

**CS FOR HOUSE BILL NO. 247 (RULES)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**SEVENTEENTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE RULES COMMITTEE**

**Offered: 1/24/92**

**Referred: Today's calendar**

**Sponsor(s): REPRESENTATIVE MACKIE**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to licensure of dentists, including licensure by credentials; relating to the  
2 Board of Dental Examiners; and providing for an effective date."

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

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

5 (a) The board shall

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

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

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

14 (4) affiliate with the American Association of Dental Examiners, and pay annual

- 1 dues to the association;
- 2 (5) hold hearings, and order the disciplinary sanction of a person who violates this  
3 chapter, AS 08.32, or a regulation of the board;
- 4 (6) supply forms for applications, licenses, permits, certificates, and other papers  
5 and records;
- 6 (7) enforce the provisions of this chapter and AS 08.32 and adopt or amend the  
7 regulations necessary to make the provisions of this chapter and AS 08.32 effective;
- 8 (8) adopt regulations ensuring that renewal of registration is contingent upon proof  
9 of continued professional competence by a licensed dentist or licensed dental hygienist;
- 10 (9) provide the department with the requirements for proof of continued  
11 professional competence and request the department to make these requirements available to each  
12 licensed dentist and licensed dental hygienist at least one year before the date on which the  
13 dentist or dental hygienist must renew registration;
- 14 (10) at least annually cause to be published in a newspaper of general circulation  
15 in each major city in the state [,] a summary of disciplinary actions the board has taken during  
16 the preceding calendar year;
- 17 (11) issue permits or certificates to licensed dentists, licensed dental hygienists,  
18 and dental assistants who meet standards determined by the board for specific procedures that  
19 require specific education and training;
- 20 (12) regulate the reentry into practice of inactive dentists and dental hygienists;
- 21 (13) require, as a condition of a license or license renewal issued by the  
22 board, that an applicant or licensee has at the time of licensing or renewal and maintains  
23 throughout the period of a license current certification in cardiopulmonary resuscitation  
24 techniques.
- 25 \* Sec. 2. AS 08.36.110 is repealed and reenacted to read:
- 26 Sec. 08.36.110. QUALIFICATIONS FOR LICENSE. An applicant for a license to  
27 practice dentistry shall
- 28 (1) provide certification to the board that the applicant
- 29 (A) is a graduate of a dental school that at the time of graduation is  
30 accredited by the Commission on Accreditation of the American Dental Association;
- 31 (B) holds a certificate from the American Dental Association Joint

1 Commission on National Dental Examinations that the applicant has successfully passed  
2 the written examinations given by the commission;

3 (C) has not had a license to practice dentistry revoked, suspended, or  
4 voluntarily surrendered in this state or another state;

5 (D) is not the subject of an unresolved complaint, investigation, review  
6 procedure, or disciplinary proceeding undertaken by a dental licensing jurisdiction or law  
7 enforcement agency;

8 (E) is not the subject of an adverse report from the National Practitioner  
9 Data Bank or the American Association of Dental Examiners Clearinghouse for  
10 Disciplinary Information that relates to criminal or fraudulent activity, or dental  
11 malpractice;

12 (F) is not the subject of an adverse peer review report from a state,  
13 territory, or local dental society in any state or territory;

14 (G) is not an impaired practitioner;

15 (2) pass, to the satisfaction of the board, written, clinical, and other examinations  
16 administered or approved by the board; and

17 (3) meet the other qualifications for a license established by the board by  
18 regulation.

19 \* Sec. 3. AS 08.36.160 is amended by adding a new subsection to read:

20 (e) A passing score on a clinical examination given by the Western Regional Examining  
21 Board within the five years preceding licensure application under this chapter constitutes a  
22 passing score on a clinical examination required under this chapter, provided the examination was  
23 taken on or after January 1, 1987.

24 \* Sec. 4. AS 08.36.234 is repealed and reenacted to read:

25 Sec. 08.36.234. LICENSURE BY CREDENTIALS. (a) The board shall provide for the  
26 licensing without examination, except as provided in (2) of this subsection, of a dentist who

27 (1) provides certification to the board that the dentist

28 (A) is a graduate of a dental school accredited by the Commission on  
29 Accreditation of the American Dental Association, or its successor agency, and holds a  
30 certificate from the American Dental Association Joint Commission on National Dental  
31 Examinations that the dentist has passed the written examination given by the

1 commission;

2 (B) has passed clinical and written examinations required for licensure in  
3 another state, territory, or region of the United States and has been licensed to practice  
4 dentistry in that state, territory, or region of the United States; the state, territory, or  
5 region must have licensing requirements at least equivalent in scope, quality, and  
6 difficulty to those of this state at the time of licensure in the other state, territory, or  
7 region;

8 (C) is in good standing with the licensing entity in the jurisdiction where  
9 the dentist is currently licensed and in all jurisdictions in which the dentist was previously  
10 licensed; if the dentist is employed by the federal government, the dentist must be in good  
11 standing with the employing federal agency;

12 (D) has been engaged in continuous active clinical practice in a  
13 jurisdiction in which the dentist was licensed and in good standing, averaging at least 20  
14 hours per week for each of the five years immediately preceding the application;

15 (E) is not the subject of an unresolved complaint, investigation, review  
16 procedure, or disciplinary proceeding undertaken by a dental licensing jurisdiction or law  
17 enforcement agency;

18 (F) has not previously had a license to practice dentistry suspended for  
19 grounds similar to those specified under AS 08.36.315, revoked, or voluntarily  
20 surrendered;

21 (G) has not failed the clinical examination of this state and, within the  
22 previous three years, has not failed the clinical examination given by the Western  
23 Regional Examining Board;

24 (H) has completed at least 42 hours of continuing education related to  
25 clinical dentistry in the three years preceding application for a license in this state; the  
26 continuing education must have been approved by the American Dental Association, the  
27 Academy of General Dentistry, or the appropriate specialty board;

28 (I) is not the subject of an adverse report from the National Practitioner  
29 Data Bank or the American Association of Dental Examiners Clearinghouse for  
30 Disciplinary Information that relates to criminal or fraudulent activity, negligent dental  
31 care, or malpractice;

1 (J) is not the subject of an adverse peer review report from a state,  
2 territory, or local dental society in any other state or territory;

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

7 (3) is personally interviewed by the board for purposes of verifying credentials;

8 (4) pays all required fees;

9 (5) provides the board with an affidavit that the dentist is not an impaired  
10 practitioner;

11 (6) provides to the board an authorization for release of records in a form  
12 prescribed by the board.

13 (b) A dentist applying for licensure without clinical examination is responsible for  
14 providing to the board all materials required by this section or by the board to implement this  
15 section to establish eligibility for a license without clinical examination. In addition to the  
16 grounds for revocation of a license under AS 08.36.315, the board may revoke a license issued  
17 without a clinical examination upon evidence of misinformation or substantial omission.

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

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

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

23 \* Sec. 5. AS 08.36.370 is amended by adding a new paragraph to read:

24 (3) "impaired practitioner" means a person who is unfit to practice dentistry due  
25 to addiction or dependence on alcohol or other drugs that impair the practitioner's ability to  
26 practice safely.

27 \* Sec. 6. This Act takes effect immediately under AS 01.10.070(c).