

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 HOUSE BILL 2690

By: Banz

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5
6 AS INTRODUCED

7 An Act relating to professions and occupations;
8 amending 59 O.S. 2011, Section 328.24, which relates
9 to the State Dental Act; requiring Board to issue
10 license to certain applicants; amending 59 O.S. 2011,
11 Section 353.9, which relates to the Oklahoma Pharmacy
12 Act; requiring Board to issue license to certain
13 applicants; amending 59 O.S. 2011, Section 887.9,
14 which relates to the Physical Therapy Practice Act;
15 requiring Board to issue license to certain
16 applicants; amending 59 O.S. 2011, Section 888.8,
17 which relates to the Occupational Therapy Practice
18 Act; requiring Board to issue license to certain
19 applicants; and providing an effective date.

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

21 SECTION 1. AMENDATORY 59 O.S. 2011, Section 328.24, is
22 amended to read as follows:

23 Section 328.24 A. 1. The Board of Dentistry may issue a
24 license to practice dental hygiene, without examination, to an out-
of-state dental hygienist who has been engaged in the active
practice of dental hygiene in another state or territory for at
least two (2) years immediately preceding application, upon
presentation to the Board of a certificate from the Board of Dental

1 Examiners or a like dental hygiene licensing agency of that state or
2 territory, certifying the applicant's length of practice and that
3 the applicant is in good standing with the agency, and upon the
4 payment of a fee established by the rules of the Board; provided,
5 however, the state or territory from which the applicant presents a
6 license to practice dental hygiene shall have required the applicant
7 to meet professional education, competency, and other eligibility
8 standards equivalent to the standards required by the Board for
9 issuance of a license by examination to practice dental hygiene in
10 this state.

11 2. The Board of Dentistry shall issue a license to practice
12 dental hygiene, without examination, to an out-of-state dental
13 hygienist who has been engaged in the active practice of dental
14 hygiene in another state or territory who is relocating to this
15 state pursuant to a spouse's official military orders upon
16 presentation to the Board of a certificate from the Board of Dental
17 Examiners or a similar dental hygiene licensing agency of that state
18 or territory, certifying the applicant is in good standing with the
19 agency, and upon the payment of a fee established by the rules of
20 the Board.

21 3. The Board shall not issue a license pursuant to this
22 subsection to any person who would not otherwise be eligible to
23 receive a license to practice dental hygiene.

24 ~~3.~~ 4. The Board may require:

1 a. an applicant for a license to practice dental hygiene
2 pursuant to this subsection to have completed the same
3 continuing education requirements as required of
4 dental hygienists in this state, and

5 b. that the state or territory from which the applicant
6 presents credentials afford substantially equivalent
7 licensure by credentialing to dental hygienists of
8 this state.

9 B. Any dental hygienist who is in good standing with the Board
10 shall, upon application to the Board and payment of a fee
11 established by the rules of the Board, receive a certificate which
12 shall attest that the dental hygienist is in good standing with the
13 Board.

14 SECTION 2. AMENDATORY 59 O.S. 2011, Section 353.9, is
15 amended to read as follows:

16 Section 353.9 A. Licensed pharmacists shall be persons
17 regularly licensed as such in the State of Oklahoma on or before the
18 effective date of this act. All other qualified persons may become
19 licensed as a Doctor of Pharmacy upon passing an examination
20 approved by the State Board of Pharmacy. Before any applicant is
21 allowed to sit for such examinations, such applicant shall submit to
22 the Board sufficient proof that the applicant:

23 1. Is of good moral character;
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1 2. Is a graduate of an accredited School or College of Pharmacy
2 approved by the Board, or is a foreign pharmacy school graduate who
3 has received an FPGEC equivalency certification by the National
4 Association of Boards of Pharmacy; and

5 3. Has attained experience in the practice of pharmacy,
6 obtained in a place and in a manner prescribed and approved by the
7 Board.

8 B. Interns, preceptors and training areas shall make
9 application for a license, and shall pay a fee set by the Board, not
10 to exceed One Hundred Dollars (\$100.00).

11 C. All applicants shall make application in the form and manner
12 prescribed by the Board, and deposit with the Executive Director of
13 the Board a fee set by the Board not to exceed Two Hundred Fifty
14 Dollars (\$250.00) plus the purchase price of the examination. Upon
15 passing an examination and meeting such other requirements specified
16 by the Board pursuant to the Oklahoma Pharmacy Act, the applicant
17 shall be granted an appropriate certificate setting forth the
18 qualifications to practice pharmacy. Any applicant failing an
19 examination shall not sit for an additional examination until such
20 applicant has made a new application and paid the fee provided
21 herein.

22 D. The Board shall have the power to issue reciprocal
23 certificates of licensure to applicants licensed in other states
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1 having like requirements. Such applicants shall be charged a fee
2 not to exceed Two Hundred Fifty Dollars (\$250.00).

3 E. The Board shall issue a certificate of licensure, without
4 examination, to an out-of-state pharmacist who has been engaged in
5 the active practice of pharmacy in another state or territory who is
6 relocating to this state pursuant to a spouse's official military
7 orders upon presentation to the Board of a certificate of licensure
8 from a pharmacist licensing agency of that state or territory,
9 certifying the applicant is in good standing with the agency, and
10 upon the payment of a fee established by the rules of the Board.

11 F. The Board shall have the power to issue original
12 certificates of licensure to applicants for the score transfer
13 process administered by the National Association of Boards of
14 Pharmacy; provided, such applicants shall provide sufficient proof
15 of compliance with the requirements of paragraphs 1 through 3 of
16 subsection A of this section. Such applicants shall be charged a
17 fee not to exceed Two Hundred Fifty Dollars (\$250.00).

18 SECTION 3. AMENDATORY 59 O.S. 2011, Section 887.9, is
19 amended to read as follows:

20 Section 887.9 A. Upon payment to the Board of a fee as
21 provided by the Physical Therapy Practice Act, and submission of a
22 written application on forms provided by the Board, the Board may
23 issue a license without examination to any person who is licensed or
24 otherwise registered as a physical therapist by another state or any

1 territory of the United States which has substantially the same
2 standards for licensure as are required by this state pursuant to
3 the provisions of the Physical Therapy Practice Act.

4 B. Upon payment to the Board of a fee as provided by the
5 Physical Therapy Practice Act, and submission of a written
6 application on forms provided by the Board, the Board shall issue a
7 license without examination to any person who is licensed or
8 otherwise registered as a physical therapist in another state or
9 territory who is relocating to this state pursuant to a spouse's
10 official military orders upon presentation to the Board of a
11 certificate of licensure from a physical therapy licensing agency of
12 that state or territory, certifying the applicant is in good
13 standing with the agency.

14 SECTION 4. AMENDATORY 59 O.S. 2011, Section 888.8, is
15 amended to read as follows:

16 Section 888.8 A. The Board shall waive the examination and
17 grant a license to any person certified prior to the effective date
18 of this act as an occupational therapist registered (O.T.R.) or a
19 certified occupational therapy assistant (C.O.T.A.) by the American
20 Occupational Therapy Association. The Board may waive the
21 examination, education, or experience requirements and grant a
22 license to any person so certified after the effective date of this
23 act if the Board considers the requirements for such certification
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1 to be at least equivalent to the requirements for licensure in this
2 act.

3 B. The Board may waive the examination, education, or
4 experience requirements and grant a license to any applicant who
5 shall present proof of current licensure as an occupational
6 therapist or occupational therapy assistant in another state, the
7 District of Columbia, or territory of the United States which
8 requires standards of licensure considered by the Board to be at
9 least equivalent to the requirements for licensure in this act.

10 C. The Board shall waive the examination, education, or
11 experience requirements and grant a license to any applicant who is
12 relocating to this state pursuant to a spouse's official military
13 orders upon presentation to the Board of a certificate of licensure
14 as an occupational therapist or occupational therapy assistant in
15 another state or territory certifying the applicant is in good
16 standing with the agency.

17 D. An applicant may be licensed as an occupational therapist if
18 he has first practiced as an occupational therapy assistant for four
19 (4) years and has completed the requirements of paragraph 4 of
20 Section ~~6~~ 888.6 of this ~~act~~ title before January 1, 1988, and has
21 passed the examination for occupational therapist.

22 SECTION 5. This act shall become effective November 1, 2012.

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24 53-2-8110 LRB 01/16/12