

Original sponsors: Menard, Gruenberg
and Boucher

1 IN THE HOUSE BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 228 (HESS) am S

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] two members
15 shall be dental [HYGIENIST LICENSED UNDER AS 08.32 WHO HAS BEEN]
16 hygienists licensed under AS 08.32 who have been engaged in the
17 practice of dental hygiene in the state for five years immediately
18 preceding appointment, and [TWO MEMBERS SHALL BE PUBLIC MEMBERS] one
19 member shall be a public member.

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

21 (a) The board shall [:]

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

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

26 (3) report annually to the governor and the department on
27 the board's proceedings during the year, findings concerning the
28 standards and availability of dental services in the state including
29 the number of licensees, examination and licensing activities, other

1 matters related to dental practice, and board receipts and expendi-
2 tures;

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

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

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

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

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

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

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

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

29 (12) regulate the reentry into practice of inactive dentists

1 and dental hygienists.

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

3 Sec. 08.36.110. QUALIFICATIONS FOR LICENSE. An applicant for a
4 license to practice dentistry shall

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

8 (2) hold a certificate from the American Dental Association
9 Joint Commission on National Dental Examinations that the applicant
10 has successfully passed the written examinations given by the commis-
11 sion;

12 (3) submit proof satisfactory to the board that the appli-
13 cant

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

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

18 (4) pass, to the satisfaction of the board, written, clin-
19 ical, and other examinations administered or approved by the board;
20 and

21 (5) meet the other qualifications for a license established
22 by the board by regulation.

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

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

1 preceding appointment to conduct or to supervise the examination
2 process for applicants for licenses to practice dentistry. The board
3 shall also appoint an examination committee of at least two licensed
4 dentists who have been engaged in the practice of dentistry in the
5 state for five years immediately preceding appointment and one person
6 licensed to practice dental hygiene in the state to conduct the ex-
7 amination for applicants for licenses to practice dental hygiene. The
8 examination committees shall report the results to the board for
9 official action.

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

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

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

15 Sec. 08.36.180. REEXAMINATION [RE-EXAMINATION]. An applicant
16 shall pass [EACH SUBJECT OF EACH SECTION OF] the examination conducted
17 or approved by the board with a score equal to or exceeding the mini-
18 mal acceptable score set by the board by regulation [OF AT LEAST 75
19 PERCENT]. If an applicant fails the examination [IN ONE SUBJECT IN
20 EACH SECTION], the applicant may be reexamined [RE-EXAMINED IN THAT
21 SUBJECT. IF AN APPLICANT FAILS IN MORE THAN ONE SUBJECT IN ANY SEC-
22 TION, THE APPLICANT SHALL BE RE-EXAMINED IN THE WHOLE SECTION]. If an
23 applicant fails the examination [OR ANY SECTION OF IT] on two separate
24 occasions, the board shall refuse to examine the applicant further
25 until the applicant produces evidence satisfactory to the board that
26 the applicant has pursued further study in preparation for the exami-
27 nation.

28 * Sec. 7. INITIAL APPOINTMENT. The governor shall appoint one quali-
29 fied person to an initial term of four years and another qualified person

1 to an initial term of two years to fill the new positions created on the
2 Board of Dental Examiners by sec. 1 of this Act.

3 * Sec. 8. Sections 2 - 5 of this Act are retroactive to January 1,
4 1987.

5 * Sec. 9. This Act takes effect immediately under AS 01.10.070(c).