours per week. Some dentists might perform 20 hours of dentistry per week, but still function as full-time dental supervisors. Other dentists in those capacities don't practice any clinical dentistry at all, he noted.

[3:35:05 PM](#)

REPRESENTATIVE GARDNER related her understanding that HB 383 will only affect a few military dentists, but noted that some military dentists practice dentistry. She inquired as to whether Dr. Eichler could clarify the purpose of the bill.

DR. EICHLER related that he personally is aware of a dentist that did not qualify for the 20 hours per week who could not qualify for licensure in the state. "I don't want to see one turned away because they can't qualify for a license when I think they are fully qualified, or more than qualified," he said.

[3:35:54 PM](#)

REPRESENTATIVE NEUMAN moved to report HB 383, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 383(L&C) was reported from the House Labor and Commerce Standing Committee.

[3:36:16 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Labor and Commerce Standing Committee meeting was adjourned at 3:36 p.m.