

HB

346

<TARGET><BILL>HB 346</BILL><SUBJECT>HB
346</SUBJECT><COMM>HL&C30</COMM></TARGET>

30-LS1409D
Radford
2/20/18

CS FOR HOUSE BILL NO. 346(L&C)
IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered:
Referred:

Sponsor(s): HOUSE LABOR AND COMMERCE COMMITTEE

A BILL
FOR AN ACT ENTITLED

1 **"An Act relating to the licensure of dentists."**

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

3 * **Section 1.** AS 08.36.100 is amended to read:

4 **Sec. 08.36.100. License required.** Except as provided in AS 08.36.238 **and**
5 **08.36.254**, a person may not practice, or attempt to practice, dentistry without a
6 license.

7 * **Sec. 2.** AS 08.36 is amended by adding a new section to article 2 to read:

8 **Sec. 08.36.254. Temporary permit to substitute for an incapacitated**
9 **dentist.** (a) The board may issue a temporary permit to practice dentistry to a dentist
10 for the purpose of substituting for an incapacitated dentist licensed in this state.

11 (b) A dentist applying for a temporary permit under (a) of this section shall

12 (1) hold an active license from a board of dental examiners established
13 under the laws of a state or territory of the United States issued after thorough
14 examination;

15 (2) pay the required fee; and

1 (3) meet other qualifications for a temporary permit established by
2 regulation.

3 (c) A temporary permit issued under this section is valid only to treat patients
4 of the incapacitated dentist at an address listed on the business license of the
5 incapacitated dentist.

6 (d) The fee for a permit issued under this section is one-fourth of the fee for a
7 biennial license plus the appropriate application fee.

8 (e) The board may not issue a temporary permit under this section if another
9 dentist licensed under this chapter may reasonably substitute for the incapacitated
10 dentist.

11 (f) A temporary permit issued under this section is initially valid for 90
12 consecutive calendar days. Upon request of a permittee, the board shall extend a
13 permit issued under this section for 60 calendar days if, before the expiration of the
14 initial 90-day permit, the permittee submits to the board a completed application form
15 and the fee required under this chapter, except that the board may refuse to grant a
16 request for an extension for the same reasons the board may revoke a license under
17 AS 08.36.315. Permits and extensions of permits issued to a permittee under this
18 section are not valid for more than 240 calendar days during any consecutive 24
19 months.

20 (g) The board may extend a permit issued under this section for a period that
21 exceeds the limit established in (f) of this section if the board determines that the
22 extension is necessary to provide essential dental services and the board has received a
23 clearance report from the

24 (1) National Practitioner Data Bank; and

25 (2) United States Drug Enforcement Administration.

26 (h) In this section, "incapacitated" means impaired by a health condition that
27 renders a dentist unable to practice dentistry for more than 30 days.



Representative Sam Kito

Alaska State Legislature

House District 33

Downtown Juneau

Douglas
Haines

Klukwan
Skagway

Gustavus
Excursion Inlet

Chair
House Labor & Commerce

Chair
Legislative Council

Member
House Health &
Social Services

Member
House Rules

Contact

Rep. Sam Kito
Alaska State Capitol 403
120 4th St
Juneau, AK 99801

907-465-4766

Rep.Sam.Kito@akleg.gov

Sponsor Statement House Bill 346

DENTIST: TEMPORARY PERMIT

House Bill 346 would allow the Alaska Board of Dental Examiners to grant temporary licenses when a dental specialist is suddenly incapacitated or when a small community does not have access to specialized care.

Alaska has a limited number of dental specialists, many of whom serve multiple small communities. There are nine dental specialties as defined by the American Dental Association: oral surgery, orthodontics, periodontics (gums), endodontics (root canals), pedodontics (kids), prosthodontics (replacing teeth), public health, oral pathology (oral diseases), and oral radiology (x-rays); however, Alaska does not have a single specialist in oral radiology. Of the 647 licensed dentists in Alaska, 136 dentists are specialists.

Dental specialists in Alaska are limited in number and have full schedules. If a specialist is suddenly incapacitated, there is no reserve to draw from, and multiple small communities could be without specialist care for an extended period of time. Small communities have historically had a hard time recruiting healthcare practitioners and the trend seems to be worsening.

Temporary dental licenses would allow the Alaska Board of Dental Examiners to maintain dental care in these communities until a full-time dentist can be found. The board is ideally qualified to evaluate the need to circumvent transitional licensing procedures for dentists in exceptional circumstances.

HB 346 will allow temporary licenses to be granted in times of need at the discretion of the Alaska Board of Dental Examiners. Please support HB 346.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

BOARD OF DENTAL EXAMINERS

P.O. Box 110806
Juneau, AK 99811-0806
Main: 907.465.2542
Fax: 907.465.2974

September 23, 2017

Dr. Evan Young
Alaska Dental Society, President
1407 W. 31st Ave Suite 304
Anchorage, AK 99811

Dear Dr. Young,

When a dental licensee becomes incapacitated due to an accident, health related issue or other circumstance; they may require immediate assistance to cover a patient base that in the board's estimation cannot be covered by another existing licensee due to geographic isolation, lack of available specialists or other reasons. Therefore, the Alaska State Board of Dental Examiners would like to fully support the Alaska Dental Society in its efforts to introduce legislation that will put into statute a provision that allows for issuance of an emergency temporary dental license in certain cases the Board deems appropriate.

Thank you for consideration,

A handwritten signature in cursive script, appearing to read "Paul Silveira".

Dr. Paul Silveira
President, Alaska State Board of Dental Examiners



Alaska

DENTAL SOCIETY

January 18, 2018

Members of the Alaska State Legislature

The Alaska Dental Society (ADS) supports legislation to create a temporary dental license. A temporary dental license is need for two specific instances: a dental specialist who is suddenly incapacitated and a rural dentist who cannot find a replacement for an extended period of time.

Events in the past several years have exposed a critical shortage of available dental specialists in Alaska to temporarily fill in for incapacitated dental specialists. Two specialists, for different reasons, were suddenly unable to practice for several months. In both circumstances they served multiple communities and replacements with AK licenses were unable to be found. Alaskan dental specialists are in short supply and all are practicing at capacity. When a specialist is unable to practice it creates a void in the supply and given the nature of the specialty work they do it cannot be filled by a general dentist. The smaller communities typically have itinerate coverage and when that is disrupted, as was the case during the past two years, it forces patients in those communities to either go without care to have to travel to larger communities.

Dentists in rural communities struggle to find replacement dentists for absences. Most circumstances can be managed with some perseverance by the dentists' part but some of the communities have one dentist and may not be able to find a replacement for an extended period whether anticipated or not.

The ADS believes creating a temporary dental license, to be granted at the Dental Board's discretion, would solve these problems. Allowing the board to discuss and factor in the necessity of granting a temporary license would eliminate the temporary license being used as a work around to the normal licensing process as would granting the licenses for a short period of time and restricting practicing locations to the office(s) of the incapacitated dentist.

I would be happy to provide additional information or discuss the temporary license in further detail.

Sincerely,

David Logan, DDS

Executive Director, Alaska Dental Society

Fiscal Note

State of Alaska
2018 Legislative Session

Bill Version: HB 346
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB346-DCCED-CBPL-02-16-18
Title: DENTIST: TEMPORARY PERMIT
Sponsor: LABOR & COMMERCE
Requester: (H) Labor & Commerce

Department: Department of Commerce, Community and
Economic Development
Appropriation: Corporations, Business and Professional
Licensing
Allocation: Corporations, Business and Professional
Licensing
OMB Component Number: 2360

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2019	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2019 Request	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
OPERATING EXPENDITURES	FY 2019	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Personal Services							
Travel							
Services	2.6						
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	2.6	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

1156 Rcpt Svcs (DGF)	2.6						
Total	2.6	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

1156 Rcpt Svcs (DGF)	2.6						
Total	2.6	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2018) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2019) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
If yes, by what date are the regulations to be adopted, amended or repealed? 07/01/19

Why this fiscal note differs from previous version/comments:

Not applicable, initial version.

Prepared By:	Janey McCullough, Director	Phone:	(907)465-2538
Division:	Corporations, Business and Professional Licensing	Date:	02/16/2018
Approved By:	Catherine Reardon, Director	Date:	02/16/18
Agency:	Division of Administrative Services, DCCED		

FISCAL NOTE ANALYSIS

**STATE OF ALASKA
2018 LEGISLATIVE SESSION**

BILL NO. HB 346

Analysis

HB346 amends AS 08.36 by adding a new section for a temporary permit. The temporary permit is intended to expedite permitting so that a dentist from outside of the state could temporarily replace a dentist who is incapacitated. The new section describes the temporary permit, the requirements to obtain the permit, and options to extend the permit.

If the bill passes, the division will require \$2.6 to cover legal costs to amend regulations, printing, and postage in the first year.

Professional licensing programs within the Division of Corporations, Business and Professional Licensing are funded by Receipt Supported Services, fund source 1156 Rcpt Svcs (DGF). Licensing fees for each occupation are set per AS 08.01.065 so the total amount of revenue collected approximately equals the occupation's actual regulatory costs.

Breakdown of Dentists in Alaska

General Dentists	511
Total Dental Specialists	136

Breakdown of Dental Specialists

Oral Surgery	30
Endodontics	13
Orthodontics	31
Pediatrics	30
Prosthodontics	8
Oral and Maxillofacial Pathology	3
Oral and Maxillofacial Radiology	0
Periodontics	6
Dental Public Health	15