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1 IN THE HOUSE

BY MENARD, GRUENBERG
AND BOUCHER

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 228

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to regulation of the practice of
7 dentistry; and providing for an effective date."

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

9 * Section 1. AS 08.36.010 is amended to read:

10 Sec. 08.36.010. CREATION AND MEMBERSHIP OF BOARD. There is
11 created the Board of Dental Examiners consisting of nine [SEVEN]
12 members. Six [FOUR] members shall be licensed dentists who have been
13 engaged in the practice of dentistry in the state for five years
14 immediately preceding appointment, one member shall be a dental hy-
15 gienist licensed under AS 08.32 who has been engaged in the practice
16 of dental hygiene in the state for five years immediately preceding
17 appointment, and two members shall be public members.

18 * Sec. 2. AS 08.36.070(a) is amended to read:

19 (a) The board shall [:]

20 (1) provide for the examination of [EXAMINE] applicants and
21 issue licenses to those applicants it finds qualified;

22 (2) register licensed dentists and licensed dental hygien-
23 ists who are in good standing;

24 (3) report annually to the governor and the department on
25 the board's proceedings during the year, findings concerning the
26 standards and availability of dental services in the state including
27 the number of licensees, examination and licensing activities, other
28 matters related to dental practice, and board receipts and expendi-
29 tures;

1 (4) affiliate with the American Association of Dental
2 Examiners, and pay annual dues to the association;

3 (5) hold hearings, and order the disciplinary sanction of a
4 person who violates this chapter, AS 08.32, or a regulation of the
5 board;

6 (6) supply forms for applications, licenses, permits,
7 certificates, and other papers and records;

8 (7) enforce the provisions of this chapter and AS 08.32 and
9 adopt or amend the regulations necessary to make the provisions of
10 this chapter and AS 08.32 effective;

11 (8) adopt regulations ensuring that renewal of registration
12 is contingent upon proof of continued professional competence by a
13 licensed dentist or licensed dental hygienist;

14 (9) provide the department with the requirements for proof
15 of continued professional competence and request the department to
16 make these requirements available to each licensed dentist and li-
17 censed dental hygienist at least one year before the date on which the
18 dentist or dental hygienist must renew registration;

19 (10) at least annually cause to be published in a newspaper
20 of general circulation in each major city in the state, a summary of
21 disciplinary actions the board has taken during the preceding calendar
22 year;

23 (11) issue permits or certificates to licensed dentists,
24 licensed dental hygienists, and dental assistants who meet standards
25 determined by the board for specific procedures that require specific
26 education and training;

27 (12) regulate the reentry into practice of inactive dentists
28 and dental hygienists.

29 * Sec. 3. AS 08.36.110 is repealed and reenacted to read:

1 Sec. 08.36.110. QUALIFICATIONS FOR LICENSE. An applicant for a
2 license to practice dentistry shall

3 (1) be a graduate of a dental school that at the time of
4 graduation is accredited by the Commission on Accreditation of the
5 American Dental Association;

6 (2) hold a certificate from the American Dental Association
7 Joint Committee on National Dental Examinations that the applicant has
8 successfully passed the written examinations given by the commission;

9 (3) submit proof satisfactory to the board that the appli-
10 cant

11 (A) has not had a license to practice dentistry re-
12 voked or suspended in this state or another state; and

13 (B) is not the subject of an unresolved complaint,
14 review procedure, or disciplinary proceeding in another state;

15 (4) pass, to the satisfaction of the board, written, clin-
16 ical, and other examinations administered or approved by the board;
17 and

18 (5) meet the other qualifications for a license established
19 by the board by regulation.

20 * Sec. 4. AS 08.36.130 is amended to read:

21 Sec. 08.36.130. EXAMINATION. An examination shall be given at
22 least once a year and at other times and at places determined by the
23 board to be convenient and economical for the applicants and the
24 state. At least once each year the board shall appoint an examination
25 committee of at least three licensed dentists who have been engaged in
26 the practice of dentistry in the state for five years immediately
27 preceding appointment to conduct or to supervise the examination
28 process for applicants for licenses to practice dentistry. The board
29 shall also appoint an examination committee of at least two licensed

1 dentists who have been engaged in the practice of dentistry in the
2 state for five years immediately preceding appointment and one person
3 licensed to practice dental hygiene in the state to conduct the ex-
4 amination for applicants for licenses to practice dental hygiene. The
5 examination committees shall report the results to the board for
6 official action.

7 * Sec. 5. AS 08.36.160(a) is amended to read:

8 (a) The examination conducted or approved by the board shall be
9 designed to test the qualifications of the applicant to practice
10 dentistry and shall consist of a written and a clinical examination.

11 * Sec. 6. AS 08.36.180 is amended to read:

12 Sec. 08.36.180. REEXAMINATION [RE-EXAMINATION]. An applicant
13 shall pass each subject of each section of the examination conducted
14 or approved by the board with a score equal to or exceeding the mini-
15 mal acceptable score set by the board by regulation [OF AT LEAST 75
16 PERCENT]. If an applicant fails in one subject in each section, the
17 applicant may be reexamined [RE-EXAMINED] in that subject. If an
18 applicant fails in more than one subject in any section, the applicant
19 shall be reexamined [RE-EXAMINED] in the whole section. If an appli-
20 cant fails the examination or any section of it on two separate occa-
21 sions, the board shall refuse to examine the applicant further until
22 the applicant produces evidence satisfactory to the board that the
23 applicant has pursued further study in preparation for the examina-
24 tion.

25 * Sec. 7. INITIAL APPOINTMENT. The governor shall appoint one quali-
26 fied person to an initial term of four years and another qualified person
27 to an initial term of two years to fill the new positions created on the
28 Board of Dental Examiners by sec. 1 of this Act.

29 * Sec. 8. This Act takes effect immediately under AS 01.10.070(c).