

S B

126

FILE 1

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 5-DAY NOTICE 2/3/89
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER

**FISCAL NOTE(S) MUST BE ATTACHED
IN ACCORDANCE WITH AS 24.08.035

DATE TURNED INTO OFFICE 5/4/89

1/18/89

Mr. President:

LABOR AND COMMERCE Committee considered SB 126

Board of Dental Examiners

and recommended:

- replace with cs SB 126 (L+C) same titl
 new titl
- attached amendment(s) and
- _____ letter of intent adopted
- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____
- FISCAL NOTE(S) attached DC+ED 1/27/89 zero fiscal impact
- appropriation no FN attached Gov. FN introduced w/ bill

MEMBERS SIGNING DO PASS

[Signature]

OTHER RECOMMENDATIONS

[Signature]

[Signature]
Chairman signature and recommendation

Committee backup attached

SB 126: An Act relating to the Board of Dental Examiners.

AS 08.36.234, entitled "Licensure by Credentials," provides that the Board of Dental Examiners may admit an applicant to the practice of dentistry in Alaska without the applicant having to take the written and practical dental examinations required of dental applicants if that applicant meets certain established criteria. SB 126 simply deletes the permissive "may" and replaces it with the required "shall." Should this bill be enacted, this amendment would henceforth require the Dental Board to admit dentists without examination if they meet the criteria.

A letter detailing the Dental Board's position on licensure by credentialing, and its concern for the difficulties involved in credentialing is attached.

Until now, because of the permissive language in AS 08.36.234, the Dental Board has refused to license dental applicants without examination under the authority of administrative regulation 12 AAC 28.950, entitled "Cessation of Licensing by Credentials." That regulation reads as follows:

In the absence of specific regulations implementing AS 08.36.234 or legislation clarifying the statute, no applications for licensure by credential will be accepted.

The amendment proposed in SB 126 will clarify the Legislature's intent in AS 08.36.234 and thus require the board to adopt specific regulations implementing mandated licensure without examination.

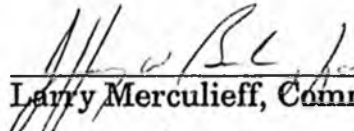
The Dental Board last summer created a committee headed by Dental Board member Dr. Douglas Smoley to review the pros and cons of licensure by credential (a very controversial subject within Alaska's dental community). In addition, in response to the Legislative Budget and Audit Committee's 1988 performance report of the Dental Board, which supported licensure by credential, the Department of Commerce and Economic Development took the position that the board itself should be given further time to review and debate the matter before the Legislature mandated that the board adopt licensure by credential. The department took this position in view of the controversy surrounding the subject and the sound arguments that can be made both in favor of and against credentialing.

It is the department's impression that, without the amendment proposed in SB 126, the Dental Board's review and consideration of this matter may well be protracted. The present board remains conservative on this issue.

At this point, the department is without a recommendation to the Legislature on this matter. Nationwide, dental licensing is not nearly as uniform among the states as is the admission criteria for many other major professional groups (e.g., doctors, nurses, accountants). Such variances can admittedly make evaluation of a dental application for admission by credential less exacting than for other professions the department licenses. However, it is also true that recent actions to establish standardized, albeit regional, examination entities are changing that heterogeneous situation very quickly.

Proponents of mandating licensure by credential believe this change would allow more dentists into the state which they believe could potentially lower the cost of dental care.

The department's neutral stand on this bill results from its appreciation of the issues that make this matter so controversial and a belief that the Legislature is the entity best suited to decide whether the Dental Board should be mandated to admit experienced dentists without examination or whether the state should continue to require written proof of competency by requiring all dental applicants to take the WREB exam prior to admission in Alaska. It is a matter affecting the public's health, safety and welfare. The debate on this legislation should help the public weigh the advantages and disadvantages of credentialling.



Larry Mercurieff, Commissioner
Date: 2/2/89

LM/RPB/dgl3203D
020389d

Dental

August 31, 1988

Mr. Patrick J. McKay
Attorney at Law
605 West 2nd Ave., Ste. 100
Anchorage, AK 99501

Dear Mr. McKay:

I apologize for my delay in responding to your letter of August 10, 1988, and apologize again for not having apprised your clients long before this date of the formal action of the Board of Dental Examiners on their applications for licensure by credential. As staff (a Ms. Sharon Francis) from your office was present during the May 6, 1988 meeting when this issue was considered, I have assumed you were at least aware of the board's decision in this matter.

This letter is written, however, to advise you of the Board of Dental Examiner's May 6 action vis-a-vis the applications of Thomas Kovaleski, D.D.S., and Robert Felker, D.D.S., for licensure by credentials under AS 08.36.234. On a roll call vote, the following motion, duly made and seconded, passed on a vote of 5 to 3 (chair not voting):

RESOLVED, in view of administrative regulation 12 AAC 28.950, entitled "Cessation of Licensing by Credentials," that the applications of Drs. DeNucci, Felker and Kovaleski be denied because the Board of Dental Examiners is not in a position to accept any applications for licensure by credentials.

As stated by letter to your clients in April of this year (copies enclosed), the Board of Dental Examiners has maintained its present position on licensure by credential for a number of years now.

As you know, the current statute contains discretionary language, stating that the board "may" provide for licensure without examination to dentists who meet a series of eight (8) criteria set out in AS 08.36.234. The language is permissive and does not require the board to provide for licensure by credential.

The impetus for the promulgation of 12 AAC 28.950, the regulation that states for the record the board's position on the discretionary authority provided in AS 08.36.234, comes from the board's finding that such discretionary authority leaves it vulnerable to criticism of bias or subjectivity every time it admits one candidate by credential while denying such admission to another. As you know, the criteria to be met for licensing without examination includes determining that an applicant has "been licensed to practice dentistry in another state, territory, or region with licensing requirements at least equivalent in scope, quality, and difficulty to those of this state at the time of licensure" (emphasis added).

This board believes this language effectively requires it to do an exhaustive study of the extent and nature of the practical and written exams administered by the applicant's licensing jurisdiction. This review would require the board to reach very subjective, comparative conclusions as to the "scope, quality, and difficulty" of Alaska's licensing requirements versus those of the dentist's current jurisdiction. The board does not find itself fully competent to reach such conclusions, lacking a large research staff to conduct the necessary studies and, for that reason, has opted to exercise its statutory discretion and not provide for licensure without examination.

By requiring all applicants to take the written and practical dental exam administered by the Western Regional Examining Board (WREB), both the Board of Dental Examiners and the public-at-large is assured that all applicants admitted to the practice of dentistry in Alaska have met Alaska's licensing requirements. It also assures that this standard has been evaluated by a much more objective means than a "paper evaluation" by nine board members as to how well a credentialing applicant measures up to Alaska's licensing requirements.

As I stated earlier, the board has maintained this position for some years now, even in the face of public criticism and negative legislative Budget and Audit Committee performance audits. Despite this, there has been no action by at least the last two legislatures to remove the permissive language in AS 08.36.234. Given the ample opportunity provided to require the Board of Dental Examiners to provide for licensure by credential, the Legislature in the past four years has taken no action to do so. The board believes its current regulation clearly states its position and gives fair notice to those considering applying for licensure without examination that, in Alaska, competency must be proven by examination, not by a subjective evaluation of an applicant's credentials.

Your clients should consider this formal notice of the board's decision on your clients' applications as the board's statement of issues in this matter (see AS 44.62.370). In accordance with AS 44.62.390

Patrick J. McKay

-3-

August 31, 1988

("Notice of Defense"), you have up to fifteen (15) days upon receipt of this statement to file a Notice of Defense. Please note the requirements in AS 44.62.390 for the form and content of the notice, should your clients decide to appeal the Board of Dental Examiners' decision to deny Drs. Felker and Kovalski admission without examination.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Randall P. Burns
Director

RPB/cw8450c

83088a

Enclosures

cc: All Members, Board of Dental Examiners
Linda O'Bannon, Assistant Attorney General
Kevin Messing, Licensing Examiner

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: An Act relating to the Board of Dental Examiners.
 Sponsor: Senator Halford
 Requestor: Senate Labor & Commerce

Agency Affected: Commerce & Economic Dev.
 BR#: Occupational Licensing
 Components: Administration

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
----------------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
----------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS : (Attach a separate page if necessary)

The bill proposes to mandate the Board of Dental Examiners to provide for licensing without examination. No new funds are required to implement this provision.

Prepared by: Jennifer Strickler, Administrative Officer
 Division: Occupational Licensing

Phone: 465-2144
 Date: January 27, 1989

Approved by Commissioner: Larry Mercurieff, Commissioner
 Agency: Commerce and Economic Development

Date: 1/28/89

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

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This fiscal note is appropriate for CS SB 126 (L+C) page 1 of 1

*Shula Peterson
Senate L+C Committee*

CS will incorporate this
amendment

AMENDMENT

OFFERED IN THE SENATE

TO: CSSB 126 ()

Page 2, on line 8, after suspended insert:

"for grounds similiar to those found in AS 08.36.315"

Alaska State Legislature

Chairman
(907) 465-4523



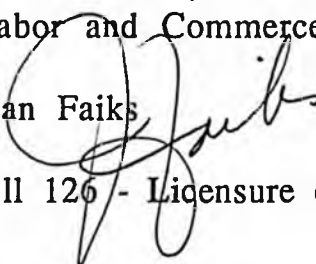
Jan Faiks
Post Office Box V
Juneau, Alaska 99811

Senate Judiciary Committee

April 19, 1989

MEMORANDUM

TO: Senator Dick Eliason, Chairman
Senate Labor and Commerce Committee

FROM: Senator Jan Faiks 

SUBJECT: Senate Bill 126 - Licensure of Dentists

Given the questions which I believe still need to be addressed regarding the licensure of dentists as proposed in Senate Bill 126, I request the bill be assigned to a subcommittee for further evaluation during the interim. I will also be pleased to chair the subcommittee.

Thank you.

Members
Mike Szymanski, Vice-Chairman • Rick Halford • Drue Pearce • Pat Rodey

Out of Session
3111 C Street, Anchorage, Alaska 99503 • (907) 561-7610

STATE OF ALASKA

STEVE COWPER, GOVERNOR

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

P.O. BOX D-LIC
JUNEAU, ALASKA 99811-0800
PHONE: (907) 465-2534

DIVISION OF OCCUPATIONAL LICENSING

May 1, 1989

The Honorable Dick Eliason
Chair, Labor and Commerce
Committee
Alaska State Senate
P. O. Box V
Juneau, AK 99811

Dear Senator Eliason:

Sheila Peterson of your staff asked the Division of Occupational Licensing to respond to concerns expressed by Kerry Kennedy, President of the Alaska Dental Society, regarding the effectiveness of the division's enforcement activities.

I think that Dr. Kennedy accurately reflects the frustration that a portion of the licensed dentists in this state feel toward the actions of the state vis a vis investigations by the division of complaints regarding dentist incompetence. I must say that I also share some of their concerns, but to a lesser degree.

The division is not without fault in contributing to the frustration. Until mid-1988, the division employed an individual who I do not believe -- and who the Board of Dental Examiners (and a number of other boards) did not believe -- was competent. I inherited this person when I came to work for the division. We had removed him from receiving any new Dental Board investigations, but he did continue to work on a number of substantial and serious cases. We had begun to follow "progressive discipline" procedures, including setting very specific deadlines on those cases, all with an eye toward termination, when, fortunately, this individual took another job. Not unexpectedly, the full extent of the individual's investigatory incompetence was not discovered until after the person left.

As a result, a number of dental cases were closed, either because of the age of the case or because the case should never have been carried on the books as long as it had because the level of potential disciplinary problem was not as serious as it appeared on its face. Nevertheless, the division's credibility and, unfortunately, the Dental Board's credibility, was certainly hurt by the lack of competent investigatory work during those years.

However, that was then and this is now. In fairness to the present investigatory staff, they have had to dig out of a mess but are progressing well. One of the serious cases carried over from the former investigator which we would not close just ended two weeks ago with the dentist agreeing to surrender his license. A hearing officer's decision in another old and rather massive investigation is due to be released this week. While we do not excuse the past, we believe the present course of division investigations reflects well on the Dental Board and the division.

I must also agree, albeit again to a lesser degree, with some of the comments Dr. Kennedy makes regarding the Attorney General's Office. We are often similarly frustrated with the delays that result, not from our office, but from the Department of Law.

But, wherever the cause of or blame for the delays might lie, please understand this one important point: except for the former investigator's incompetence, most causes for delay result from a lack of resources, not from any specific inattention.

In addition, there is the issue of priorities. Within the division, as you know, we are responsible for investigating complaints in thirty-one different areas. It is often difficult to explain to a citizen with a seemingly legitimate complaint that, while we are happy to take his or her complaint, given our caseload-to-staff-ratio, we are forced to handle our complaints according to a list of established priorities. This list places complaints involving a potential danger to the physical well-being of the public first, a potential for serious financial loss second, serious misconduct third, and technical violations of the licensing statutes fourth. Therefore, at least internally, investigations of complaints against dentists are generally high on our list.

However, the Department of Law's priorities are naturally different from the division's. Matters which we refer to them for review are scrutinized from a different priority listing. It may not come as a surprise to you to learn that occupational licensing cases have not historically been a high priority of the Department of Law. This fact, of course, is very frustrating for board members and licensed professionals alike and explains, in part, the concerns expressed by Dr. Kennedy regarding the Attorney General's Office. In response, the division has attempted, where feasible, to pay for additional attorney assistance from the Department of Law and we have, recognizing the problem, requested funds in our FY 90 budget to pay for increased attorney services.

There is, however, one other matter that must be factored into an understanding of Dr. Kennedy's comments. The Board of Dental Examiners, the dental profession, and the Department of Law have had a long standing dispute over the credentialing issue. This dispute continues even today. Of all the boards, I think it safe to say that the Attorney

General's Office is inclined to believe that the Dental Board is one of the boards most dominated by the profession that it regulates. The Department of Law believes the actions of the board are often bathed in the waters of protectionism. The continuing fight over the issue of credentialing, when so many other boards regularly admit professionals by credential, causes the Department of Law considerable distress.

In my opinion, there is hope here: the relationship between the board and the Department of Law is improving. And, in fairness to the board, the credentialing issue is, I believe, more complex than the Attorney General's Office cares to admit. Nevertheless, the historical animosity remains, despite continuing improvements, and a good deal of the comments Dr. Kennedy made reflect the dental profession's distrust of the Department of Law.

Finally, my last comments. Having been with the division now just under two years, I have found that of all of the cases we investigate, complaints against dentists are the most difficult. Part of this is explained by the nature of the profession: people love to hate dentists or, more accurately, hate having to have dental work done. People, for some reason, seem to believe that they are an expert in this area. I surmise, given the visibility of our teeth, that we all carry around with us real concern for how are teeth look when we smile or laugh, and that if we believe all is not right as a result of a visit to the dentist, we complain.

Unfortunately, the practice of dentistry is not an exact science, and dental experts give individual dentists a great deal of leeway regarding the manner in which a particular dental problem is addressed. Often, when we refer a case to a board member or other expert for review, the response is simple: the work reviewed is within the acceptable realm of treatment. Such a standard seems logical, but some members of the profession and the public seem uncomfortable with it.

During an investigation, we must get copies of patient records, the plaster models used, etc., and these must be reviewed by experts. Witnesses must be interviewed. Even when an expert says the work is poor, the question the division must answer to the Attorney General's satisfaction is whether the treatment provided ended up in real harm to the patient. Witnesses and the reliability of their testimony are also an important factor. The Attorney General's caseload demands that the Department of Law take only those matters of significant import and which are readily defensible. Thus, even some unsettling matters may not go to hearing because of an Attorney General's determination that the case is not sufficiently serious enough to warrant taking to hearing.

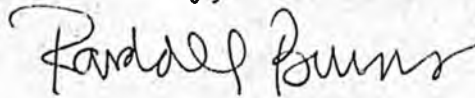
I sincerely believe that the law itself is adequate to protect citizens, and that citizens are being adequately protected right now. That does not mean that every dentist complained against for a bad filling is being

May 1, 1989

charged with incompetence. But I believe any dentist posing a serious threat to the health and safety of Alaskans is properly dealt with, particularly now that we have competent investigatory staff. Like everything else, the state must balance the extent and quality of its services against the cost of those services. With additional resources, enforcement would obviously improve. Given today's economic climate, we are doing as well as can be expected; indeed, in my opinion, we are doing even better than can be expected.

I hope this lengthy letter is responsive to your question. Please do not hesitate to contact me if you wish additional information or if I can be of further assistance.

Sincerely,



Randall P. Burns
Director

RPB/djd0072W
050189a

cc: Larry Mercurieff, Commissioner
Board of Dental Examiners
Gary Dodson, Chief Investigator

Facts

About

States

1986

STATE OF ALASKA
DEPARTMENT OF COMMERCE
& ECONOMIC DEVELOPMENT

FEB 11 1986

DIVISION OF
OCCUPATIONAL LICENSING

For the dentist seeking a location

American Dental Association Guidelines for Licensure*

Dental Licensure is intended to insure that only qualified individuals provide dental treatment to the public. Among qualifications deemed essential are satisfactory theoretical knowledge of basic biomedical and dental sciences and satisfactory clinical skill. It is essential that each candidate for an initial license be required to demonstrate these attributes on examination, a written examination for theoretical knowledge and a clinical examination for clinical skill. These guidelines suggest alternate mechanisms for evaluating the theoretical knowledge and clinical skills of an applicant for licensure who holds a dental license in another jurisdiction. Requiring a candidate who is seeking licensure in several jurisdictions to demonstrate this theoretical knowledge and clinical skill on separate examinations for each jurisdiction seems unnecessary duplication.

Licensure by Examination: Written examination programs conducted by the Council of National Board of Dental Examiners have achieved broad recognition by state boards of dentistry. National Board dental examinations are conducted in two parts. Part I covers basic biomedical sciences; Part II covers dental sciences. It is recommended that satisfactory performance on Part II of National Board dental examinations within five years prior to applying for a state dental license be considered adequate testing of theoretical knowledge. National Board regulations require a candidate to pass Part I before participating in Part II. Consequently, this recommendation excludes Part I only from the time limit.

No clinical examination has achieved as broad recognition as have National Board written examinations. Clinical examinations used for dental licensure are conducted by individual state boards of dentistry and by regional clinical testing services. It is recommended that satisfactory performance within the last five years on any state or regional clinical examination at least equivalent in quality and difficulty to the state's own clinical examination be considered adequate testing for clinical skill provided that the candidate for licensure

- a. Is currently licensed in another jurisdiction.
- b. Has been in practice since being examined.
- c. Is endorsed by the state board of dentistry in the state of his current practice.
- d. Has not been the subject of final or pending disciplinary action in any state in which he is or has been licensed.
- e. Has not failed the clinical examination of the state to which he is applying within the last three years.

Licensure by Credentials: The American Dental Association believes that an evaluation of a practicing dentist's theoretical knowledge and clinical skill based on his performance record can provide as much protection to the public as would an evaluation based on examination. Issuing a license using a performance record in place of examinations is termed licensure by credentials.

All candidates for licensure by credentials might be required to fulfill basic education and practice requirements. It is recommended that graduation from a dental school accredited by the Commission on Accreditation of Dental and Dental Auxiliary Educational Programs be considered minimum satisfactory education for licensure by credentials. Further, it is recommended that licensure by credentials be available only to a candidate who:

- a. Is currently licensed in another jurisdiction.
- b. Has been in practice or full-time dental education for a minimum of five years immediately prior to applying.
- c. Is endorsed by the state board of dentistry in the state of current practice.
- d. Has not been the subject of final or pending disciplinary action in any state in which he is or has been licensed.
- e. Has not failed the clinical examination of the state to which he is applying within the last three years.

Alternate ways that current theoretical knowledge might be documented follow. It is recommended that for a candidate who meets eligibility requirements for licensure by credentials, these methods be considered as possible alternatives to the written examination requirement.

1. Successful completion of an accredited advanced dental education program in the last ten years.
2. A total of at least 180 hours of acceptable, formal, scientific continuing education in the last ten years, with a maximum credit of 60 hours for each two-year period.
3. Successful completion of a recognized specialty board examination in the last ten years.
4. Teaching experience of at least one day per week or its equivalent in an accredited dental education program for at least six of the last ten years.

Possible documentation for current clinical skill appears in the following list. Provided that eligibility requirements for licensure by credentials are met, it is recommended that these methods be considered as possible alternatives to satisfactory performance on a clinical examination.

1. Successful completion of an accredited general practice residency or dental internship within the last ten years.
2. Successful completion of an accredited dental specialty education program in a clinical discipline within the last ten years.
3. A total of at least 180 hours of acceptable clinically oriented continuing education in the last ten years, with a maximum credit of 60 hours for each two-year period.
4. Clinical teaching of at least one day per week or its equivalent in an accredited dental education program, including a hospital-based advanced dental education program, for at least six of the last ten years.
5. Presenting case histories of patients treated by the candidate in the last five years, with preoperative and postoperative radiographs, covering procedures required on the state clinical examination, for discussion with the state board.

*The above guidelines were adopted by the ADA House of Delegates and are published in 1976 *Transactions of the American Dental Association*, page 919 and 1977 *Transactions*, page 923.

Summary of Requirements for Licensure by Credentials in Certain States Granting Licensure by Credentials (1986)

The states that grant licensure by credentials have individual requirements, of which the following is an overview. All states require a jurisprudence examination; however, this might be a formal, written examination, or a signed statement attesting that the candidate is familiar with the laws governing dentistry in the state. Candidates should write to the individual states for complete information and application.

State	Will accept applications from	Letters of recommendation	Personal interview	Years in practice
[Arkansas] delete	R	2	X	5
District of Columbia	Specialists Only		X	
Indiana	All states	3	X	5
Iowa	R	2	X	5
Kansas	R	5		5
Maine	All states	0	X*	5 ¹
Maryland	All states	3	X	5 ¹
Massachusetts	R	1	X	5
Michigan	On an individual basis	4	Rarely	No Limit
Minnesota	All states	4	X	2 ²
Missouri	All states	2		5
Nebraska	All states	2	X	5 ³
New Hampshire	R	3	X	5
New York	All states	3		5
North Dakota	* Has an option, but has not granted licensure by credentials in 5 years			
Oklahoma	R	10		5
Pennsylvania	All states	2		5
Rhode Island	R	3		5
[Tennessee] delete	R	1 ⁴		5
[Vermont] delete	At the discretion of the board	2		5

R = states that will issue licenses by credentials only to candidates from states with a reciprocal agreement.

*The state of Maine will require a personal interview with a candidate who passed a state board examination more than 1 year before applying to Maine for a license.

¹Will issue a licensure by credentials to candidates who pass the Northeast Regional Board Examination in lieu of active practice.

²Two years of the past 3 years must have been in active practice.

³This requirement will change to 3 years of active practice.

⁴One letter of recommendation from each state board in each state in which the dentist has practiced.

Source: "Licensure by Credentials — Is it Working?", report published in the *Journal of the American Dental Association*, Vol 111, July 1985, pages 19-32.

Add: Connecticut
(12/31/88) Illinois
North Dakota
Wisconsin

TOTAL: 21 states

STATE OF ALASKA
DEPARTMENT OF COMMERCE
& ECONOMIC DEVELOPMENT

FEB 04 1988

DIVISION OF
OCCUPATIONAL LICENSING

Other Licensure Provisions of States

States	By Reciprocity	By Criteria	Temporary License	Provisional License
Alabama	No	No	No	No
Alaska	No	No	No	Yes
Arizona	No	No	No	Yes
Arkansas	No	Yes	No	No
California	No	No	No	No
Colorado	No	No	No	No
Connecticut	Yes	No	No	Yes(a)
Delaware	No	No	No	No
District of Columbia (e)	No	Yes	No	—
Florida	No	No	—	—
Georgia	No	No	Yes	Yes(b)
Hawaii (e)	No	No	Yes (l)	—
Idaho	No	No	Yes	Yes(d)
Illinois	Yes	No	Yes	—
Indiana	Yes	No	Yes	Yes
Iowa	No	Yes	No	No
Kansas	No	Yes	No	No
Kentucky	No	No	No	—
Louisiana (e)	No	No	No	—
Maine (e)	No	Yes	No	—
Maryland	No	Yes	No	Yes(d)
Massachusetts	No	Yes	Yes	Yes(b)
Michigan (e)	No	Yes	No	No
Minnesota	No	Yes	No	No
Mississippi	No	No	No	Yes(d)
Missouri	No	Yes	No	No
Montana	No	No	No	No
Nebraska	Yes	Yes	No	No
Nevada	No	No	No	No
New Hampshire	No	Yes	Yes	No
New Jersey	No	No	No	No
New Mexico (e)	No	No	Yes (g)	—
New York	No	Yes	Yes	Yes(b)
North Carolina	No	No	Yes	Yes(d)
North Dakota (e)	No	No	No	—
Ohio	No	No	No	No
Oklahoma	Yes	Yes	Yes	Yes
Oregon	—	<u>Yes</u>	No	—
Pennsylvania	No	Yes	No	No
Rhode Island	No	Yes	No	No
South Carolina (e)	No	No	No	—
South Dakota (e)	Yes	Yes	Yes	—
Tennessee	No	Yes	No	No
Texas	No	No	No	No
Utah (e)	No	Yes	No	—
Vermont	No	No	Yes	No
Virginia	No	No	No	Yes(c & d)
Washington	No	No	No	No
West Virginia	No	No	Yes	No
Wisconsin	No	No	No	No
Wyoming (e)	No	No	No	—
Virgin Islands (e)	No	No	Yes (h)	—

Data as of January 1, 1986 unless otherwise indicated.

- (a) Practice as a Dental Intern
- (b) Teaching in a Dental College or Clinic
- (c) Charitable or Social Agency
- (d) Limited Practice Permits
- (e) 1982 data
- (l) Practice restricted to hospital, public school, state/municipal institutions or Board of Public Health, as approved by Board.
- (g) Restricted to state health office or agency.
- (h) Practice restricted to government service.

Source: Joint Commission on National Dental Examinations

STATE OF ALASKA
DEPARTMENT OF COMMERCE
& ECONOMIC DEVELOPMENT

FEB 01 1988

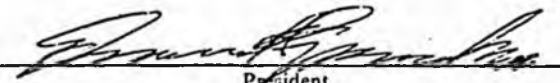
DIVISION OF
DENTAL LICENSING



WESTERN REGIONAL EXAMINING BOARD

*This is to certify that JASON MICHAEL RAMPTON
has successfully completed an examination in clinical proficiency in Dentistry given by
the Western Regional Examining Board on March 24-26, 1985
and is issued this certificate as verification of that proficiency to Western Regional
Examining Board member states. This certificate is valid, only for that period of time
prescribed by the member states in their laws or rules, from the date of the
examination. This does not constitute licensure.*

Signed and seal affixed
this 8th day of
April A.D.
19 85


President

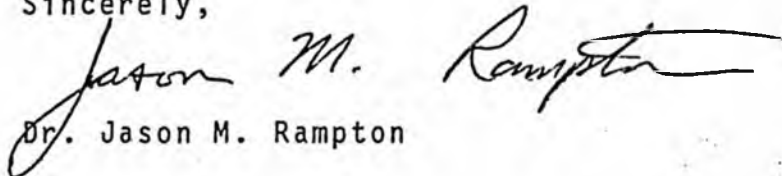
9711 Takli Circle
Eagle River, AK 99577
February 16, 1989

Senator Dick Eliason
P. O. Box V
Juneau, AK 99811

Dear Senator Eliason:

On ⁹~~15~~ Feb 89, I gave testimony to the Senate labor and Commerce Committee supporting Senate Bill 126 concerning dental licensure. Four days later, I submitted an application for a dental license. Included with my application was a notarized copy of the certificate that was awarded to me when I passed the Western Regional Dental Board Exam in March 1985. (Please note the enclosed copy of this document.) Under the present regulations of the Alaska State Board of Dental Examiners, I am not eligible for licensure. I need your help in this matter. I think it is obvious to everyone that the regulations adopted by the Alaska Board of Dental Examiners are superceding the intent of the law. Please, support us in restoring some sanity to the licensure process by adopting Senate Bill 126.

Sincerely,


Dr. Jason M. Rampton

HESS Letter of Intent

It is the intent of the Senate Committee on Health, Education and Social Services in passing HB 614 that the Board of Dental Examiners exercise its statutory authority under AS 08.36.234 to license dentists by credentials,

50286HB0614 DOCUMENT= 17 OF 24 PAGE = 2 OF 2

including credentialling for dental specialties. The committee realizes that this will require repeal of the existing regulation under which the board ceased licensing by credentials (12 AAC 28.950), and urges that this be done. Further, it is the intent of the committee that the Board report to the Legislature by the first day of the first session of the 15th Alaska Legislature on implementation of the credential provision. The report should include the number of licenses issued by credentials since the effective date of HB 614 and an analysis of those situations under which licensure by credentials was requested but not granted. In addition, any recommendations for revision to the credential statute should be included.

CS FOR HOUSE BILL NO. 614 (HESS) (title am) was referred to the Rules Committee.

Senate Letter of Intent
1986

Letter of Intent
for
CSHB 614 (HESS)

"It is the intent of the House Health, Education and Social Services Committee in passing the Committee Substitute for HB 614 (HESS) that in the next year, the Board of Dental Examiners and the Division of Occupational Licensing complete the following tasks, and report their recommendations to the House and Senate HESS Committees by

1986HB0614 DOCUMENT= 5 OF 24 PAGE = 2 OF 2
the first day of the first session of the 15th Alaska State Legislature:

1. Complete continued competency regulations.
2. Develop new procedures for credentialling including credentialling for dental specialities.
3. Restructure the examination, including elimination of the gold foil portion of the test, and scoring procedures, including calibration of scoring techniques.
4. Evaluate the possibility of joining the Northwest Regional Examination Board.

The report should include any other areas the Board or Division feel require change. The House HESS Committee is also requesting a Legislative Audit of the Board to be completed by the first day of the second session of the 15th Alaska State Legislature."

HB 614 was referred to the Finance Committee.

Legislative Letter of Intent
Passed both House + Senate
1986

Alaska State Legislature

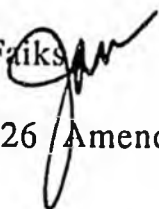


Senate Judiciary Committee

March 23, 1990

MEMORANDUM

TO: All Senators

FROM: Senator Jan Frits 

SUBJECT: Senate Bill 126 Amendments

It is my understanding Senate Bill 126, which relates to the licensing of dentists by credential, will be on Monday's Senate calendar.

For your review, attached are amendments to the bill which I will offer on the Floor. I also asked the Division of Occupational Licensing to review the amendments to evaluate any change in the bill's fiscal impact. Its response is also attached.

AMENDMENT

OFFERED IN THE SENATE

TO: CSSB 126 (L&C)

Page 1, line 26:

Delete "been licensed"

Insert "an active license"

Page 1, line 27:

Delete "or region"

Page 1, line 28, after "requirements":

Insert "and methods"

A M E N D M E N T

OFFERED IN THE SENATE

TO: CSSB 126 (L&C)

Page 2, line 1:

Delete "the jurisdiction"

Insert "each jurisdiction"

Page 2, line 2:

Delete "is currently"

Insert "has ever been"

Delete "is employed"

Insert "has ever been employed"

A M E N D M E N T

OFFERED IN THE SENATE

TO: CSSB 126 (L&C)

Page 2, line 10, after "jurisdiction":

Insert ", law enforcement agency, or other governmental agency"

A M E N D M E N T

OFFERED IN THE SENATE

TO: CSSB 126 (L&C)

Page 2, line 15, after "state":

Insert "or, within the previous three years, failed the clinical examination given by the Western Regional Examining Board"

A M E N D M E N T

OFFERED IN THE SENATE

TO: CSSB 126 (L&C)

Page 2, line 29, after "board;":

Insert "during an interview under this paragraph, the board shall question the applicant while the applicant is under oath, and verify that the applicant is clinically and professionally competent; at the interview, the applicant shall orally present recent patient case reports and a defense of representative diagnosis and treatment plans from the previous five years of the applicant's practice of dentistry;"

A M E N D M E N T

OFFERED IN THE SENATE

TO: CSSB 126 (L&C)

Page 3, line 1, after "fees":

Insert "; notwithstanding AS 08.01.065(c), the Department of Commerce and Economic Development shall set the fee for licensure under this section so that the fee is sufficient to cover all investigative and administrative expenses of processing applications under this section"

A M E N D M E N T

OFFERED IN THE SENATE

TO: CSSB 126 (L&C)

Page 3, line 1, after "fees":

Insert ";

(13) is not the subject of an adverse report from the National Practitioner Data Bank or the American Association of Dental Examiners Clearinghouse for Disciplinary Information that relates to criminal or fraudulent activity"

A M E N D M E N T

OFFERED IN THE SENATE

TO: CSSB 126 (L&C)

Page 3, line 1, after "fees":

Insert ";

(13) is not the subject of an adverse peer review report
from a state or local dental society in any other state"

**DEPARTMENT OF COMMERCE &
ECONOMIC DEVELOPMENT**

P.O. BOX D
JUNEAU, ALASKA 99811-0800
PHONE: (907) 465-2534

DIVISION OF OCCUPATIONAL LICENSING

March 22, 1990

Honorable Jan Faiks, Chair
Senate Judiciary Committee
Alaska State Senate
P. O. Box V
Juneau, AK 99811

Dear Senator Faiks:

This letter is written in response to your March 20 request regarding SB 126.

I have reviewed your proposed amendments to the bill and offer the following observations regarding their potential fiscal impact on the division's present zero fiscal note:

1. We would not be able to produce a zero fiscal note if the bill passed with your proposed amendments because
 - a. the bill is revenue generating [see proposed AS 08.36.234(12)]; and
 - b. the bill contains numerous provisions requiring substantial additional staff and board time in order to review and evaluate the documents required to be presented to the Dental Board by dentists seeking licensure by credential.
2. The bill will be fiscally "neutral," however, in that we read the bill to require the cost to the division of investigating and evaluating dentists seeking licensure by credential to be borne by the applicant.
3. It would and will be difficult to draw up a fiscal note on your proposed version of SB 126 because the division has no way of estimating either the processing costs or the application revenues because the estimate depends entirely on some reasonable guesstimate of the number of dentists who might seek on an annual basis to be licensed through the credentialing process you have outlined.

Honorable Jan Faiks

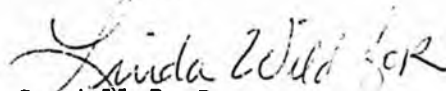
-2-

March 22, 1990

In addition, the factors that determine the costs are many. Clearly, the more credential reviews we are required to do, the greater the expense. But, for example, until we have some idea as to numbers of applicants, we will not have any effective way of determining the fee that should be assessed. We cannot set the fee on a case-by-case basis; it will have to be a flat fee that reflects the average costs associated with the credentials review process the bill outlines.

I hope the generalities contained in this letter can be of some use to you in discussing the fiscal impacts of your proposed amendments to SB 126.

Sincerely,



Randall P. Burns
Director

RPB/va10595V
032290A



Official Business


Alaska State Legislature

P.O. Box V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

March 23, 1990

TO: All Senators

FROM: Senator Arliss Sturgulewski, Chairman 
Senate Rules Committee

RE: SB 126 "An Act relating to licensure of dentists"

Senate Bill 126 is scheduled for the floor on Monday, March 26, 1990. A memo from the sponsor, Senator Halford, with suggested amendments is attached for your information.

Attachments

ALASKA STATE LEGISLATURE

Anchorage Office:
3111 C St., Suite 530
Anchorage, AK 99503
907-561-7616

White in Juneau.
P.O. Box V
Juneau, AK 99811
907-465-4958

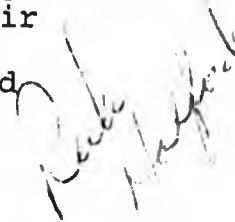
Senator Rick Halford

TO: Senator Arliss Sturgulewski
Rules Committee Chair

FROM: Senator Rick Halford

DATE: 1 March 1990

RE: SB126



Please schedule SB126 for the Senate Floor at your earliest convenience. I am enclosing a list of amendments to SB 126 provided by the dental society. I am also enclosing a letter of opposition to the amendments by dentists supporting the bill without further amendment.

There seem to be strong feelings on both sides and in spite of numerous meetings, no compromise seems forthcoming.

The sections highlighted in pink are areas which obviously exclude federal service dentists practicing in Alaska from a license by credentials. The section highlighted in yellow is strongly opposed by federal service dentists, although compliance is not impossible.

Original sponsor: Halford

1 IN THE SENATE

BY THE LABOR AND
COMMERCE COMMITTEE

2

CS FOR SENATE BILL NO. 126 (L&C)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to licensure of dentists."

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

8 * Section 1. AS 08.36.160 is amended by adding a new subsection to
9 read:

10 (e) A passing score on a clinical examination given by the
11 Western Regional Examining Board within the five years preceding
12 licensure application under this chapter constitutes a passing score
13 on a clinical examination required under this chapter. The board may
14 accept a passing score on a clinical examination given by the Western
15 Regional Examining Board more than five years preceding licensure
16 application if the examination was taken on or after January 1, 1987.

17 * Sec. 2. AS 08.36.234 is amended to read:

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

21 (1) is a graduate of a dental college accredited by the
22 Commission on Accreditation of the American Dental Association, or its
23 successor agency, and holds a certificate from the American Dental
24 Association Joint Commission on National Dental Examinations that the
25 dentist has passed the written examination given by the commission;

26 (2) has been licensed to practice dentistry in another
27 state, territory, or region of the United States with licensing re-
28 quirements at least equivalent in scope, quality and difficulty to
29 those of this state at the time of licensure;

1 (3) is endorsed by the licensing entity in the jurisdiction
2 where the dentist is currently licensed; if the dentist is employed by
3 the federal government, the dentist must be endorsed by the employing
4 federal agency;

5 (4) has been engaged in continuous active clinical practice
6 averaging at least 20 hours per week for each of the five years imme-
7 diately preceding the application;

8 (5) [(4)] is not the subject of an unresolved complaint,
9 review procedure, or disciplinary proceeding undertaken by a dental
10 licensing jurisdiction;

11 (6) [(5)] has not previously had a license to practice
12 dentistry suspended for grounds similar to those specified under
13 AS 08.36.315, or revoked;

14 (7) [(6)] has not failed the clinical examination of this
15 state;

16 (8) submits to the board documentation that the dentist has
17 completed at least 50 hours of continuing education related to clin-
18 ical dentistry in the three years preceding application for a license
19 in this state; the continuing education must have been approved by the
20 American Dental Association, the Academy of General Dentistry, or the
21 appropriate specialty board;

22 (9) provides proof of current certification in cardiopulmo-
23 nary resuscitation techniques;

24 (10) has passed, to the satisfaction of the board, the part
25 of the written examination given under AS 08.36.160 that pertains to
26 the state's laws on the practice of dentistry; the board may not
27 require a higher passing score for applicants under this section than
28 the board requires for applicants under AS 08.36.110;

29 (11) [(7)] is personally interviewed by the board;

1 (3) is endorsed by the licensing entity in the jurisdiction
2 where the dentist is currently licensed; if the dentist is employed by
3 the federal government, the dentist must be endorsed by the employing
4 federal agency;

5 (4) has been engaged in continuous active clinical practice
6 averaging at least 20 hours per week for each of the five years imme-
7 diately preceding the application;

8 (5) [(4)] is not the subject of an unresolved complaint,
9 review procedure, or disciplinary proceeding undertaken by a dental
10 licensing jurisdiction;

11 (6) [(5)] has not previously had a license to practice
12 dentistry suspended for grounds similar to those specified under
13 AS 08.36.315, or revoked;

14 (7) [(6)] has not failed the clinical examination of this
15 state;

16 (8) submits to the board documentation that the dentist has
17 completed at least 50 hours of continuing education related to clin-
18 ical dentistry in the three years preceding application for a license
19 in this state; the continuing education must have been approved by the
20 American Dental Association, the Academy of General Dentistry, or the
21 appropriate specialty board;

22 (9) provides proof of current certification in cardiopulmo-
23 nary resuscitation techniques;

24 (10) has passed, to the satisfaction of the board, the part
25 of the written examination given under AS 08.36.160 that pertains to
26 the state's laws on the practice of dentistry; the board may not
27 require a higher passing score for applicants under this section than
28 the board requires for applicants under AS 08.36.110;

29 (11) [(7)] is personally interviewed by the board;

1

(12) [(8)] pays all required fees.

REVISIONS TO SB 126

AS 08..36.160 is amended by adding a new subsection to read:

(a)

No additions are needed here, regulations AAC 28.105 (b) & (c) cover WREB and gives the Board the option to recognize another exam if it feels that WREB is no longer satisfactory.

A passing score on an examination given by the Western Regional Examining Board within the five years preceding licensure application under this chapter constitutes a passing score on the clinical examination required under this chapter, provided the WREB exam was taken on or before January 1, 1987.

AS 08.36.234 LICENSURE BY CREDENTIALS. The Board shall provide for the licensing by credentials of a dentist who

(1) is a graduate of a dental school accredited by the Commission of Accreditation of the American Dental Association, or its successor agency, and holds a certificate from the American Dental Association's Joint Commission of National Dental Examinations that the dentist has passed the entire written examination given by the Commission;

(2) has an active license to practice dentistry in another state or territory of the United States, with licensing requirements and licensing availability identical to those of this state at the time of licensure;

(3) has been engaged in continues active clinical practice in that state or territory, averaging at least 20 hours per week for each of the five years immediately preceding the application as verified by daily treatment schedules.

(4) is endorsed by all licensing entities in the jurisdictions where the dentist has ever been licensed.

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

(6) is not the subject of an adverse report from the National Practitioner Data Bank and/or American Association of Dental Examiners Clearinghouse for Disciplinary Information that includes criminal and/or fraudulent activity;

(7) is not the subject of adverse peer review reports from constituent dental societies;

(8) has not previously had a license to practice dentistry suspended or revoked;

(9) has not previously failed the clinical examination of this state or the regional examination it recognizes;

(10) submits to the Board documentation that the dentist has completed at least 50 hours of continuing education related to clinical dentistry in the three years preceding application for a license in this state; the continuing education must have been approved by the American Dental Association, the Academy of General Dentistry, or the appropriate specialty board;

(11) submits to drug testing;

(12) completes a jurisprudence examination conducted by the Board on the dental statutes and regulations of this state;

(13) provides proof of current certification in cardiopulmonary resuscitation;

(14) questioned, under oath, is verified to be clinically and professionally competent through a personal interview and oral examination by the Board and submits recent patient case reports and/or oral defense of diagnosis and treatment plans;

(15) pays all required fees, that are sufficient to cover all investigative and administrative expenses of processing the application.

February 14, 1990

Senator Rick Halford
P. O. Box V
Juneau, AK 99811

Dear Senator Halford:

We reviewed the proposed revisions to SB 126 which were submitted by the Alaska Dental Society through Sam Kito. We found four proposed revisions that clearly discriminate against us. Failure to comply with any one of these proposed requirements would result in certain licensure rejection of the applicant dentist. There is virtually no dentist that could measure up to this ridiculous yardstick. These four unacceptable revisions are numbered in the left margin and highlighted in the attached photocopy. Explanations are given below.

1. The WREP Exam has been consistent in quality since 1984 when the periodontal section was included. If a dentist has proven himself to be clinically competent once, he shouldn't have to prove it again. Also, if a dentist is eligible for licensure in other WREP states, (Arizona, Utah, Idaho, Montana, New Mexico) he cannot be forced to jeopardize his good standing in those states by retaking the exam and possibly failing it. This would create a double jeopardy situation. Therefore, this is not acceptable.
2. There is no other state which has "licensing requirements and licensing availability identical to those of this state". This to is not acceptable.
3. This clearly discriminates against federally employed dentists who hold dental licenses in other states, but due to their federal service assignments, they cannot practice in the states where they hold these licenses. Therefore this is not acceptable.
4. Regarding oral examinations, and evaluation of case reports and/or oral defense of diagnosis and treatment plans: These are subject to a subjective evaluation by the State Dental Board. The board has shown over and over that they can effectively "screen out" almost all of those dentists who apply. This has been shown to be the case as evidenced by numerous licensure lawsuits against the dental Board. To include these requirements would create an unmanageable administrative nightmare with red tape and lawsuits which would result in a certain collapse of the entire process. Therefore, this is not acceptable.

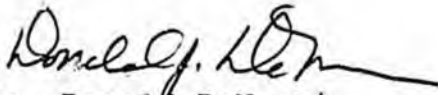
Further, the American Dental Association states in its official guidelines on licensure: "Issuing a license using a performance record in place of examinations is termed licensure by credentials". If any examination procedure (oral, written or clinical) is utilized in the licensure process the process is then termed licensure by examination.

The intent of the Alaska State law is that the State Dental Board will allow dentists to be licensed by credentials. This has been expressed by recent letters of intent by both the Senate and the House of Representatives. (See attachments). Both the Senate and the House have directed the State Dental Board to "exercise its statutory authority under AS 08.36.234 to license dentists by credentials". The Dental Board has failed to comply with these letters of intent. Instead, they adopted an "emergency regulation" to avoid compliance.

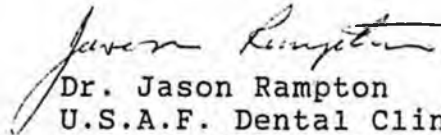
Again, it must be made very clear that if the Dental Board is allowed to adopt an oral examination...then licensure by credentials will, by definition, not exist. If this is allowed, then the Dental Board will have once again failed to comply with the legislative letters of intent and the intent of the law will be circumvented.

To include any of these four revisions in SB 126 would not be acceptable in a credentialing bill.

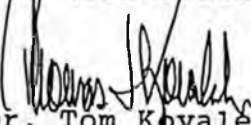
Sincerely,



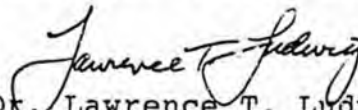
Dr. Donald DeNucci
U.S. Army Dental Clinic
Ft. Richardson, Alaska



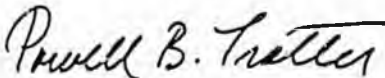
Dr. Jason Rampton
U.S.A.F. Dental Clinic
Elmendorf AFB, Alaska



Dr. Tom Kovalesski
U.S. Public Health Service
Alaska Native Medical Center



Dr. Lawrence T. Ludwig
U.S. Navy Dental Clinic
Adak, Alaska



Dr. Powell B. Trotter
U.S. Coast Guard Dental Clinic
Kodiak, Alaska

Attachments: Letters of Intent (2)
Proposed revisions to SB 126

cc. Patrick McKay
Shiela Toomey
Alaska Dental Society
State Dental Board

A PERFORMANCE REPORT
ON THE BOARD OF
DENTAL EXAMINERS

July 1, 1985 - June 30, 1987

Audit Control Number

08-1316-88-R

Commissioner, Department of
Commerce and Economic Development J. Anthony Smith

Deputy Commissioner, Department of
Commerce and Economic Development John Williams

Members of the
Board of Dental Examiners

Chair	Robert E. Warren, DDS
Secretary	Christine A. Baxter, RDH
Member	Paul S. Buxton, DDS
Member	Hubert J. Gelbert
Member	Timothy J. Woller, DDS
Member	H. Douglas Smole, DDS
Member	Terrence A. Tauschek, DDS

STATE OF ALASKA

AUDIT DIVISION
P.O. BOX W
JUNEAU, ALASKA 99811-3300

THE LEGISLATURE
BUDGET AND AUDIT COMMITTEE

December 31, 1987

Members of the Legislative Budget
and Audit Committee:

According to the provisions of Titles 24 and 44 of the Alaska Statutes, the Division of Legislative Audit is required to conduct a "Sunset" review of the Board of Dental Examiners.

At the request of the Chairman, during Fiscal Year 1988 budget deliberations, the Audit Division's budget was revised to reflect certain changes in the organization of the Committee's two Divisions. The revised budget of the Audit Division reflected efficiencies that might be obtained by utilizing the staff of the Legislative Finance Division on selected audit assignments during the interim.

As a result, the audit of the Board of Dental Examiners was conducted and this report has been prepared by the Legislative Finance Division. We feel this report discharges our responsibility under Titles 24 and 44. The report is submitted for your review.



Randy S. Welker, CPA
Acting Legislative Auditor
Division of Legislative Audit

STATE OF ALASKA

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

FINANCE DIVISION
POUCH WF-STATE CAPITOL
JUNEAU, ALASKA 99811
PHONE: (907) 466-3795

November 5, 1987

Members of the Legislative Budget
and Audit Committee:

In accordance with the provisions of Titles 24 and 44 of the
Alaska Statutes (sunset legislation), the attached report is
submitted for your review.

A PERFORMANCE REPORT
ON THE BOARD OF
DENTAL EXAMINERS

July 1, 1985 - June 30, 1987

Audit Control Number

08-1316-88-R

NGREANY

Mike Greany, Director
Division of Legislative Finance

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PURPOSE AND SCOPE OF THE REPORT

In accordance with the intent of Titles 24 and 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of the Board of Dental Examiners to determine if the Board has been operating in an efficient and effective manner.

As required by legislative intent, this report shall be considered during the legislative oversight function in determining whether the Board of Dental Examiners should be reestablished. The law currently specifies that this Board will terminate on June 30, 1988, but will continue until June 30, 1989 for the purpose of concluding its affairs.

The major areas of our examination were the licensing, examination, administration, complaint, and affirmative action functions of the Board. We reviewed and evaluated the following:

1. Applicable statutes and regulations.
2. Tests of files and documents of licensees.
3. Interviews with the licensing examiner.
4. Complaints filed with the Division of Occupational Licensing, Equal Employment Opportunity Office, Attorney General's Office, and the Ombudsman Office.
5. Discussions with Board members.
6. Minutes of Board meetings and Division correspondence files.
7. Attorney General's Opinions applicable to professional boards.

(Intentionally left blank)

ORGANIZATION AND FUNCTION

The Board of Dental Examiners was created in 1955. The Board consists of nine persons: six licensed dentists, two dental hygienists, and one public member, which are appointed by the Governor subject to confirmation of the Legislature. Board members serve terms of four years.

The Board is organized under the Department of Commerce and Economic Development, Division of Occupational Licensing (DOL). Administrative functions of the Board are provided by DOL, such as processing applications, maintaining licensing files, answering inquiries, and providing investigative support.

The primary function of the Board is to ensure a minimum quality of dental care to Alaskans by licensing qualified applicants and establishing regulations necessary to enforce statutes. The Board regulates dentists, dental specialists, and dental hygienists who perform services in the State.

The responsibility and authority for evaluating the competence of candidates for dental licensure are vested in the Board. Previous to January 1987, candidates had to pass a state administered clinical and written examination to assess a candidate's competency. The Board now accepts the results of the Western Regional Examining Board's clinical and written examination for general dentistry and dental hygienists. Dental hygienists who are licensed in another State and who possess minimum work experience can be licensed through credentials.

Although dental specialists are not required to take an examination, they must be licensed dentists in Alaska and may be required to have completed additional years of education in their specialty area.

(Intentionally left blank)

REPORT CONCLUSION

Policy Issues

This report contains policy issues raised as a result of our evaluation of various Board practices. The final policy decisions affecting these practices are not within the scope of this report but require legislative consideration. In debating these issues, the oversight committees should take into consideration the findings and recommendations presented in this report so the potential impact of policy changes can be evaluated.

Report Conclusion

In our opinion, the Board of Dental Examiners should be reestablished. The regulation and licensing of qualified professionals is necessary to protect the public's health, safety, and welfare. The Board provides this service by establishing minimum educational and experience requirements that provide reasonable assurance that persons licensed are qualified. Also, assurance that those licensed act in a competent manner is provided by active investigation of complaints and revocation or suspension of licenses when appropriate.

The following findings describe areas where weaknesses or conflicts exist. We have made recommendations which, if implemented, will improve the efficiency and effectiveness of the Board.

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FINDINGS AND RECOMMENDATIONS

Recommendation No. 1

The Board should allow for licensure by credentials for dentists and dental specialists.

Alaska Statute 08.36.234 allows but does not mandate the Board to approve dental licenses to applicants with valid dental licenses in other states by reviewing their credentials instead of requiring the applicant to pass a written and clinical examination. In 1984, the Board issued an emergency regulation 12 AAC 28.950, which suspended licensure by credentials after concern was expressed by the Attorney General about the Board's procedures. The Attorney General found that the Board was conducting an "oral test" instead of an "oral interview" as allowed by statute.

The cessation of licensure by credentials restricts entry into the dental profession in Alaska for out-of-state dentists wishing to practice in the State.

As part of the 1986 legislation which continued the Board for two years, the Legislature passed two letters of intent that the Board should repeal the emergency regulation and reinstate licensure by credentials. The Board has not complied with this intent. We recommend that licensure by credentials be made a mandatory function of the Board.

Recommendation No. 2

The Board should review application requirements and recommend changes for procedures which do not have a clear relationship to a public purpose.

Alaska statute requires a personal interview by a board member for licensure by credentials for dental hygienists. The Board also plans to require a personal interview for all dentists who request licensing after taking the Western Regional Examination Board (WREB) tests. The interview requirement is an additional procedure which has not resulted in application denial. The requirement is an added delay in a lengthy licensing procedure.

For licensing as a dental specialist, the Board accepts copies of certificates submitted by the applicant as proof of education attainments instead of requiring confirmation by the school.

We recommend the elimination of the personal interview and the policy of accepting notarized copies of certificates as proof of education achievements to improve efficiency and effectiveness of the licensing process. Instead of accepting copies of certificates, the Board should receive direct confirmation from the appropriate licensing boards.

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ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analyses of board activities relate to the public need factors defined in the "sunset" law. These analyses are not intended to be comprehensive, but address those areas we were able to cover within the scope of our review.

I. The extent to which the board, commission, or program has operated in the public interest.

A. The Board has served the public by examining and licensing qualified applicants and proposing changes in regulations that are necessary to enforce State statutes and enhances quality of dental care to Alaskans. To accomplish these functions, the Board has held an average of four board meetings during the past two fiscal years.

B. Legislation was passed in 1987 which allows the Board to participate in the administration of examinations instead requiring the state to conduct its own examination. Using a regional examination has resulted in a cost savings to the state and increases the pool of applicants eligible for licensure.

II. The extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.

The Board suspended, by regulation in 1984, statutory provision for licensure by credentials because of legal problems surrounding the scope of the interview requirement for applicants. The Attorney General's Office has determined that the personal interview of an applicant by a Board member be limited to verifying credentials and asking questions, rather than requiring case presentations of the applicant's prior work for examination. The Board does not feel that it can adequately measure the qualifications of applicants without examining case presentations for issuing licenses by credentials. There are no plans for reenacting licensure by credentials in the future (see recommendation No. 1).

III. The extent to which the board, commission, or agency has recommended statutory changes which are generally of benefit to the public interest.

Legislation was enacted in 1987 to permit the use of a regional examination in place of the state conducted examination. The legislation also increased the size of the board membership to ensure an adequate pool of examiners for the regional examination.

- IV. The extent to which the board, commission, or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided.

The Board advertises proposed regulation changes in major Alaskan newspapers, allows applicants to appeal their examination grades, and holds open meetings.

- V. The extent to which the board, commission, or agency has encouraged public participation in the making of its regulations and decisions.

A. The Board announces its board meetings, examinations, and proposed regulations and regulation amendments in the Anchorage, Fairbanks, and Juneau newspapers as required by law.

B. The Board presents and discusses correspondence related to Board matters which has been received from various persons and associations.

- VI. The efficiency with which public inquiries or complaints regarding the activities of the board, commission, or agency filed with it, with the department to which a board or commission is administratively assigned, or with the Office of the Ombudsman have been processed and resolved.

The Board processes and addressed complaints in an effective and timely manner.

- VII. The extent to which a board or commission which regulated entry into an occupation or profession has presented qualified applicants to serve the public.

The Board issued 25 dental licenses and 31 dental hygienist licenses in FY86. During FY87, the Board issued 18 dental licenses and 23 dental hygienist licenses.

- VIII. The extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission, or agency to its own activities and the area of activity or interest.

The Human Rights Commission and the Equal Employment Opportunity Office have received no complaints related to the Board's activities.

- IX. The extent to which statutory, regulatory, budgeting, or other changes are necessary to enable the agency, board, or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

Please refer to the previous section, Findings and Recommendations.

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APPENDIXES

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APPENDIX A

BOARD OF DENTAL EXAMINERS
SCHEDULE OF REVENUES COMPARED WITH EXPENDITURES
For Fiscal Year 1987
(Unaudited)
(Note 1)

Average Revenue (Note 2)	\$51,056
Expenditures (Note 3)	<u>57,802</u>
Excess of Expenditures Over Revenues	<u>\$ 6.746</u>

Note 1

The Schedule of Revenues Compared with Expenditures was prepared from available records and discussions with the Division of Occupational Licensing (DOL) personnel. The records were not audited by us and, accordingly, we do not express an opinion on the Board's Schedule of Revenues Compared with Expenditures.

Note 2

A significant portion of revenues is composed of license renewal fees. Licenses were renewed quadrennially. Because of the renewals, revenues varied substantially every fourth year. Therefore, we combined revenues collected in fiscal year 1984, 1985, 1986 and 1987; and calculated a total in order to obtain a representative amount of average annual revenues collected. Licensing fees were increased in November 1986 in response to legislative intent to make the Boards more self supporting. See Appendix B, Schedule 1 for the current fee schedule.

Note 3

Expenditures consist of direct costs resulting from Board activities, which includes travel, per diem, and miscellaneous contractual expenditures incurred by the Board members and the Board's licensing examiner. This amount does not include indirect administrative expenditures of the Division of Occupational Licensing or expenditures for efforts of other departments assisting the Board.

APPENDIX B

BOARD OF DENTAL EXAMINERS
SCHEDULE OF ESTIMATED REVENUES
COMPARED WITH BUDGETED EXPENDITURES
For Fiscal Year 1988
(Unaudited)
(Note 1)

Average Revenue (Note 2)	\$53,265
Expenditures (Note 3)	<u>76,368</u>
Excess of Expenditures Over Revenues	<u>\$23,103</u>

Schedule 1
Types of Revenues
(Note 4)

<u>Revenues</u>	<u>Amount</u>	<u>Collection Time</u>
Filing Fee		
Dentist	\$ 20	With application
Dental Hygienist	\$ 20	With application
Examination Fee		
Dentist	\$375	Before exam
Dental Hygienist	\$150	Before exam
Credential Review Fee		
Dental Hygienist	\$ 50	Before interview
Initial License Fee		
Dentist	\$ 30	Before licensure
Dental Hygienist	\$ 20	Before licensure
Registration/Renewal Fee		
Dentist	\$360	Before licensure; quadrennially thereafter
Dental Specialist	\$100	" "
Dental Hygienist	\$200	" "
Specialty License	\$100	Before licensure
Branch Office Registration	\$ 20	Quadrennially
Local Anesthetic Permit	\$ 20	With application

Note 1

The Division of Occupational Licensing (DOL) prepared the above Schedule of Estimated Revenues Compared with Budgeted Expenditures. The schedule is included for informational purposes only and has not been audited by us. Accordingly, we do not express an opinion on the Board's Schedule of Estimated Revenues Compared with Budgeted Expenditures.

Note 2

Revenues were estimated based upon the current licensing fees (See schedule 1) and projected license renewals and application fees for fiscal years 1988, 1989, 1990 and 1991. Because of a downward trend in Alaska's economy the projection for revenues includes a factor representing a 20% to 30% decline in the number licensed professionals.

Note 3

Expenditures consist of FY88 budgeted direct costs associated with board member activities (i.e. travel and per diem) and a allocation of direct and indirect costs of DOL. It should be noted that represented expenditures do not include expenses incurred by other Departments or other divisions of the Department of Commerce and Economic Development in assisting the Board.

Note 4

This schedule represents the licensing fees currently in effect. Fees were raised in November 1986 in response to legislative intent to make the Boards more self supporting. Fees have not be adjusted to reflect biennial renewal schedule which passed in 1987.

APPENDIX C

BOARD OF DENTAL EXAMINERS
PRACTICAL EXAMINATION AND STATISTICS

Prior to June 1987, the Board conducted a state written and clinical examination for dentists and dental hygienists. Beginning in June 1987, the Board is accepting the results of the Western Regional Examining Board test retroactively to January 1, 1987.

The following statistics are from the state administered examinations.

Alaska Dental Examination Statistics

	<u>Dentists</u>		<u>Hygienists</u>	
	<u>FY 86</u>	<u>FY 87</u>	<u>FY 86</u>	<u>FY 87</u>
Number of Examinees	25	25	21	20
Number Failed	16	8	4	2
Number Passed	9	17	17	18
Percentage Pass Rate	36.0%	68.0%	81.0%	90.0%

APPENDIX D

BOARD OF DENTAL EXAMINERS
SCHEDULE OF ADMINISTRATIVE STATISTICS
As of November 2, 1987

Dentists licensed in State	316
Out-of-State Dentists licensed in State	111
Dental Hygienists	306
Dental Specialists (also have dental license)	46
Average number of meetings per year	4

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STATE OF ALASKA

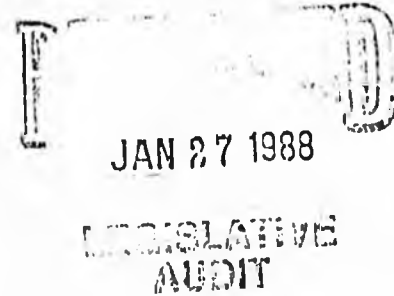
DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

P. O. BOX D
JUNEAU, ALASKA 99811-0800
PHONE: (907) 465-2500

January 21, 1988



Mr. Randy Welker
Acting Legislative Auditor
Division of Legislative Audit
Budget and Audit Committee
P.O. Box W
Juneau, AK 99811

Dear Mr. Welker:

This letter is written in response to the Budget and Audit Committee's (hereinafter "Committee") report of its sunset performance review of the Board of Dental Examiners (hereinafter "Board"). Below is the Department of Commerce and Economic Development's (hereinafter "Department") comments on the Committee's findings and recommendations.

Response to Recommendation No. 1

The Committee, in Recommendation No. 1, finds:

1. that the "cessation of licensure by credentials restricts entry into the dental profession in Alaska for out-of-state dentists wishing to practice in the state"; and
2. that the Board has "not complied" with two letters of legislative intent that the Board should reinstate licensure by credentials.

As a result of these findings, the Committee has recommended "that licensure by credentials be made a mandatory function of the Board."

As the Committee is aware, the issue of admission by credentials is very controversial. Indeed, given the constant pressure to which the Dental Board has been subjected since its cessation of licensure by credentials in 1984, the Department is, itself, admittedly surprised that the Board has not taken action to resolve the dispute. The Board's refusal to take action in this regard is of serious concern to the Department and, more specifically, the Division of Occupational Licensing ("Division").

The Board's inactions in this regard have also received the attention of the Office of the Governor. Governor Steve Cowper recently filled two vacancies on the Dental Board. In making his appointments, Governor Cowper respectfully declined to follow the recommendations of the Alaska Dental Society (which, by and large, opposes credentialling) and, instead, appointed dentists more favorably disposed toward licensure by credential. Given the past make-up of the Board, these new appointments do much to correct the Board's previously rather imbalanced perspective on the issue.

It is also important to recognize that the Board of Dental Examiners has done much to improve its admission procedures, albeit in direct response to previous performance review recommendations by the Budget and Audit Committee. Regardless of the motivation, it must be noted that the Board no longer offers its own exam but, rather, utilizes an exam designed, written and graded by the Western Regional Examination Board (WREB). This action alone has done much to deflect previously oft-expressed criticism that the Board was primarily interested in limiting the number of dentists eligible to practice in Alaska. It should also go far in assuring the public that qualified dentists are being licensed and in divorcing the Board from its protectionist label.

The "protectionist" label is what lies behind the continued controversy over credentialling. The cost of dental care in Alaska is admittedly high. Legislative and Administration concerns for the high cost of dental care has led these entities to conclude that the admission of greater numbers of dentists to Alaska would lower the cost of dental care. Previously, the Alaska-based exam was seen as one of the ways the Board limited the number of dentists able to practice in Alaska. Now, with the new exam procedures in place, the main focus of concern rests on the Board's failure to provide for licensure by credentialling. At its most recent meeting, the Division Director Randall Burns discussed with the Board its apparent unwillingness to back down from its decision not to offer licensure by credential, even in the face of legislative intent to the contrary and the obvious message sent to the Board via the Governor's recent Board appointments. It became clear during these discussions that the Board is in-turn concerned that this issue has become the focus of so much legislative and administration attention.

In its defense, the Dental Board seems confused by these attempts to force the Board to adopt admission criteria that not even a majority of the other states have seen fit to enact into law. In addition, it is the Board's understanding that a number of the states that currently provide for admission by credential are presently reconsidering their decision to provide for licensure in this manner. If so few states are firmly committed to credentialling, and if -- as it appears -- there are a number of real problems with the concept, then the Board wonders from what

source does the interest in credentialling come? In addition, the Board does seem genuinely concerned that failure to require passage of an exam prior to admission will greatly reduce the quality of dental practice in Alaska.

It certainly is a complex issue, and not all of the concerns have been fully addressed by the Legislature or the Administration. For example, licensure by credential in most professions requires that a good, central source of disciplinary information be available, yet no such data bank presently exists on dentists. The American Bar Association, in contrast, maintains a central discipline bank on all disciplinary actions taken against licensed attorneys which can be accessed by any of some 53 jurisdictions.

Because the restructured Board can now more fairly adjudge the public's interests in this matter, the Department is not presently able to agree or disagree with Recommendation No. 1. Rather, it would prefer to see what results from this new make-up of the Board. With a more balanced membership, the issue of licensure by credential will no doubt be debated more fully and the pros and cons of credentialling more thoroughly researched by the Board. Under these circumstances, it seems appropriate to continue to let the Board grapple with this important issue.

Response to Recommendation No.2

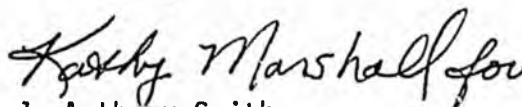
The second recommendation addresses a number of administrative concerns regarding the Board's application procedures. We will address them individually:

1. There is a recommendation that the Board eliminate the personal interview because it is a procedure "which has not resulted in application denial." The sole purpose of the "personal" interview, as stated in a regulation recently approved by the Board for publication, is to provide for identification of the applicant and to discuss with the applicant the provisions of the Dental Board's statutes. Particularly now that the WREB exam is administered out-of-state, with many of the applicants not personally known to the Board or Division staff, it is important before licensure that the Board be assured that the person who has applied for admission and sat for the exam is the same person who moves to Alaska to set up in the practice of dentistry. In addition, since the WREB exam does not test for knowledge of Alaska's dentistry statutes, this interview provides an opportunity for the Board to bring pertinent provisions of the statutes and regulations to the new admittee's attention.

While this may delay admission by a day or two at most, it is surely in the state's best interest to take the time necessary to avoid allowing the unscrupulous to deceive a public desirous of quality dental care, and to assure at least a grudging familiarity with the statutes that will guide that licensee's practice. The Department suggests that the recommendation is not in the public's interest.

2. There is a recommendation that the board should cease accepting copies of certificates submitted by an applicant as proof of educational attainment. "Instead of accepting copies of certificates," the Committee recommends that "the Board should receive direct confirmation from the appropriate licensing boards." The Department absolutely agrees with this recommendation and shall institute this policy immediately. The Division was in error not to insist on direct confirmation.

Sincerely,



J. Anthony Smith
Commissioner

JAS/mst7204m
011988a

6-0524E
Lauterbach
3/13/89

Original sponsor: Halford

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 126 ()

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Board of Dental Examiners."

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

8 * Section 1. AS 08.36.234 is amended to read:

9 Sec. 08.36.234. LICENSURE BY CREDENTIALS. The board shall [MAY]
10 provide for the licensing without examination of a dentist who

11 (1) is a graduate of a dental college accredited by the
12 Commission on Accreditation of the American Dental Association, or its
13 successor agency, and holds a certificate from the American Dental
14 Association Joint Commission on National Dental Examinations that the
15 dentist has passed the written examination given by the commission;

16 (2) has been licensed to practice dentistry in another
17 state, territory, or region with licensing requirements at least
18 equivalent in scope, quality and difficulty to those of this state at
19 the time of licensure;

20 (3) is endorsed by the licensing entity in the jurisdiction
21 where the dentist is currently licensed;

22 (4) has been engaged in continuous active practice averag-
23 ing at least 20 hours per week for each of the five years immediately
24 preceding the application;

25 (5) [(4)] is not the subject of an unresolved complaint,
26 review procedure, or disciplinary proceeding undertaken by a dental
27 licensing jurisdiction;

1 (7) [(6)] has not failed the clinical examination of this
2 state or holds a certificate from the Western Regional Examining Board
3 stating that the dentist has passed the clinical examination given by
4 that board;

5 (8) [(7)] is personally interviewed by the board;

6 (9) [(8)] pays all required fees.
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Original sponsor: Halford

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 126 ()

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to licensure of dentists; and pro-
7 viding for an effective date."

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

9 * Section 1. AS 08.36.160 is amended by adding a new subsection to
10 read:

11 (e) A passing score on a clinical examination given by the
12 Western Regional Examining Board on or after January 1, 1982, consti-
13 tutes a passing score on a clinical examination required under this
14 chapter.

15 * Sec. 2. AS 08.36.234 is amended to read:

16 Sec. 08.36.234. LICENSURE BY CREDENTIALS. The board shall [MAY]
17 provide for the licensing without examination of a dentist who

18 (1) is a graduate of a dental college accredited by the
19 Commission on Accreditation of the American Dental Association, or its
20 successor agency, and holds a certificate from the American Dental
21 Association Joint Commission on National Dental Examinations that the
22 dentist has passed the written examination given by the commission;

23 (2) has been licensed to practice dentistry in another
24 state, territory, or region with licensing requirements at least
25 equivalent in scope, quality and difficulty to those of this state at
26 the time of licensure;

27 (3) is endorsed by the licensing entity in the jurisdiction
28 where the dentist is currently licensed; if the dentist is employed by
29 the federal government, the dentist must be endorsed by the employing

1 federal agency;

2 (4) has been engaged in continuous active practice averag-
3 ing at least 20 hours per week for each of the five years immediately
4 preceding the application;

5 (5) [(4)] is not the subject of an unresolved complaint,
6 review procedure, or disciplinary proceeding undertaken by a dental
7 licensing jurisdiction;

8 (6) [(5)] has not previously had a license to practice
9 dentistry revoked;

10 (7) [(6)] has not failed the clinical examination of this
11 state;

12 (8) submits to the board documentation that the dentist has
13 completed at least 50 hours of continuing education related to den-
14 tistry in the three years preceding application for a license in this
15 state; the continuing education must have been approved by the licens-
16 ing entity of the jurisdiction in which the education was provided;

17 (9) provides proof of current certification in cardiopulmo-
18 nary resuscitation techniques;

19 (10) [(7)] is personally interviewed by the board;

20 (11) [(8)] pays all required fees.

21 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).
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Original sponsor: Halford

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 126 ()

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11 Western Regional Examining Board on or after January 1, 198⁸⁴~~2~~, consti-
12 tutes a passing score on a clinical examination required under this
13 chapter.

14 * Sec. 2. AS 08.36.234 is amended to read:

15 Sec. 08.36.234. LICENSURE BY CREDENTIALS. The board shall [MAY]
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18 Commission on Accreditation of the American Dental Association, or its
19 successor agency, and holds a certificate from the American Dental
20 Association Joint Commission on National Dental Examinations that the
21 dentist has passed the written examination given by the commission;

22 (2) has been licensed to practice dentistry in another
23 state, territory, or region with licensing requirements at least
24 equivalent in scope, quality and difficulty to those of this state at
25 the time of licensure;

26 (3) is endorsed by the licensing entity in the jurisdiction
27 where the dentist is currently licensed; if the dentist is employed by
28 the federal government, the dentist must be endorsed by the employing
29 federal agency;

1 (4) has been engaged in continuous active practice averag-
2 ing at least 20 hours per week for each of the five years immediately
3 preceding the application;

4 (5) [(4)] is not the subject of an unresolved complaint,
5 review procedure, or disciplinary proceeding undertaken by a dental
6 licensing jurisdiction;

7 (6) [(5)] has not previously had a license to practice
8 dentistry suspended or revoked;

9 (7) [(6)] has not failed the clinical examination of this
10 state;

11 (8) submits to the board documentation that the dentist has
12 completed at least 50 hours of continuing education related to clin-
13 ical dentistry in the three years preceding application for a license
14 in this state; the continuing education must have been approved by the
15 American Dental Association, the Academy of General Dentistry, or the
16 appropriate specialty board;

17 (9) provides proof of current certification in cardiopulmo-
18 nary resuscitation techniques;

19 (10) [(7)] is personally interviewed by the board;

20 (11) [(8)] pays all required fees.
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Original sponsor: Halford

As compared to 3/17/89 draft

1 IN THE SENATE

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

8 * Section 1. AS 08.36.160 is amended by adding a new subsection to
9 read:

10 *change* (e) A passing score on a clinical examination given by the
11 Western Regional Examining Board within the five years preceding
12 licensure application under this chapter constitutes a passing score
13 on a clinical examination required under this chapter. The board may
14 accept a passing score on a clinical examination given by the Western
15 Regional Examining Board more than five years preceding licensure
16 application if the examination was taken on or after January 1, 1987.

17 * Sec. 2. AS 08.36.234 is amended to read:

18 Sec. 08.36.234. LICENSURE BY CREDENTIALS. The board shall [MAY]
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21 Commission on Accreditation of the American Dental Association, or its
22 successor agency, and holds a certificate from the American Dental
23 Association Joint Commission on National Dental Examinations that the
24 dentist has passed the written examination given by the commission;

25 (2) has been licensed to practice dentistry in another
26 state, territory, or region with licensing requirements at least
27 equivalent in scope, quality and difficulty to those of this state at
28 the time of licensure;

29 (3) is endorsed by the licensing entity in the jurisdiction

1 where the dentist is currently licensed; if the dentist is employed by
2 the federal government, the dentist must be endorsed by the employing
3 federal agency;

4 (4) has been engaged in continuous active practice averag-
5 ing at least 20 hours per week for each of the five years immediately
6 preceding the application;

7 (5) [(4)] is not the subject of an unresolved complaint,
8 review procedure, or disciplinary proceeding undertaken by a dental
9 licensing jurisdiction;

10 (6) [(5)] has not previously had a license to practice
11 dentistry suspended for grounds similar to those specified under
12 AS 08.36.315, or revoked; added

13 (7) [(6)] has not failed the clinical examination of this
14 state;

15 (8) submits to the board documentation that the dentist has
16 completed at least 50 hours of continuing education related to clin-
17 ical dentistry in the three years preceding application for a license
18 in this state; the continuing education must have been approved by the
19 American Dental Association, the Academy of General Dentistry, or the
20 appropriate specialty board;

21 (9) provides proof of current certification in cardiopulmo-
22 nary resuscitation techniques;

23 (10) [(7)] is personally interviewed by the board;

24 (11) [(8)] pays all required fees.
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Original sponsor: Halford

Changes compared to 3/22

Version which passed L+C

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 126 ()

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

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12 licensure application under this chapter constitutes a passing score
13 on a clinical examination required under this chapter. The board may
14 accept a passing score on a clinical examination given by the Western
15 Regional Examining Board more than five years preceding licensure
16 application if the examination was taken on or after January 1, 1987.

17 * Sec. 2. AS 08.36.234 is amended to read:

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

21 (1) is a graduate of a dental college accredited by the
22 Commission on Accreditation of the American Dental Association, or its
23 successor agency, and holds a certificate from the American Dental
24 Association Joint Commission on National Dental Examinations that the
25 dentist has passed the written examination given by the commission;

26 (2) has been licensed to practice dentistry in another
27 state, territory, or region of the United States with licensing re-
28 quirements at least equivalent in scope, quality and difficulty to
29 those of this state at the time of licensure;

1 (3) is endorsed by the licensing entity in the jurisdiction
2 where the dentist is currently licensed; if the dentist is employed by
3 the federal government, the dentist must be endorsed by the employing
4 federal agency;

5 (4) has been engaged in continuous active clinical practice
6 averaging at least 20 hours per week for each of the five years imme-
7 diately preceding the application;

8 (5) [(4)] is not the subject of an unresolved complaint,
9 review procedure, or disciplinary proceeding undertaken by a dental
10 licensing jurisdiction;

11 (6) [(5)] has not previously had a license to practice
12 dentistry suspended for grounds similar to those specified under
13 AS 08.36.315, or revoked;

14 (7) [(6)] has not failed the clinical examination of this
15 state;

16 (8) submits to the board documentation that the dentist has
17 completed at least 50 hours of continuing education related to clin-
18 ical dentistry in the three years preceding application for a license
19 in this state; the continuing education must have been approved by the
20 American Dental Association, the Academy of General Dentistry, or the
21 appropriate specialty board;

22 (9) provides proof of current certification in cardiopulmo-
23 nary resuscitation techniques;

24 (10) has passed, to the satisfaction of the board, the part
25 of the written examination given under AS 08.36.160 that pertains to
26 the state's laws on the practice of dentistry; the board may not
27 require a higher passing score for applicants under this section than
28 the board requires for applicants under AS 08.36.110;

29 (11) [(7)] is personally interviewed by the board;

(12) [(8)] pays all required fees.

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