

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2635

By: Gray

AS INTRODUCED

An Act relating to professions and occupations;
amending 59 O.S. 1991, Section 328.15, as amended
by Section 4, Chapter 2, O.S.L. 1996 (59 O.S. Supp.
1997, Section 328.15), which relates to the State
Dental Act; clarifying language; and providing an
effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 1991, Section 328.15, as
amended by Section 4, Chapter 2, O.S.L. 1996 (59 O.S. Supp. 1997,
Section 328.15), is amended to read as follows:

Section 328.15 A. Pursuant to and in compliance with Article I
of the Administrative Procedures Act, the Board of Dentistry shall
have the power to formulate, adopt and promulgate rules as may be
necessary to regulate the practice of dentistry in this state and to
implement and enforce the provisions of the State Dental Act.

B. The Board is authorized ~~and empowered~~ to:

1. Examine and test the qualifications of applicants for a
license, certificate or permit to be issued by the Board;

2. Maintain a list of the name and principal office address of all persons who hold a license, certificate or permit issued by the Board;

3. Account for all receipts and expenditures of the monies of the Board, including annually preparing and publishing a statement of receipts and expenditures of the Board for each fiscal year. The Board's annual statement of receipts and expenditures shall be audited by the State Auditor and Inspector or an independent accounting firm, and the audit report shall be certified to the Governor of this state to be true and correct, under oath, by the president and secretary-treasurer of the Board;

4. Within limits prescribed in the State Dental Act, set all fees, charges and administrative penalties to be imposed and collected by the Board;

5. Maintain an office staff and employ legal counsel and other advisors to the Board, including but not limited to advisory committees;

6. Investigate and issue investigative and other subpoenas, pursuant to Article II of the Administrative Procedures Act;

7. Initiate individual proceedings and issue orders imposing administrative penalties, pursuant to Article II of the Administrative Procedures Act, against any dentist, dental hygienist, dental assistant, dental laboratory technician, or holder of a permit to operate a dental laboratory who has violated the State Dental Act or the rules of the Board;

8. Conduct, in a uniform and reasonable manner, inspections of dental offices and dental laboratories and their business records;

9. Establish guidelines for courses of study necessary for expanded duties and, when appropriate, issue permits authorizing individuals to perform expanded duties;

10. Establish continuing education requirements for dentists, dental hygienists and dental assistants who hold expanded duty permits issued by the Board;

11. Recognize the parameters of care established and approved by the American Dental Association;

12. Formulate, adopt and promulgate rules, pursuant to Article I of the Administrative Procedures Act, as may be necessary to implement and enforce the provisions of the Oklahoma Dental Mediation Act;

13. Hire one or more investigators to conduct investigations of alleged violations of the State Dental Act or the rules of the Board;

14. Seek and receive advice and assistance of the Office of the Attorney General of this state;

15. Promote the dental health of the people of this state;

16. Inform, educate and advise all persons who hold a license, certificate or permit issued by the Board, or who are otherwise regulated by the Board, regarding the State Dental Act and the rules of the Board;

17. Affiliate with the American Association of Dental Examiners as an active member, pay regular dues and send members of the Board as delegates to its meetings;

18. Enter into contracts;

19. Acquire, rent, hold, encumber and dispose of personal property as is needed; and

20. Take all other actions necessary to implement and enforce the State Dental Act.

SECTION 2. This act shall become effective November 1, 1998.

46-2-8457

KSM