

SENATE FINANCE COMMITTEE
April 24, 2018
10:34 a.m.

10:34:07 AM

CALL TO ORDER

Co-Chair MacKinnon called the Senate Finance Committee meeting to order at 10:34 a.m.

MEMBERS PRESENT

Senator Lyman Hoffman, Co-Chair
Senator Anna MacKinnon, Co-Chair
Senator Click Bishop, Vice-Chair
Senator Peter Micciche
Senator Donny Olson
Senator Gary Stevens
Senator Natasha von Imhof

MEMBERS ABSENT

None

ALSO PRESENT

Representative Sam Kito, Sponsor; Caitlyn Ellis, Staff,
Representative Sam Kito; Janey McCullough, Director,
Division of Corporations, Business and Professional
Licensing, Department of Commerce, Community and Economic
Development.

PRESENT VIA TELECONFERENCE

David Logan, Alaska Dental Society, Juneau; David Nielson,
State Dental Board, Anchorage.

SUMMARY

CSHB 346 (L&C)

DENTIST: TEMPORARY PERMIT

CSHB 346 (L&C) was HEARD and HELD in committee for
further consideration.

#hb346

"An Act relating to the licensure of dentists."

10:34:48 AM

Co-Chair MacKinnon noted that SB 150 had been removed from the schedule.

Co-Chair MacKinnon directed attention to HB 346.

REPRESENTATIVE SAM KITO, SPONSOR, spoke to the bill. He relayed that the bill would facilitate making sure that all Alaskans had access to dental care. He discussed situations in which rural areas did not have access to a dentist. The bill allowed for the provision of a temporary license by the Department of Commerce, Community, and Economic Development (DCCED).

10:36:49 AM

CAITLYN ELLIS, STAFF, REPRESENTATIVE SAM KITO, discussed the bill. She referenced a document pertaining to the number of dental specialists in Alaska (copy on file).

General Dentists 511
Total Dental Specialists 136
Breakdown of Dental Specialists
Oral Surgery 30
Endodontics 13
Orthodontics 31
Pediatrics 30
Prosthodontics 8
Oral and Maxillofacial Pathology 3
Oral and Maxillofacial Radiology 0
Periodontics 6
Dental Public Health 15

Ms. Ellis reiterated that the bill allowed for the issuance of a temporary license, that could be issued for a quarter of the time of a full license, at a quarter of the cost. The license could be renewed once. She mentioned that DCCED had requested regulation transition language be added to the bill.

10:38:43 AM

Co-Chair MacKinnon asked for a walk-through of the bill sections.

Ms. Ellis discussed the sections of the bill. She stated that Section 1 specified that a license was required to practice in the state. Section 2 listed the necessary qualifications for a temporary permit. She noted that Section 2 had been amended in a committee substitute in the other body. Section 2 specified the length of time of the permits. She noted that the last line of the bill defined "incapacitated."

Senator Stevens asked about the length of time of the proposed temporary license, and whether dentists licensed internationally were eligible for the temporary permits.

Ms. Ellis referenced Section 2, Line 13:

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

Ms. Ellis spoke to Section 2, Subsection (f):

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

[10:41:11 AM](#)

Co-Chair MacKinnon looked at Page 2, Line 20:

(g) The board may extend a permit issued under this section for a period that exceeds the limit established in (f) of this section of the board determines that the extension is necessary to provide

essential dental services and the board has clearance report from the

- (1) National Practitioner Data Bank; and
- (2) United States Drug Enforcement Administration

Co-Chair MacKinnon OPENED public testimony.

[10:42:18 AM](#)

DAVID LOGAN, ALASKA DENTAL SOCIETY, JUNEAU (via teleconference), testified in support of the bill. He relayed that there had been incidences over the past 5 years where practitioners had become incapacitated and unable to perform dentistry. He said that there were not enough specialists in-state to fill the need and that out-of-state specialists were the only option for patients to continue to receive service.

Senator Olson asked whether Dr. Logan had been on the dental board in the past.

Dr. Logan answered in the affirmative.

Senator Olson asked how the board would assure that the out-of-state dentists were thoroughly vetted.

Dr. Logan replied that specialists looking for coverage would vet the person taking over and that the person filling in would likely be a former classmate or colleague. He added that most importantly the candidate would have an active license in another state; disciplinary infractions in other states would result in the revocation of the license.

Senator Olson wondered about possible pending disciplinary action.

Dr. Logan said that all pending infractions would be part of a databank and could be researched by the board.

[10:45:08 AM](#)

Co-Chair MacKinnon referenced Dr. Logan's letter dated January 18, 2018 (copy on file). She read from the second paragraph:

"The smaller communities typically have itinerate coverage and when that is disrupted, as was the case during the past two years, it forces patients in those communities to either go without care or to have to travel to larger communities."

Co-Chair MacKinnon read from Page 2, Lines 3 through 5, of the bill:

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

Co-Chair MacKinnon wondered what the bill meant for traveling dentists.

Dr. Logan replied that the language was meant to highlight that the temporary permits were strictly for replacing incapacitated dentists and not for any side practice. He believed that this would safeguard that this was not a work around for the licensure process.

Co-Chair MacKinnon asked about new clientele and wondered whether new patients would be able to receive care from the temporary replacement of the incapacitated dentist.

Dr. Logan responded that new patients could receive care. He stressed that the intent was for use typically by specialists, which generally did not maintain patient records. He noted that general dentists generally referred their patients to a specialist.

[10:47:59 AM](#)

DAVID NIELSON, STATE DENTAL BOARD, ANCHORAGE (via teleconference), testified that the board was in total support of the bill. The department had asked regulations to be produced that would support and expand on the qualifications to receive the temporary permit. He supported the work that had been done to craft the legislation.

Co-Chair MacKinnon CLOSED public testimony.

[10:49:37 AM](#)

Co-Chair MacKinnon solicited comments from DCCED.

JANEY MCCULLOUGH, DIRECTOR, DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING, DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT, requested that the committee consider transition language that would allow the department and the Board of Dental Examiners to conduct a regulations project to implement the bill. She supported an effective date of January 1, 2019; to get the necessary work done.

Vice-Chair Bishop discussed FN 1 from Department of Commerce, Community and Economic Development. He relayed that the funding would cover the legal cost of the regulation package printing and postage in the first year.

Co-Chair MacKinnon commented on the July 1, 2019 regulation date as listed on the fiscal note.

Ms. McCullough stated that the work could be completed by January 1, 2019.

Co-Chair MacKinnon stated that the committee would work to update and modify the fiscal note to include the effective date for regulation. She said that the committee would work with the sponsor to draft regulation to reflect transition language and effective date for the regulations implementation. she would work with the sponsor

Co-Chair MacKinnon noted that Senator Stevens had been a strong advocate for the bill.

CSHB 346 was HEARD and HELD in committee for further consideration.

Co-Chair MacKinnon discussed housekeeping.

#

ADJOURNMENT

[10:53:31 AM](#)

The meeting was adjourned at 10:53 a.m.