

1 ENGROSSED SENATE AMENDMENTS  
TO  
2 ENGROSSED HOUSE  
BILL NO. 1059

By: Nations of the House

and

Nichols of the Senate

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7  
8 An Act relating to professions and occupations;  
9 amending 59 O.S. 2001, Section 328.31a, which relates  
10 to the State Dental Act; modifying requirements for  
11 use of trade names; directing the Board to promulgate  
12 rules; and providing an effective date.

13 AUTHOR: Add the following Senate Coauthor: Burrage

14 AMENDMENT NO. 1. Page 2, line 15 1/2, insert a new Section 2  
15 to read

16 "SECTION 2. AMENDATORY Section 3, Chapter 138, O.S.L.  
17 2003 (59 O.S. Supp. 2008, Section 328.23a), is amended to read as  
18 follows:

19 Section 328.23a. A. There is established a special volunteer  
20 ~~dental~~ license for dentists and a special volunteer license for  
21 dental hygienists who are retired from active practice or out-of-  
22 state licensees in active practice who are in the Oklahoma Medical  
23 Reserve Corps or assisting with emergency management, emergency  
24 operations, or hazard mitigation in response to any emergency, man-  
made disaster, or natural disaster, or participating in public

1 health initiatives, disaster drills, and community service events  
2 that are endorsed by a city, county, or state health department in  
3 the state and wish to donate their expertise for the dental care and  
4 treatment of indigent and needy persons of the state. The special  
5 volunteer ~~dental~~ license shall be:

6 1. Issued by the Board of Dentistry to eligible ~~dentists~~  
7 persons;

8 2. Issued without the payment of an application fee, license  
9 fee or renewal fee;

10 3. Issued or renewed without any continuing education  
11 requirements for a period less than one fiscal year; and

12 4. Issued for a one fiscal year or part thereof; ~~and~~

13 ~~5. Renewable annually upon approval of the Board.~~

14 B. A dentist or dental hygienist must meet the following  
15 requirements to be eligible for a special volunteer ~~dental~~ license:

16 1. Completion of a special volunteer dental or dental hygiene  
17 license application, including documentation of the dentist's dental  
18 or dental hygiene school graduation and practice history;

19 2. Documentation that the dentist or dental hygienist has been  
20 previously issued a full and unrestricted license to practice

21 dentistry or dental hygiene in Oklahoma or in another state of the  
22 United States and that he or she has never been the subject of any  
23 medical or dental disciplinary action in any jurisdiction. If the

24 dentist or dental hygienist is licensed in more than one state and

1 any license of the licensee is suspended, revoked, or subject to any  
2 agency order limiting or restricting practice privileges, or has  
3 been voluntarily terminated under threat of sanction, the dentist or  
4 dental hygienist shall be ineligible to receive a special volunteer  
5 license;

6 3. Acknowledgement and documentation that the dentist's or  
7 dental hygienist's practice under the special volunteer ~~dental~~  
8 license will be exclusively and totally devoted to providing dental  
9 care to needy and indigent persons in Oklahoma; and

10 4. Acknowledgement and documentation that the dentist or dental  
11 hygienist will not receive or have the expectation to receive any  
12 payment or compensation, either direct or indirect, for any dental  
13 services rendered under the special volunteer ~~dental~~ license.

14 C. The Board of Dentistry shall have jurisdiction over  
15 dentists, dental hygienists, dental assistants, and dental  
16 technicians who volunteer their professional services in the state.  
17 Dental assistants and dental technicians shall work under the direct  
18 supervision of a dentist.

19 D. Dental assistants and dental technicians shall not be  
20 required to obtain a volunteer license. Volunteers in a volunteer  
21 initiative who are not dentists or dental hygienists shall be named  
22 and provided on a list to the Board by the entity hosting the  
23 volunteer initiative. The Board shall provide written documentation  
24 to the host entity designating all persons who may participate in

1 the volunteer initiative, including authorization of the timetable  
2 requested by the host entity for granting licensure exemption.

3 E. All persons providing care shall do so under the provisions  
4 specified in Section 328.1 et seq. of this title or rules  
5 promulgated by the Board. Only those functions authorized by law or  
6 administrative rule shall be performed by the named person approved  
7 by the Board.

8 F. Volunteers shall not use sedation or general anesthesia  
9 during volunteer procedures.

10 G. Volunteers shall use a form to be provided by the Board for  
11 any patient with clear instructions for any and all follow-up care.

12 H. At any time, the Board shall revoke a volunteer license  
13 based on documentation of failure to participate according to state  
14 laws or administrative rules."

15 and renumber subsequent section

16 AMENDMENT NO. 2. Page 1, line 9, after the semi-colon and  
17 before the word "and" amend the title to  
conform as follows

18 "amending Section 3, Chapter 138, O.S.L. 2003 (59  
19 O.S. Supp. 2008, Section 328.23a), which relates to  
20 special volunteer dental licenses; creating a  
21 special volunteer license for dental hygienists;  
22 expanding eligibility criteria for certain  
23 licenses; clarifying language; modifying  
24 requirements of certain special license; making  
persons ineligible for a special volunteer license  
under certain circumstance; granting the Board of  
Dentists jurisdiction over certain persons to work  
under the supervision of a dentist; exempting  
certain persons from volunteer license requirement;  
providing for certain authorization; requiring

1 certain persons to operate under certain  
2 provisions; prohibiting certain persons from using  
3 sedation or general anesthesia; directing  
4 volunteers to use certain form; authorizing the  
5 Board to revoke volunteer licenses;"

6 Passed the Senate the 23rd day of April, 2009.

7 \_\_\_\_\_  
8 Presiding Officer of the Senate

9 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
10 2009.

11 \_\_\_\_\_  
12 Presiding Officer of the House  
13 of Representatives