

1 ENGROSSED HOUSE AMENDMENT  
TO  
2 ENGROSSED SENATE BILL NO. 787 By: Sykes of the Senate

3 and  
4 Roberts (Dustin) of the  
5 House

6  
7  
8 An Act relating to the State Dental Act; amending  
9 Section 11, Chapter 229, O.S.L. 2015, as amended by  
10 Section 1, Chapter 113, O.S.L. 2016 (59 O.S. Supp.  
11 2016, Section 328.23b), which relates to retired  
12 volunteer licenses; removing certain limitations;  
13 amending 59 O.S. 2011, Section 328.26, as last  
14 amended by Section 14, Chapter 229, O.S.L. 2015 (59  
15 O.S. Supp. 2016, Section 328.26), which relates to  
16 dental intern permits; removing certain requirement;  
17 permitting dental student interns to perform certain  
18 functions under certain circumstances; amending 59  
19 O.S. 2011, Section 328.27, as last amended by Section  
20 15, Chapter 229, O.S.L. 2015 (59 O.S. Supp. 2016,  
21 Section 328.27), which relates to faculty licenses;  
22 specifying duration of certain license; providing  
23 renewal procedures; permitting certain courses to be  
24 taught in certain formats; requiring certain  
personnel in coursework; requiring certain  
compliance; amending 59 O.S. 2011, Section 328.41, as  
last amended by Section 22, Chapter 229, O.S.L. 2015  
(59 O.S. Supp. 2016, Section 328.41), which relates  
to renewal certificates; stipulating valid dates for  
certain permits; clarifying language; and providing  
an effective date.

22 AUTHORS: Add the following House Coauthors: Roberts (Sean),  
23 Kouplen, Virgin and Moore

1 AMENDMENT NO. 1. Replace the title, enacting clause and entire bill  
2 and insert

3  
4 "An Act relating to the State Dental Act; amending 59  
5 O.S. 2011, Section 328.3, as last amended by Section  
6 2, Chapter 229, O.S.L. 2015 (59 O.S. Supp. 2016,  
7 Section 328.3), which relates to definitions; adding  
8 definitions; amending Section 3, Chapter 270, O.S.L.  
9 2012 (59 O.S. Supp. 2016, Section 328.15B), which  
10 relates to Executive Director authority; authorizing  
11 the Board of Dentistry to delegate certain duties to  
12 the Executive Director; amending Section 11, Chapter  
13 229, O.S.L. 2015, as amended by Section 1, Chapter  
14 113, O.S.L. 2016 (59 O.S. Supp. 2016, Section  
15 328.23b), which relates to retired volunteer  
16 licenses; removing certain limitations; amending 59  
17 O.S. 2011, Section 328.26, as last amended by  
18 Section 14, Chapter 229, O.S.L. 2015 (59 O.S. Supp.  
19 2016, Section 328.26), which relates to dental  
20 intern permits; removing certain requirement;  
21 requiring certain approval to request certain  
22 permit; permitting dental student interns to perform  
23 certain functions under certain circumstances;  
24 amending 59 O.S. 2011, Section 328.27, as last  
amended by Section 15, Chapter 229, O.S.L. 2015 (59  
O.S. Supp. 2016, Section 328.27), which relates to  
faculty licenses; specifying duration of certain  
license; providing renewal procedures; permitting  
certain courses to be taught in certain formats;  
requiring certain personnel in coursework; requiring  
certain compliance; amending 59 O.S. 2011, Section  
328.41, as last amended by Section 22, Chapter 229,  
O.S.L. 2015 (59 O.S. Supp. 2016, Section 328.41),  
which relates to renewal certificates; stipulating  
valid dates for certain permits; clarifying  
language; amending 59 O.S. 2011, Section 328.51a, as  
amended by Section 17, Chapter 405, O.S.L. 2013 (59  
O.S. Supp. 2016, Section 328.51a), which relates to  
license and permit application fees; modifying names  
of certain permits; modifying certain fees; and  
declaring an emergency.

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

2 SECTION 1. AMENDATORY 59 O.S. 2011, Section 328.3, as  
3 last amended by Section 2, Chapter 229, O.S.L. 2015 (59 O.S. Supp.  
4 2016, Section 328.3), is amended to read as follows:

5 Section 328.3 As used in the State Dental Act, the following  
6 words, phrases, or terms, unless the context otherwise indicates,  
7 shall have the following meanings:

8 1. "Accredited dental college" means an institution whose  
9 dental educational program is accredited by the Commission on Dental  
10 Accreditation of the American Dental Association;

11 2. "Accredited dental hygiene program" means a dental hygiene  
12 educational program which is accredited by the Commission on Dental  
13 Accreditation of the American Dental Association;

14 3. "Accredited dental assisting program" means a dental  
15 assisting program which is accredited by the Commission on Dental  
16 Accreditation of the American Dental Association;

17 4. "Board" means the Board of Dentistry;

18 5. "Certified dental assistant" means a dental assistant who  
19 has earned and maintains current certified dental assistant  
20 certification from the Dental Assisting National Board (DANB);

21 6. "Coronal polishing" means a procedure limited to the removal  
22 of plaque and stain from exposed tooth surfaces, utilizing a slow  
23 speed hand piece with a rubber cup or brush and polishing agent and  
24

1 is not prophylaxis. To be considered prophylaxis, examination for  
2 calculus and scaling must be done by a hygienist or dentist;

3 7. "Deep sedation" means a drug-induced depression of  
4 consciousness during which patients cannot be easily aroused but  
5 respond purposefully following repeated or painful stimulation. The  
6 ability to independently maintain ventilator function may be  
7 impaired. Patients may require assistance in maintaining a patent  
8 airway, and spontaneous ventilation may be inadequate.  
9 Cardiovascular function is usually maintained;

10 8. "Dentistry" means the practice of dentistry in all of its  
11 branches;

12 ~~8.~~ 9. "Dentist" means a graduate of an accredited dental  
13 college who has been issued a license by the Board to practice  
14 dentistry as defined in Section 328.19 of this title;

15 ~~9.~~ 10. "Dental ambulatory surgical center (DASC)" means a  
16 facility that operates exclusively for the purpose of furnishing  
17 outpatient surgical services to patients. A DASC shall have the  
18 same privileges and requirements as a dental office and additionally  
19 must be an accredited facility by the appropriate entity;

20 ~~10.~~ 11. "Dental office" means an establishment owned and  
21 operated by a dentist for the practice of dentistry, which may be  
22 composed of reception rooms, business offices, private offices,  
23 laboratories, and dental operating rooms where dental operations are  
24 performed;

1       ~~11.~~ 12. "Dental hygienist" means an individual who has  
2 fulfilled the educational requirements and is a graduate of an  
3 accredited dental hygiene program and who has passed an examination  
4 and has been issued a license by the Board and who is authorized to  
5 practice dental hygiene as hereinafter defined;

6       ~~12.~~ 13. "Dental assistant or oral maxillofacial surgery  
7 assistant" means an individual working for a dentist, under the  
8 dentist's direct supervision or direct visual supervision, and  
9 performing duties in the dental office or a treatment facility,  
10 including the limited treatment of patients in accordance with the  
11 provisions of the State Dental Act. A dental assistant or oral  
12 maxillofacial surgery assistant may assist a dentist with the  
13 patient; provided, this shall be done only under the direct  
14 supervision or direct visual supervision and control of the dentist  
15 and only in accordance with the educational requirements and rules  
16 promulgated by the Board;

17       ~~13.~~ 14. "Dental laboratory" means a location, whether in a  
18 dental office or not, where a dentist or a dental laboratory  
19 technician performs dental laboratory technology;

20       ~~14.~~ 15. "Dental laboratory technician" means an individual  
21 whose name is duly filed in the official records of the Board, which  
22 authorizes the technician, upon the laboratory prescription of a  
23 dentist, to perform dental laboratory technology, which services  
24

1 must be rendered only to the prescribing dentist and not to the  
2 public;

3 ~~15.~~ 16. "Dental laboratory technology" means using materials  
4 and mechanical devices for the construction, reproduction or repair  
5 of dental restorations, appliances or other devices to be worn in a  
6 human mouth;

7 ~~16.~~ 17. "Dental specialty" means a specialized practice of a  
8 branch of dentistry, recognized and defined by the American Dental  
9 Association and the Board whose specialty program is accredited by  
10 the Commission on Dental Accreditation (CODA);

11 ~~17.~~ 18. "Direct supervision" means the supervisory dentist is  
12 in the dental office or treatment facility and, during the  
13 appointment, personally examines the patient, diagnoses any  
14 conditions to be treated, and authorizes the procedures to be  
15 performed by a dental hygienist, dental assistant, or oral  
16 maxillofacial surgery assistant. The supervising dentist is  
17 continuously on site and physically present in the dental office or  
18 treatment facility while the procedures are being performed and,  
19 before dismissal of the patient, evaluates the results of the dental  
20 treatment;

21 ~~18.~~ 19. "Direct visual supervision" means the supervisory  
22 dentist has direct ongoing visual oversight which shall be  
23 maintained at all times during any procedure authorized to be  
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1 performed by a dental assistant or an oral maxillofacial surgery  
2 assistant;

3 ~~19.~~ 20. "Fellowship" means a program designed for post-  
4 residency graduates to gain knowledge and experience in a  
5 specialized field;

6 ~~20.~~ 21. "General anesthesia" means a drug-induced loss of  
7 consciousness during which patients are not arousable, even by  
8 painful stimulation. The ability to independently maintain  
9 ventilator function is often impaired. Patients often require  
10 assistance in maintaining a patent airway, and positive pressure  
11 ventilation may be required because of depressed spontaneous  
12 ventilation or drug-induced depression of neuromuscular function.  
13 Cardiovascular function may be impaired;

14 22. "General supervision" means the supervisory dentist has  
15 diagnosed any conditions to be treated within the past thirteen (13)  
16 months, has personally authorized the procedures to be performed by  
17 a dental hygienist, and will evaluate the results of the dental  
18 treatment within a reasonable time as determined by the nature of  
19 the procedures performed, the needs of the patient, and the  
20 professional judgment of the supervisory dentist. General  
21 supervision may only be used to supervise a hygienist and may not be  
22 used to supervise an oral maxillofacial surgery assistant or dental  
23 assistant;

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1       ~~21.~~ 23. "Indirect supervision" means the supervisory dentist is  
2 in the dental office or treatment facility and has personally  
3 diagnosed any conditions to be treated, authorizes the procedures to  
4 be performed by a dental hygienist, remains in the dental office or  
5 treatment facility while the procedures are being performed, and  
6 will evaluate the results of the dental treatment within a  
7 reasonable time as determined by the nature of the procedures  
8 performed, the needs of the patient, and the professional judgment  
9 of the supervisory dentist. Indirect supervision may not be used  
10 for an oral maxillofacial surgery assistant or a dental assistant;

11       ~~22.~~ 24. "Investigations" means an investigation proceeding,  
12 authorized under Sections 328.15A and 328.43a of this title, to  
13 investigate alleged violations of the State Dental Act or the rules  
14 of the Board;

15       ~~23.~~ ~~"Mobile dental unit means a motor vehicle or trailer that~~  
16 ~~contains dental equipment and is used to provide dental services;~~

17       ~~24.~~ 25. "Laboratory prescription" means a written description,  
18 dated and signed by a dentist, of dental laboratory technology to be  
19 performed by a dental laboratory technician;

20       ~~25.~~ 26. "Minimal sedation" means a minimally depressed level of  
21 consciousness, produced by a pharmacological method, that retains  
22 the patient's ability to independently and continuously maintain an  
23 airway and respond normally to tactile stimulation and verbal  
24 command. Although cognitive function and coordination may be



1 modestly impaired, ventilator and cardiovascular functions are  
2 unaffected;

3 27. "Mobile dental unit" means a motor vehicle or trailer that  
4 contains dental equipment and is used to provide dental services;

5 28. "Moderate sedation" means a drug-induced depression of  
6 consciousness during which patients respond purposefully to verbal  
7 commands, either alone or accompanied by light tactile stimulation.

8 No interventions are required to maintain a patent airway, and  
9 spontaneous ventilation is adequate. Cardiovascular function is  
10 usually maintained;

11 29. "Prophylaxis" means the removal of any and all calcareous  
12 deposits, stains, accretions or concretions from the supragingival  
13 and subgingival surfaces of human teeth, utilizing instrumentation  
14 by scaler or periodontal curette on the crown and root surfaces of  
15 human teeth including rotary or power driven instruments. This  
16 procedure may only be performed by a dentist or dental hygienist;

17 ~~26.~~ 30. "Out-of-state dental hygienist" means a graduate of an  
18 accredited dental hygienist program who holds a license to practice  
19 dental hygiene in another state but who is not licensed to practice  
20 dental hygiene in this state;

21 ~~27.~~ 31. "Out-of-state dentist" means a graduate of an  
22 accredited dental college who holds a license to practice dentistry  
23 in another state but who is not licensed to practice dentistry in  
24 this state;

1       ~~28.~~ 32. "Patient" or "patient of record" means an individual  
2 who has given a medical history and has been examined and accepted  
3 by a dentist for dental care;

4       ~~29.~~ 33. "Residencies" are programs designed for advanced  
5 clinical and didactic training in general dentistry or other  
6 specialties or other specialists at the post-doctoral level  
7 recognized by the American Dental Association or the Board;

8       ~~30.~~ 34. "Supervision" means direct supervision, direct visual  
9 supervision, indirect supervision or general supervision; and

10       ~~31.~~ 35. "Treatment facility" means:

- 11           a. a federal, tribal, state or local public health
- 12           facility,
- 13           b. a federal qualified health care facility (FQHC),
- 14           c. a private health facility,
- 15           d. a group home or residential care facility serving the
- 16           elderly, handicapped or juveniles,
- 17           e. a hospital or dental ambulatory surgery center (DASC),
- 18           f. a nursing home,
- 19           g. a penal institution operated by or under contract with
- 20           the federal or state government,
- 21           h. a public or private school,
- 22           i. a patient of record's private residence,
- 23           j. a mobile dental unit,

- 1 k. a dental college, dental program, dental hygiene  
2 program or dental assisting program accredited by the  
3 Commission on Dental Accreditation, or  
4 l. such other places as are authorized by the rules of  
5 the Board.

6 SECTION 2. AMENDATORY Section 3, Chapter 270, O.S.L.  
7 2012 (59 O.S. Supp. 2016, Section 328.15B), is amended to read as  
8 follows:

9 Section 328.15B The Board of Dentistry shall employ an  
10 Executive Director. The Board may authorize or direct the Executive  
11 Director ~~shall be authorized to:~~

- 12 1. Employ and maintain an office staff;  
13 2. Employ one or more investigators who may be certified peace  
14 officers who shall be commissioned with all the powers and authority  
15 of peace officers of this state;  
16 3. Enter into contracts on behalf of the Board; and  
17 4. Perform other duties on behalf of the Board as needed or  
18 directed.

19 SECTION 3. AMENDATORY Section 11, Chapter 229, O.S.L.  
20 2015, as amended by Section 1, Chapter 113, O.S.L. 2016 (59 O.S.  
21 Supp. 2016, Section 328.23b), is amended to read as follows:

22 Section 328.23b A dentist, dental hygienist or dental assistant  
23 who has been licensed or permitted in good standing with the Board  
24 in excess of twenty (20) years ~~who has reached the age of sixty-five~~

1 ~~(65) years or who has practiced for thirty (30) years~~ on a  
2 consecutive basis may apply for a retired volunteer dentist, dental  
3 hygienist or dental assistant license or permit on a yearly basis to  
4 provide volunteer services. There shall be no continuing education  
5 requirements. A retired dentist, dental hygienist or dental  
6 assistant with a retired volunteer license or permit shall not  
7 receive payment either directly or indirectly for work provided.

8 SECTION 4. AMENDATORY 59 O.S. 2011, Section 328.26, as  
9 last amended by Section 14, Chapter 229, O.S.L. 2015 (59 O.S. Supp.  
10 2016, Section 328.26), is amended to read as follows:

11 Section 328.26 A. The Board of Dentistry may, without  
12 examination, issue a dental student intern, resident or fellowship  
13 permit to a student or graduate of an approved dental school or  
14 college, or a residency program approved by the Commission on Dental  
15 Accreditation (CODA). ~~All persons requesting a residency permit~~  
16 ~~shall provide proof of having passed a regional exam as provided by~~  
17 ~~Section 328.21 of this title, and is otherwise qualified, Upon~~  
18 ~~meeting the qualifications and upon request approval~~ of the dean or  
19 the governing body of any public or private institution ~~for the~~  
20 ~~graduate to serve as~~ any person may request a dental student intern,  
21 resident or fellow ~~in the institution~~ permit to be issued from the  
22 Board, with limited duties as defined in the permit. A fellowship  
23 permit may only be given to a person currently participating in a  
24 fellowship program affiliated with an accredited dental school.

1 B. A dental student intern, resident or fellowship permit shall  
2 not be issued to any person whose license to practice dentistry in  
3 this state or in another state has been suspended or revoked, or to  
4 whom a license to practice dentistry has been refused.

5 C. A dental student intern, resident or fellowship permit shall  
6 not authorize the holder to open an office for the private practice  
7 of dentistry, or to receive compensation for the practice of  
8 dentistry, except a salary paid by the federal government or this  
9 state, or their subdivisions, or the public or private institution  
10 where the holder of the dental student intern, resident or  
11 fellowship permit will be employed.

12 D. A dental student intern with a valid dental student intern  
13 permit may work under the direct supervision of a licensed dentist  
14 for compensation upon meeting the following criteria:

15 1. The dental student intern shall notify the Board of the  
16 supervising dentist;

17 2. A dental student intern, having finished the first year of  
18 dental school, may assist in all duties of a dental assistant  
19 pursuant to the administrative rules of the Board; and

20 3. A dental student intern, having finished the second year of  
21 dental school, may assist in all duties permitted in paragraph 2 of  
22 this subsection, radiation safety, coronal polishing and sealants.

23 E. A dental student intern, resident or fellowship permit shall  
24 automatically expire when the permit holder is no longer

1 participating in the program offered by the college of dentistry,  
2 the accredited dental college or the institution.

3 ~~E.~~ F. The issuance of a dental student intern, resident or  
4 fellowship permit by the Board shall in no way be considered a  
5 guarantee or predetermination of any person to receive a full  
6 license issued by the Board.

7 ~~F.~~ G. Dental student intern or resident or fellowship permits  
8 may be renewed annually at the request of the ~~Dean~~ dean of the  
9 college or program director of the program approved by CODA and at  
10 the discretion of the Board.

11 ~~G.~~ H. Students currently enrolled at the University ~~of~~ of  
12 Oklahoma College ~~of~~ of Dentistry or an accredited dental hygiene or  
13 dental assisting program shall be exempted from Sections 328.19 and  
14 328.21 of this title while participating in an educational program  
15 located at the University ~~of~~ of Oklahoma College ~~of~~ of Dentistry or  
16 the clinic of an accredited dental hygiene or dental assisting  
17 program. A licensed dentist, hygienist or faculty license holder  
18 shall be physically present in the facility whenever students of  
19 dentistry, dental hygiene or dental assisting are performing a  
20 clinical dental procedure on patients.

21 SECTION 5. AMENDATORY 59 O.S. 2011, Section 328.27, as  
22 last amended by Section 15, Chapter 229, O.S.L. 2015 (59 O.S. Supp.  
23 2016, Section 328.27), is amended to read as follows:

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1 Section 328.27 A. 1. The Board of Dentistry may, without a  
2 clinical examination, upon presentation of satisfactory credentials,  
3 including completion of all portions of the National Board Dental  
4 Examination, the dental hygiene National Boards and both Part I and  
5 Part II of the National Board examination for dentists, and under  
6 such rules as the Board may promulgate, issue a faculty license or  
7 faculty specialty license to an applicant who:

- 8 a. is a graduate of a school of dentistry approved by the  
9 Board and is licensed to practice dentistry in another  
10 state or country,
- 11 b. has graduated from an accredited dental program, or
- 12 c. successfully completes advanced training in a  
13 specialty dental program approved by the Commission on  
14 Dental Accreditation of the American Dental  
15 Association, or
- 16 d. if applying for a hygiene faculty license, is a  
17 graduate of an accredited dental hygiene program and  
18 is licensed to practice dental hygiene in another  
19 state.

20 2. A faculty license or faculty specialty license shall be  
21 issued only upon the request and certification of the dean of an  
22 accredited dental college or the program director of an accredited  
23 dental hygiene program located in this state that the applicant is a  
24 full-time member of the teaching staff of that college or program.

1           3. Within the first ~~year~~ two (2) years of employment, the  
2 faculty license or faculty specialty license holder shall show proof  
3 of passing an appropriate clinical board examination, as provided in  
4 Section 328.21 of this title, recognized by the Board of Dentistry.

5           4. A faculty license or faculty specialty license shall be  
6 valid for one (1) year and may be renewed by the Board at the  
7 written request of the dean of an accredited dental program or the  
8 director of an accredited dental hygiene program.

9           5. A faculty license or faculty specialty license shall  
10 automatically expire when the license holder is no longer employed  
11 as a faculty member at the institution that requested the license.

12           6. The holder of a faculty license or faculty specialty license  
13 shall be entitled to perform services and procedures in the same  
14 manner as a person holding a license to practice dentistry or dental  
15 hygiene in this state, but all services and procedures performed by  
16 the faculty license or faculty specialty license holder shall be  
17 without compensation other than that received in salary from a  
18 faculty position or through faculty practice as authorized by the  
19 Board. The holder of a faculty license or faculty specialty license  
20 shall be limited to practicing in the specialty area as ~~designate~~  
21 designated on the license. Such services and procedures shall be  
22 performed only within the facilities of an accredited dental college  
23 or accredited dental hygiene program or within the facilities  
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1 designated by the accredited dental college and teaching hospitals  
2 approved by the Board.

3 B. The ~~Dean~~ dean of an accredited dental or hygiene program may  
4 petition the Board to allow a ~~visiting~~ faculty member to have a  
5 ~~visiting~~ limited faculty permit ~~not to exceed one (1) year~~, based on  
6 a showing of criteria that the individual possesses specialty  
7 knowledge in a specific area that would benefit the college or  
8 program. The holder of a ~~visiting~~ limited faculty permit shall not  
9 have privileges to perform procedures in the faculty practice at the  
10 University ~~of~~ of Oklahoma College of Dentistry, but may oversee the  
11 student clinic. A limited faculty permit shall be valid for one (1)  
12 year and may be renewed by the Board at the written request of the  
13 dean of an accredited dental program or the director of an  
14 accredited dental hygiene program.

15 C. Upon request of the ~~Dean~~ dean, the Board President may issue  
16 a dentist or hygienist licensed in another state or country a  
17 temporary license pursuant to Section 328.23 of this title for the  
18 purpose of attending, presenting or participating in a seminar or  
19 live training in dental techniques or dental anesthesia, given at  
20 the University of Oklahoma College of Dentistry to licensed dentists  
21 and hygienists for continuing education credits and students  
22 enrolled in the University of Oklahoma College of Dentistry. A  
23 temporary permit issued for this purpose shall not exceed seven (7)

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1 days and may not be issued to the same person more than four (4)  
2 times in a calendar year.

3 D. Upon the request of the Oklahoma Dental Association  
4 President or the Oklahoma Dental Hygienist Association President,  
5 the Board President may issue a dentist or a hygienist licensed in  
6 another state a temporary license pursuant to Section 328.23 of this  
7 title for the purpose of presenting or participating in live patient  
8 demonstrations presented by the Oklahoma Dental Association or  
9 Oklahoma Dental Hygienist Association or other professional  
10 organizations approved by the Board at its annual meeting. A  
11 temporary permit issued for this purpose shall not exceed four (4)  
12 days per calendar year.

13 E. Courses for expanded duties for dental assistants pursuant  
14 to the administrative rules of the Board may be taught in an online,  
15 interactive online, in-classroom, lab or blended format. All  
16 expanded-duty courses shall include a dentist or dental hygienist  
17 that is employed full- or part-time by an educational program  
18 approved by the Commission on Dental Accreditation and currently on  
19 file with the Board. Courses offered pursuant to this subsection  
20 shall meet all criteria in administrative rules approved by the  
21 Board.

22 SECTION 6. AMENDATORY 59 O.S. 2011, Section 328.41, as  
23 last amended by Section 22, Chapter 229, O.S.L. 2015 (59 O.S. Supp.  
24 2016, Section 328.41), is amended to read as follows:

1 Section 328.41 A. 1. On or before the first day of January of  
2 each year, every dentist, dental hygienist, dental assistant, oral  
3 maxillofacial surgery assistant and other licensee or permit holders  
4 previously licensed or permitted by the Board to practice in this  
5 state, with the exception of those listed in paragraph 2 of this  
6 subsection, shall submit a renewal application with information as  
7 may be required by the Board, together with an annual renewal fee  
8 established by the rules of the Board. Upon receipt of the annual  
9 renewal fee, the Board shall issue a renewal certificate authorizing  
10 the dentist, dental hygienist, dental assistant, or oral  
11 maxillofacial surgery assistant to continue the practice of  
12 dentistry or dental hygiene, respectively, in this state for a  
13 period of one (1) year. Every license or permit issued by the Board  
14 shall expire on December 31 of each year.

15 2. Beginning July 1, 2017, resident and fellowship permits  
16 shall be valid from July 1 through June 30 of each year and dental  
17 student intern permits shall be valid from August 1 through July 31  
18 of each year.

19 B. Continuing education requirements shall be due at the end of  
20 each three-year period as follows:

- 21 1. Dentists shall complete sixty (60) hours;
- 22 2. Hygienists shall complete thirty (30) hours;
- 23 3. Oral maxillofacial surgery assistants shall complete twelve  
24 (12) hours; and

1 4. Certified dental assistants shall complete twelve (12) hours  
2 as required by DANB7.

3 C. Upon failure of a dentist, dental hygienist, dental  
4 assistant, or oral maxillofacial surgery assistant to pay the annual  
5 renewal fee within two (2) months after January 1, the Board shall  
6 notify the dentist, dental hygienist, dental assistant, or oral  
7 maxillofacial surgery assistant in writing by certified mail to the  
8 last-known mailing address of the dentist, dental hygienist, dental  
9 assistant, or oral maxillofacial surgery assistant as reflected in  
10 the records of the Board.

11 D. Any dentist, dental hygienist, dental assistant, or oral  
12 maxillofacial surgery assistant whose license or permit is  
13 automatically canceled by reason of failure, neglect or refusal to  
14 secure the renewal certificate may be reinstated by the Board at any  
15 time within one (1) year from the date of the expiration of the  
16 license, upon payment of the annual renewal fee and a penalty fee  
17 established by the rules of the Board. If the dentist, dental  
18 hygienist, dental assistant, or oral maxillofacial surgery assistant  
19 does not apply for renewal of the license or permit and pay the  
20 required fees within one (1) year after the license has expired,  
21 then the dentist, dental hygienist, dental assistant, or oral  
22 maxillofacial surgery assistant shall be required to file an  
23 application for and take the examination or other requirements

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1 provided for in the State Dental Act or the rules promulgated by the  
2 Board before again commencing practice.

3 E. The Board, by rule, shall provide for the remittance of fees  
4 otherwise required by the State Dental Act while a dentist or dental  
5 hygienist is on active duty with any of the Armed Forces of the  
6 United States.

7 F. In case of a lost or destroyed license or renewal  
8 certificate and upon satisfactory proof of the loss or destruction  
9 thereof, the Board may issue a duplicate, charging therefor a fee  
10 established by the rules of the Board.

11 G. A dentist, dental hygienist, oral maxillofacial surgery  
12 assistant or dental assistant that is in good standing and not under  
13 investigation that notifies the Board in writing of a voluntary  
14 nonrenewal of license or requests retirement status shall have a  
15 right to renew or reinstate his or her license within five (5) years  
16 from the date of notice. The Board may require any training or  
17 continuing education requirements to be met prior to reinstatement.

18 H. A dentist, dental hygienist, oral maxillofacial dental  
19 assistant or dental assistant that has not had an active license or  
20 permit in excess of five (5) years shall be required to apply as a  
21 new applicant.

22 I. Any application for a license or permit that has remained  
23 inactive for more than one (1) year shall be closed.

24

1 SECTION 7. AMENDATORY 59 O.S. 2011, Section 328.51a, as  
2 amended by Section 17, Chapter 405, O.S.L. 2013 (59 O.S. Supp. 2016,  
3 Section 328.51a), is amended to read as follows:

4 Section 328.51a A. The Board of Dentistry is authorized to  
5 establish, by rule, fees to be charged for the purpose of  
6 implementing and enforcing the State Dental Act. The penalty and  
7 late fee shall be twice the amount of the original fee for license  
8 renewals. Notwithstanding any other provisions of the State Dental  
9 Act, the fees established by the Board shall be not less nor more  
10 than the range created by the following schedule:

11 1. LICENSE AND PERMIT APPLICATION FEES:

	Minimum	Maximum
a. License by Examination		
Dentist	\$200.00	\$400.00
Dental Hygienist	\$100.00	\$200.00
b. License by Credentialing		
Dentist	\$500.00	\$1,000.00
Dental Hygienist	\$100.00	\$200.00
c. Dental Specialty License by Examination	\$300.00	\$600.00
d. Dental Specialty License by Credentialing	\$500.00	\$1,000.00
e. Faculty Permit		
Dentist	\$100.00	\$200.00

1		Dental Hygienist	\$50.00	\$100.00
2	f.	Dental <u>Student</u> Intern Permit	<del>\$100.00</del>	
3			<u>\$50.00</u>	\$200.00
4	g.	Temporary License to Practice		
5		Dental Hygiene	\$50.00	\$100.00
6	h.	Dental Assistant or Oral		
7		Maxillofacial Surgery		
8		Assistant Permit	\$50.00	\$100.00
9	i.	Temporary License to Practice		
10		Dentistry	\$75.00	\$150.00
11	j.	Permit to Operate a Dental		
12		Laboratory - current Oklahoma		
13		licensed dentist	\$20.00	\$60.00
14	k.	General Anesthesia Permit		
15		Dentist	\$100.00	\$200.00
16	l.	Conscious Sedation Permit		
17		Dentist	\$100.00	\$200.00
18	m.	Permit to Operate a Dental		
19		Laboratory - non-dentist		
20		owner	\$300.00	\$500.00
21	2.	RE-EXAMINATION FEES:		
22	a.	License by Examination		
23		Dentist	\$200.00	\$400.00
24		Dental Hygienist	\$100.00	\$200.00

1	b.	Dental Specialty License by		
2		Examination	\$300.00	\$600.00
3	c.	Jurisprudence Only Re-		
4		Examination		
5		Dentist	\$10.00	\$20.00
6		Dental Hygienist	\$10.00	\$20.00
7	3.	ANNUAL RENEWAL FEES:		
8	a.	Dentist	\$200.00	\$400.00
9	b.	Dental Hygienist	\$100.00	\$200.00
10	c.	Dental Specialty License	\$100.00	\$200.00
11	d.	Faculty Permit		
12		Dentist	\$50.00	\$100.00
13		Dental Hygienist	\$50.00	\$100.00
14	e.	<del>Dental Intern Permit,</del> Dental		
15		Resident, Dental Fellowship	\$100.00	\$200.00
16	f.	Dental Assistant <del>or,</del> Oral		
17		Maxillofacial Surgery		
18		Assistant, <u>or Dental Student</u>		
19		<u>Intern</u> Permit	\$50.00	\$100.00
20	g.	Permit to Operate a Dental		
21		Laboratory, current Oklahoma		
22		Licensed dentist	\$20.00	\$60.00
23	h.	General Anesthesia Permit		
24		Dentist	\$100.00	\$200.00



1	i.	Conscious Sedation Permit		
2		Dentist	\$100.00	\$200.00
3	j.	Permit to Operate a Dental		
4		Laboratory, non-dentist owner	\$300.00	\$500.00
5	4.	OTHER FEES:		
6	a.	Duplicate License		
7		Dentist or Dental		
8		Hygienist	\$30.00	\$40.00
9	b.	Duplicate Permit or		
10		Registration	\$5.00	\$15.00
11	c.	Certificate of Good Standing	\$5.00	\$15.00
12	d.	Professional Entity		
13		Certification Letter	\$5.00	\$20.00
14	e.	Professional Entity		
15		Registration or Update	\$5.00	\$20.00
16	f.	Laboratory Prescription Books	\$10.00	\$25.00
17	g.	List of the Name and Current		
18		Mailing Address of all		
19		Persons who hold a License or		
20		Permit issued by the Board.		
21		(A request for a list shall		
22		be submitted to the Board in		
23		writing noting the specific		
24		proposed use of the list.)	\$25.00	\$75.00

1	h. Official State Dental License		
2	Identification Card with		
3	Picture	\$25.00	\$35.00
4	i. Returned checks	\$25.00	\$30.00

5 B. A person who holds a license to practice dentistry in this  
6 state, and who also holds a dental specialty license, shall not be  
7 required to pay an annual renewal fee for the dental specialty  
8 license if the licensee has paid the annual renewal fee for the  
9 license to practice dentistry.

10 SECTION 8. It being immediately necessary for the preservation  
11 of the public peace, health or safety, an emergency is hereby  
12 declared to exist, by reason whereof this act shall take effect and  
13 be in full force from and after its passage and approval."

14 Passed the House of Representatives the 27th day of April, 2017.

15  
16

17 \_\_\_\_\_  
18 Presiding Officer of the House of  
Representatives

19 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2017.

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22 \_\_\_\_\_  
23 Presiding Officer of the Senate

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