

CS FOR HOUSE BILL NO. 247 (HES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION
BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 4/29/91
Referred: Labor & Commerce

Sponsor(s): REPRESENTATIVE MACKIE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to licensure of dentists; and providing for an effective date."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1. AS 08.36.070(a) is amended to read:**

4 **(a) The board shall**

5 **(1) provide for the examination of applicants and issue licenses to those applicants**
6 **it finds qualified;**

7 **(2) register licensed dentists and licensed dental hygienists who are in good**
8 **standing;**

9 **(3) report annually to the governor and the department on the board's proceedings**
10 **during the year, findings concerning the standards and availability of dental services in the state**
11 **including the number of licensees, examination, and licensing activities, other matters related to**
12 **dental practice, and board receipts and expenditures;**

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

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

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

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

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

9 (9) provide the department with the requirements for proof of continued
10 professional competence and request the department to make these requirements available to each
11 licensed dentist and licensed dental hygienist at least one year before the date on which the
12 dentist or dental hygienist must renew registration;

13 (10) at least annually cause to be published in a newspaper of general circulation
14 in each major city in the state [,] a summary of disciplinary actions the board has taken during
15 the preceding calendar year;

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

19 (12) regulate the reentry into practice of inactive dentists and dental hygienists;

20 (13) require, as a condition of a license or license renewal issued by the
21 board, that an applicant or licensee has at the time of licensing or renewal and maintains
22 throughout the period of a license current certification in cardiopulmonary resuscitation
23 techniques.

24 * Sec. 2. AS 08.36.160 is amended by adding a new subsection to read:

25 (e) A passing score on a clinical examination given by the Western Regional Examining
26 Board within the five years preceding licensure application under this chapter constitutes a
27 passing score on a clinical examination required under this chapter. The board may accept a
28 passing score on a clinical examination given by the Western Regional Examining Board more
29 than five years preceding licensure application if the examination was taken on or after January 1,
30 1986.

31 * Sec. 3. AS 08.36.234 is amended to read:

1 Sec. 08.36.234. LICENSURE BY CREDENTIALS. The board shall [MAY] provide for
2 the licensing without examination, except as provided in (9) of this section, of a dentist who

3 (1) provides certification to the board that the dentist is a graduate of a dental
4 school [COLLEGE] accredited by the Commission on Accreditation of the American Dental
5 Association, or its successor agency, and holds a certificate from the American Dental
6 Association Joint Commission on National Dental Examinations that the dentist has passed the
7 written examination given by the commission;

8 (2) provides certification to the board that the dentist has been licensed to
9 practice dentistry in another state, territory, or region of the United States with licensing
10 requirements at least equivalent [IN SCOPE, QUALITY AND DIFFICULTY] to those of this
11 state at the time of licensure;

12 (3) provides certification to the board that the dentist is endorsed by the
13 licensing entity in the jurisdiction where the dentist is currently licensed and in all
14 jurisdictions in which the dentist was previously licensed; if the dentist is employed by the
15 federal government, the dentist must be endorsed by the employing federal agency;

16 (4) has been engaged in continuous active clinical practice averaging at least 20
17 hours per week for each of the five years immediately preceding the application in a jurisdiction
18 for which the dentist was endorsed;

19 (5) provides certification to the board that the dentist [(4)] is not the subject
20 of an unresolved complaint, investigation, review procedure, or disciplinary proceeding
21 undertaken by a dental licensing jurisdiction or agency, law enforcement agency, or other
22 governmental agency;

23 (6) provides certification to the board that the dentist [(5)] has not previously
24 had a license to practice dentistry suspended for grounds similar to those specified under
25 AS 08.36.315, revoked, or voluntarily surrendered;

26 (7) provides certification to the board that the dentist [(6)] has not failed the
27 clinical examination of this state or, within the previous three years, failed the clinical
28 examination given by the Western Regional Examining Board;

29 (8) submits to the board documentation that the dentist has completed at
30 least 42 hours of continuing education related to clinical dentistry in the three years
31 preceding application for a license in this state; the continuing education must have been

1 approved by the American Dental Association, the Academy of General Dentistry, or the
2 appropriate specialty board;

3 (9) has passed, to the satisfaction of the board, the part of the written
4 examination given under AS 08.36.160 that pertains to the state's laws on the practice of
5 dentistry; the board may not require a higher passing score for applicants under this
6 section than the board requires for applicants under AS 08.36.110;

7 (10) [(7)] is personally interviewed by the board for purposes of verifying
8 credentials;

9 (11) [(8)] pays all required fees;

10 (12) provides certification to the board that the dentist is not the subject of
11 an adverse report from the National Practitioner Data Bank or the American Association
12 of Dental Examiners Clearinghouse for Disciplinary Information that relates to criminal or
13 fraudulent activity;

14 (13) provides certification to the board that the dentist is not the subject of
15 an adverse peer review report from a state, territory, or local dental society in any other
16 state or territory;

17 (14) provides the board with an affidavit that the dentist is not an impaired
18 practitioner;

19 (15) provides to the board an authorization for release of records in a form
20 prescribed by the board.

21 * Sec. 4. AS 08.36.234 is amended by adding new subsections to read:

22 (b) A dentist applying for licensure by credentials is responsible for providing to the
23 board all materials required by this section or by the board to implement this section to establish
24 eligibility for a license without examination. A license issued based upon credentials may be
25 revoked by the board upon evidence of misinformation or substantial omission.

26 (c) The board shall adopt regulations necessary to implement this section including

27 (1) the form and manner of certification of qualifications under this section; and

28 (2) a requirement that certification of education, licensing, law enforcement and
29 disciplinary proceedings, and examination be provided directly to the board by the appropriate
30 institution, jurisdiction, or agency.

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