

ALASKA STATE LEGISLATURE
SENATE HEALTH AND SOCIAL SERVICES STANDING COMMITTEE

March 16, 2020

1:32 p.m.

MEMBERS PRESENT

Senator David Wilson, Chair
Senator Cathy Giessel
Senator Mike Shower (via teleconference)
Senator Tom Begich

MEMBERS ABSENT

Senator Natasha von Imhof, Vice Chair

COMMITTEE CALENDAR

SENATE BILL NO. 190

"An Act relating to the practice of dentistry."

- MOVED CSSB 190 (HSS) FROM COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 190

SHORT TITLE: DENTIST'S SPECIALTY LICENSES

SPONSOR(s): SENATOR(s) WILSON

02/14/20	(S)	READ THE FIRST TIME - REFERRALS
02/14/20	(S)	HSS, FIN
03/16/20	(S)	HSS AT 1:30 PM BUTROVICH 205

WITNESS REGISTER

JASMIN MARTIN, Staff
Senator David Wilson
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided a sectional analysis for SB 190.

DOMINIC WENZELL, D.D.S., Board of Dental Examiners
Girdwood, Alaska

POSITION STATEMENT: Testified in support of SB 190.

DAVID LOGAN, D.D.S., Executive Director

Alaska Dental Society
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 190.

ACTION NARRATIVE

[1:32:40 PM](#)

CHAIR DAVID WILSON called the Senate Health and Social Services Standing Committee meeting to order at 1:32 p.m. Present at the call to order were Senators Giessel and Chair Wilson. Senator Shower joined via teleconference. Senator Begich arrived as the meeting was in progress.

SB 190-DENTIST'S SPECIALTY LICENSES

[1:33:03 PM](#)

CHAIR WILSON announced the consideration of SENATE BILL NO. 190, "An Act relating to the practice of dentistry."

He stated that he sponsored SB 190, a truth in advertising bill. Currently, any dentist can advertise as a specialist but Alaska statutes do not define a dental specialist and the Board of Dental Examiners does not have authority to define specialties. SB 190 would establish that if a dentist advertises a specialty in a field, he or she must qualify as a specialist. The Board of Dental Examiners would set the qualifications and issue specialty licenses.

[1:33:58 PM](#)

JASMIN MARTIN, Staff, Senator David Wilson, Alaska State Legislature, Juneau, Alaska, said SB 190 would allow the Board of Dental Examiners to define and license dental specialists. It would prohibit dentists from advertising as specialists unless they are licensed by the board. Currently, dentists can advertise as specialists, such as an orthodontist, periodontist, and endodontist with no specialty training. The board has no authority to discipline these dentists because the legislature has not given the board the authority to define and license dental specialists.

MS. MARTIN presented the sectional analysis for SB 190:

Section 1: Adds new sections to AS 08.36 (Title 8.
Business and Professions, Chapter 36. Dentistry)

Sec. 08.36.242. License to practice as a specialist required.

Establishes that a dentist may not advertise using the term "specialist," the name of a specialty, or other phrases that suggest they are a specialist unless they have a specialist licenses as established.

Sec. 08.36.243. Qualification for specialist; scope of practice.

(a) Establishes that in order to qualify for a specialist licenses a person must

(1) Hold a dental license issued by the board and

(2) Meet the qualifications of a specialist as established by the board in regulation.

(b) In creating the qualifications for a specialist license, the board shall consider the standards of a nationally recognizes certifying entity approved by the board.

(c) Establishes that a dental specialist can only claim to be a specialist in the specialty they hold a license in.

Sec. 08.36.245. Suspension or revocation of specialist license.

Establishes that a board may suspend or revoke a specialist license as set by AS 08.36.315.

MS. MARTIN said the board has asked for an effective date of March 1, 2021, to align with the licensing cycle.

MS. MARTIN said there is a zero fiscal note from the Division of Corporations, Business and Professional Licensing. The division anticipates a small fiscal note that will be absorbed in the division's budget.

CHAIR WILSON said there is another bill with a similar title in the Senate Finance Committee. He said wanted to get this concept on the record before offering an amendment and passing it on to the the Senate Finance Committee.

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SENATOR GIESSEL said, and Senator Wilson affirmed, that this is a by-request bill. She observed that making the new effective date March 1, 2021 to coincide with the licensing date is very logical.

CHAIR WILSON invited Dr. Wenzell to testify.

[1:38:00 PM](#)

DOMINIC WENZELL, D.D.S., Board of Dental Examiners, Girdwood, Alaska, said the board discussed SB 190 at its March 3 meeting and offers its unanimous support. The board is willing to write any necessary companion regulations.

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DAVID LOGAN, D.D.S., Executive Director, Alaska Dental Society, Anchorage, Alaska, said his organization supports SB 190. The board is handicapped by dentists who are making questionable advertising, which is confusing to the public. The Alaska Dental Society would like to see more clarity and standards for advertising. Establishing firm guidelines about who can advertise as a specialist and what qualifications are needed would remove confusion for the public.

CHAIR WILSON asked if had an example of a bad actor.

MR. LOGAN replied that in some instances dentists have decided to specialize their practice by seeing children. These dentists advertise as pediatric dentists without undergoing a pediatric training program of two to three years. Some dentists claim specialties that are not recognized, such as sleep apnea, and the amount of training these dentists have received is weeks, not years.

SENATOR GIESSEL added that she is aware of some of the dentists that he is referring to who claim to be pediatric specialists. She said she has concerns about them and appreciates the bill.

[1:41:10 PM](#)

CHAIR WILSON opened public testimony and after first determining no one wished to testify, closed public testimony SB 190.

SENATOR GIESSEL said this is a logical bill. The overriding purpose of regulating health care professionals is public safety. When dentists claim to be specialists but do not have the training in their specialty, it jeopardize public safety. She advocated to move the bill to the Senate Finance Committee today. However, the committee lacked a quorum.

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At ease

[1:45:39 PM](#)

CHAIR WILSON reconvened the meeting and noted the presence of Senator Begich. He solicited a motion.

[1:45:53 PM](#)

SENATOR GIESSEL moved to adopt Amendment 1:

31-LS1260\M.1
Fisher
3/10/20

AMENDMENT 1

OFFERED IN THE SENATE
TO: SB 190

BY SENATOR WILSON

Page 1, line 1, following "**dentistry**":
Insert "**; and providing for an effective date**"

Page 2, following line 10:
Insert a new bill section to read:
"*** Sec. 2.** This Act takes effect March 1, 2021."

[1:45:56 PM](#)

CHAIR WILSON objected for purposes of discussion.

SENATOR GIESSEL explained that changing the effective date to March 1, 2021 would coincide with the licensing renewal date for the Board of Dental Examiners.

[1:46:40 PM](#)

CHAIR WILSON removed his objection and finding no further objection, Amendment 1 was adopted.

[1:46:50 PM](#)

CHAIR WILSON solicited a motion.

[1:46:56 PM](#)

SENATOR GIESSEL moved to report SB 190, work order 31-LS1260\M as amended, from committee with individual recommendations and attached fiscal note(s).

There being no objection, CSSB 190(HSS) was reported from the Senate Health and Social Services Standing Committee.

[1:47:55 PM](#)

There being no further business to come before the committee, Chair Wilson adjourned the Senate Health and Social Services Standing Committee at 1:47 p.m.