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(2 Files)

DENTAL BOARD

- (1) Synopsis
- (2) Position Paper-Ak. Health Coalition
- (3) Memo - Josh Wright
- (4) Budget & Audit Committee Summary

Extends board - June 30, 1983

HCSSB 246

Section 1 extends board until June 30, 1981.

Section 2 changes composition of board (7 members), reduces dentists on board from five to three and increases public members from one to three.

Sections 3 & 6 provide for staggered terms and allows that incumbent members do not lose membership, but appointments after effective date must be consistent with staggered terms.

Section 4 limits board members to two consecutive terms and provides for licensure by endorsement.

Section 5 is "winding down" provision.

Section 7 repeals appropriate sections amended by this bill.

Section 8 is effective date clause.

HCSSB 246amH

Adds new Section 7 repealing AS 08.36.310(8), (13), (14), (17) and (24) - provisions making advertising grounds for license revocation.

Adds new Section 8 amending AS 08.36.130 (Examination) providing that the board can appoint three dentists who are qualified resident dentists having engaged in the practice of dentistry in the state for five years immediately preceding appointment to serve on the examination committee. Currently the examination committee consists of three board members.

Adds new Section 9 adding Section (8) to AS 08.36.070 granting the board power to appoint eligible dentists to serve as examining dentists.

sections renumbered accordingly.

POSITION OF ALASKA HEALTH COALITION RE: SUNSET FREE CONFERENCE

1. 4 year continuance for major boards: June 30, 1983
medical, dental, pharmacy, nursing, veterinary medicine, optometry
2. 2 year continuance for other boards: June 30, 1981
physical therapy, psychology, dispensing opticians, chiropractic
3. No more than 2 lay persons on each board.
4. Delete Sec. 8 of HCS Sb 240 (medical board regarding discrimination and denial of services.)
5. Delete Sec. 205 from HCS SD 246 or

Amend to read:

The board may waive the examination requirements for an applicant who meets the requirements of AS.36.110, pays the required fee, (and has an) holds an active licence from and has been in active practice for at least 30 hours per week for a period of 5 years in a state with licensing requirements at least equal to this state's in scope, quality, and difficulty and who has no judgements or disciplines assessed against such licence either by another state, professional review board, or state dental board and who has not failed the clinical examination of this state.

MEMO

To: Senator Glenn Hackney

Fm: Josh Wright

As per your request to be brief, I will address only two sections of House CS for Senate Bill No. 246, namely Creation and Membership and Licensing by Endorsement.

The House Commerce Committee adopted a policy to re-constitute the membership of four health boards with four admitted professionals and three lay-persons.

The Alaska Dental Society, while not agreeing with the policy, strongly opposes counting the dental hygienist member of the board as a professional. A dental hygienist is a licensed dental auxiliary.

The committee has also found the Alaska Dental Board guilty of turf-protecting. This conclusion was reached despite the findings of both the legislative and occupational audits that no evidence was found that the board acted in a restrictive manner.

The House Committee failed to demonstrate that a shortage of dentists exist in the State. The committee at the very least should have stipulated that:

- (1) a finding be made that a dental manpower exist in Alaska;
- (2) the license used for endorsement is issued by the State in which the practitioner is currently practicing and have practiced for a minimum number of years before applying;
- (3) one establishing residence in Alaska.

Some restriction is needed to keep practitioners from collecting licenses so that if disciplinary proceedings were to arise the practitioner could not just set up shop in a different locale with a previously obtained license.

The Alaska Dental Society support genuine reciprocity, namely, allowing Alaskan dentists with appropriate credentials to migrate to another state and vice versa, but we do not support "endorsement," which we view as "one-way reciprocity."

STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

AUDIT DIVISION
POUCH W—ALASKA OFFICE BUILDING

FINANCE DIVISION
POUCH W—STATE CAPITOL

JUNEAU 99601

October 25, 1978

SUMMARY OF: A Performance Review of the Board of
Dental Examiners.

PURPOSE OF THE REVIEW

In accordance with the intent of Alaska Statutes 24.20.271(1) and 44.66.050 (sunset legislation), a review of the Board of Dental Examiners was conducted to review Board activities and accomplishments to determine if the Board has been operating in an effective, efficient, and economical manner. The major areas reviewed were the Board's operations and its licensing, examination, administration, complaint, and affirmative action functions.

REPORT CONCLUSION

In our opinion, the Board of Dental Examiners should continue to be the body that regulates and licenses the dental professionals. The regulation and licensing of these professionals is necessary to protect the public's health, safety, and welfare.

However, certain changes need to be implemented in order for the Board to effectively perform its duties. Current Board policies, such as no reciprocity agreements with other states and the practice of giving a clinical examination only once a year, are restricting the entry of qualified dentists into the State.

Also, the Board's clinical examination has several deficiencies with its procedures and examination subjects; and the public as well as the dental profession would be better protected if regulations concerning license violations were better defined by the Board.

The Board needs to evaluate present Alaska Statutes for relevancy and protection of the public. For instance, temporary dental permit statutes establish a double standard of public protection in rural and urban areas.

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Dental license violation statutes restrict advertising which is unconstitutional as determined by the United States Supreme Court. However, there are no statutes requiring continuing education for dentists, dental hygienists, and dental specialists.

In conclusion, the Board of Dental Examiners should analyze and evaluate the purpose of the Board and take the necessary actions needed to perform and fulfill its responsibilities.

2nd FREE CONFERENCE COMMITTEE REPORT

May 17, 1980

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Mr. President:
Mr. Speaker:

The 2nd Free Conference Committee considered SENATE BILL NO. 246 (continuing the existence of the Board of Dental Examiners) and HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 246 amended House (continuing the existence of the Board of Dental Examiners and amending the laws regulating the practice of dentistry) recommends that FREE CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 246 (relating to the continuation of regulatory boards and continuing the existence of the Board of Dental Examiners; eff. date) be adopted.

Senator members signing the report: Senator Sturgulevski, Chairman, Senators Bennett and Fahrenkamp. House members: Representative Malone, Chairman, Representatives Osterback and Bettlesworth.

Senator Colletta moved that the Senate adopt the Free Conference Committee report.

The question being: "Shall FREE CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 246 (relating to the continuation of regulatory boards and continuing the existence of the Board of Dental Examiners) pass the Senate?" The roll was taken with the following result:

FCCS SB 246

Yeas:	16	Bennett, Bradley, Colletta, Dankworth, Fahrenkamp, Mackney, Mohman, Kelly, Kerttula, Meland, Mulcahy, Ray, Sackett, Stimson, Sturgulevski, Tillion
Nay	1	Ferguson
Excused	3	Rodey, Sumner, Ziegler

and so, FREE CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 246 passed the Senate.

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