

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB603 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Josh West

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 PROPOSED
4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 603

By: Montgomery, Rosino and
Simpson of the Senate

and

West (Josh) of the House

7
8
9
10 PROPOSED COMMITTEE SUBSTITUTE

11 An Act relating to dentistry; amending 59 O.S. 2011,
12 Section 328.3, as last amended by Section 1, Chapter
13 151, O.S.L. 2018 (59 O.S. Supp. 2018, Section 328.3),
14 which relates to definitions; modifying certain
15 definitions; amending 59 O.S. 2011, Section 328.17,
16 as amended by Section 5, Chapter 229, O.S.L. 2015 (59
17 O.S. Supp. 2018, Section 328.17), which relates to
18 standing committees for Board of Dentistry; modifying
19 required annual meetings; amending 59 O.S. 2011,
20 Section 328.21, as last amended by Section 7, Chapter
21 229, O.S.L. 2015 (59 O.S. Supp. 2018, Section
22 328.21), which relates to examination; broadening
23 permitted examinations for licensure; modifying
24 credentialing requirements; amending 59 O.S. 2011,
Section 328.22, as last amended by Section 4, Chapter
151, O.S.L. 2018 (59 O.S. Supp. 2018, Section
328.22), which relates to specialty license; striking
certain requirement; amending 59 O.S. 2011, Section
328.23, as last amended by Section 5, Chapter 151,
O.S.L. 2018 (59 O.S. Supp. 2018, Section 328.23),
which relates to emergency temporary licenses for
dentistry or dental hygiene; providing eligibility
for military personnel; amending 59 O.S. 2011,
Section 328.24, as last amended by Section 6, Chapter
151, O.S.L. 2018 (59 O.S. Supp. 2018, Section
328.24), which relates to dental assistant permits;
modifying dates for certain requirements; providing

1 credentialing and reciprocity for out-of-state permit
2 holders and military personnel; amending 59 O.S.
3 2011, Section 328.32, as last amended by Section 4,
4 Chapter 113, O.S.L. 2016 (59 O.S. Supp. 2018, Section
5 328.32), which relates to grounds for penalties;
6 adding certain grounds; amending 59 O.S. 2011,
7 Section 328.34, as last amended by Section 8, Chapter
8 151, O.S.L. 2018 (59 O.S. Supp. 2018, Section
9 328.34), which relates to delegation of duties to
10 dental hygienist; updating term; amending 59 O.S.
11 2011, Section 328.41, as last amended by Section 11,
12 Chapter 151, O.S.L. 2018 (59 O.S. Supp. 2018, Section
13 328.41), which relates to continuing education
14 requirements; adding certain requirement; amending 59
15 O.S. 2011, Section 328.44a, as last amended by
16 Section 25, Chapter 229, O.S.L. 2015 (59 O.S. Supp.
17 2018, Section 328.44a), which relates to penalties;
18 permitting summary suspension under certain
19 circumstances; amending 59 O.S. 2011, Section
20 328.51a, as last amended by Section 15, Chapter 151,
21 O.S.L. 2018 (59 O.S. Supp. 2018, Section 328.51a),
22 which relates to fees; adding certain fee; and
23 providing an effective date.

24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000

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

4 3. "Accredited dental assisting program" means a dental
5 assisting program which is accredited by the Commission on Dental
6 Accreditation of the American Dental Association;

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

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

11 6. "Coronal polishing" means a procedure limited to the removal
12 of plaque and stain from exposed tooth surfaces, utilizing a slow
13 speed hand piece with a ~~rubber~~ prophy cup or brush and polishing
14 agent and is not prophylaxis. To be considered prophylaxis,
15 examination for calculus and scaling must be done by a hygienist or
16 dentist;

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

1 8. "Dentistry" means the practice of dentistry in all of its
2 branches;

3 9. "Dentist" means a graduate of an accredited dental college
4 who has been issued a license by the Board to practice dentistry as
5 defined in Section 328.19 of this title;

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

11 11. "Dental office" means an establishment owned and operated
12 by a dentist for the practice of dentistry, which may be composed of
13 reception rooms, business offices, private offices, laboratories,
14 and dental operating rooms where dental operations are performed;

15 12. "Dental hygienist" means an individual who has fulfilled
16 the educational requirements and is a graduate of an accredited
17 dental hygiene program and who has passed an examination and has
18 been issued a license by the Board and who is authorized to practice
19 dental hygiene as hereinafter defined;

20 13. "Dental assistant or oral maxillofacial surgery assistant"
21 means an individual working for a dentist, under the dentist's
22 direct supervision or direct visual supervision, and performing
23 duties in the dental office or a treatment facility, including the
24 limited treatment of patients in accordance with the provisions of

1 the State Dental Act. A dental assistant or oral maxillofacial
2 surgery assistant may assist a dentist with the patient; provided,
3 this shall be done only under the direct supervision or direct
4 visual supervision and control of the dentist and only in accordance
5 with the educational requirements and rules promulgated by the
6 Board;

7 14. "Dental laboratory" means a location, whether in a dental
8 office or not, where a dentist or a dental laboratory technician
9 performs dental laboratory technology;

10 15. "Dental laboratory technician" means an individual whose
11 name is duly filed in the official records of the Board, which
12 authorizes the technician, upon the laboratory prescription of a
13 dentist, to perform dental laboratory technology, which services
14 must be rendered only to the prescribing dentist and not to the
15 public;

16 16. "Dental laboratory technology" means using materials and
17 mechanical devices for the construction, reproduction or repair of
18 dental restorations, appliances or other devices to be worn in a
19 human mouth;

20 17. "Dental specialty" means a specialized practice of a branch
21 of dentistry, recognized by the Board, where the dental college and
22 specialty program are accredited by the Commission on Dental
23 Accreditation (CODA), or a dental specialty recognized by the Board,
24 requiring a minimum number of hours of approved education and

1 training and/or recognition by a nationally recognized association
2 or accreditation board;

3 18. "Direct supervision" means the supervisory dentist is in
4 the dental office or treatment facility and, during the appointment,
5 personally examines the patient, diagnoses any conditions to be
6 treated, and authorizes the procedures to be performed by a dental
7 hygienist, dental assistant, or oral maxillofacial surgery
8 assistant. The supervising dentist is continuously on-site and
9 physically present in the dental office or treatment facility while
10 the procedures are being performed and, before dismissal of the
11 patient, evaluates the results of the dental treatment;

12 19. "Direct visual supervision" means the supervisory dentist
13 has direct ongoing visual oversight which shall be maintained at all
14 times during any procedure authorized to be performed by a dental
15 assistant or an oral maxillofacial surgery assistant;

16 20. "Fellowship" means a program designed for post-residency
17 graduates to gain knowledge and experience in a specialized field;

18 21. "General anesthesia" means a drug-induced loss of
19 consciousness during which patients are not arousable, even by
20 painful stimulation. The ability to independently maintain
21 ventilator function is often impaired. Patients often require
22 assistance in maintaining a patent airway, and positive pressure
23 ventilation may be required because of depressed spontaneous
24

1 ventilation or drug-induced depression of neuromuscular function.
2 Cardiovascular function may be impaired;

3 22. "General supervision" means the supervisory dentist has
4 diagnosed any conditions to be treated within the past thirteen (13)
5 months, has personally authorized the procedures to be performed by
6 a dental hygienist, and will evaluate the results of the dental
7 treatment within a reasonable time as determined by the nature of
8 the procedures performed, the needs of the patient, and the
9 professional judgment of the supervisory dentist. General
10 supervision may only be used to supervise a hygienist and may not be
11 used to supervise an oral maxillofacial surgery assistant or dental
12 assistant;

13 23. "Indirect supervision" means the supervisory dentist is in
14 the dental office or treatment facility and has personally diagnosed
15 any conditions to be treated, authorizes the procedures to be
16 performed by a dental hygienist, remains in the dental office or
17 treatment facility while the procedures are being performed, and
18 will evaluate the results of the dental treatment within a
19 reasonable time as determined by the nature of the procedures
20 performed, the needs of the patient, and the professional judgment
21 of the supervisory dentist. Indirect supervision may not be used
22 for an oral maxillofacial surgery assistant or a dental assistant;

23 24. "Investigations" means an investigation proceeding,
24 authorized under Sections 328.15A and 328.43a of this title, to

1 investigate alleged violations of the State Dental Act or the rules
2 of the Board;

3 25. "Laboratory prescription" means a written description,
4 dated and signed by a dentist, of dental laboratory technology to be
5 performed by a dental laboratory technician;

6 26. "Minimal sedation" means a minimally depressed level of
7 consciousness, produced by a pharmacological method, that retains
8 the patient's ability to independently and continuously maintain an
9 airway and respond normally to tactile stimulation and verbal
10 command. Although cognitive function and coordination may be
11 modestly impaired, ventilator and cardiovascular functions are
12 unaffected;

13 27. "Mobile dental anesthesia provider" means a licensed and
14 anesthesia-permitted dentist, physician or certified registered
15 nurse anesthetist (CRNA) that has a mobile dental unit and provides
16 anesthesia in dental offices and facilities in the state;

17 28. "Mobile dental clinic" means a permitted motor vehicle or
18 trailer utilized as a dental clinic, and/or that contains dental
19 equipment and is used to provide dental services to patients on-site
20 and shall not include a mobile dental anesthesia provider. A mobile
21 dental clinic shall also mean and include a volunteer mobile dental
22 facility that is directly affiliated with a church or religious
23 organization as defined by Section 501(c)(3) or 501(d) of the United
24 States Internal Revenue Code, the church or religious organization

1 with which it is affiliated is clearly indicated on the exterior of
2 the mobile dental facility, and such facility does not receive any
3 form of payment either directly or indirectly for work provided to
4 patients other than donations through the affiliated church or
5 religious organization; provided, that the volunteer mobile dental
6 facility shall be exempt from any registration fee required under
7 the State Dental Act;

8 29. "Moderate sedation" means a drug-induced depression of
9 consciousness during which patients respond purposefully to verbal
10 commands, either alone or accompanied by light tactile stimulation.
11 No interventions are required to maintain a patent airway, and
12 spontaneous ventilation is adequate. Cardiovascular function is
13 usually maintained;

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

20 31. "Patient" or "patient of record" means an individual who
21 has given a medical history and has been examined and accepted by a
22 dentist for dental care;

23 32. "Residencies" are programs designed for advanced clinical
24 and didactic training in general dentistry or other specialties or

1 other specialists at the post-doctoral level recognized by the
2 ~~American Dental Association~~ Commission on Dental Accreditation
3 (CODA) or the Board;

4 33. "Supervision" means direct supervision, direct visual
5 supervision, indirect supervision or general supervision; and

6 34. "Treatment facility" means:

7 a. a federal, tribal, state or local public health
8 facility,

9 b. a federal qualified health care facility (FQHC),

10 c. a private health facility,

11 d. a group home or residential care facility serving the
12 elderly, handicapped or juveniles,

13 e. a hospital or dental ambulatory surgery center (DASC),

14 f. a nursing home,

15 g. a penal institution operated by or under contract with
16 the federal or state government,

17 h. a public or private school,

18 i. a patient of record's private residence,

19 j. a mobile dental clinic,

20 k. a dental college, dental program, dental hygiene
21 program or dental assisting program accredited by the
22 Commission on Dental Accreditation, or

23 l. such other places as are authorized by the Board.

24

1 SECTION 2. AMENDATORY 59 O.S. 2011, Section 328.17, as
2 amended by Section 5, Chapter 229, O.S.L. 2015 (59 O.S. Supp. 2018,
3 Section 328.17), is amended to read as follows:

4 Section 328.17 A. 1. The Board of Dentistry shall have the
5 following standing committees that shall meet once per year and
6 other times as needed to study issues affecting the practice of
7 dentistry and the safety of the public and to make recommendations
8 to the Board:

- 9 a. Dental Practice Committee,
- 10 b. Anesthesia Committee,
- 11 c. Specialty Practice Committee,
- 12 d. Historical and Retirement Committee, and
- 13 e. Assistants, Dental Labs and Other Auxiliary Personnel
14 Committee.

15 2. Each committee shall be cochaired by a current or past Board
16 member to be appointed by the Board President with approval by the
17 Board and a member of a statewide organization representing dentists
18 as recommended by such organization;

19 3. Each committee may have up to ten committee members with the
20 exception of the Anesthesia Committee which may have up to eighteen
21 members, exclusive of the cochairs;

22 4. The Board President, with approval of the Board, shall
23 appoint all committee members. One-half (1/2 or 50%) of the
24 committee members shall be recommended by the Board and one-half

1 (1/2 or 50%) of the committee members shall be recommended to the
2 Board President by a statewide organization representing dentists;
3 and

4 5. Committee members shall be on staggered three-year terms and
5 shall serve at the pleasure of the Board.

6 B. There shall be a Dental Hygiene Advisory Committee to be
7 composed of the following members:

8 1. One current dental hygiene member of the Board;

9 2. Two dental hygienists recommended by the Board and two
10 dental hygienists recommended by a statewide organization
11 representing dental hygienists;

12 3. The Committee shall have the following functions:

13 a. to develop and propose recommendations to the Board
14 regarding the education, examination, licensure, and
15 regulation of dental hygienists,

16 b. to advise the Board in rulemaking regarding dental
17 hygiene,

18 c. to hold meetings at least annually, but not more than
19 ~~four (4)~~ six (6) times a year, and

20 d. to work directly with the Allied Dental Education
21 Committee in reviews and recommendations for
22 equivalent dental hygiene programs; and

23 4. Members of the Committee shall be appointed by the Board and
24 shall serve a term of three (3) years. Appointments shall be made

1 so that approximately one-third (1/3 or 33%) of the Committee is
2 reappointed at any given time. Members may be appointed for
3 consecutive terms if recommended by the Board President and approved
4 by the Board.

5 C. There shall be an Allied Dental Education Committee.

6 1. The Board President shall appoint all members of the Allied
7 Dental Education Committee upon approval by the Board;

8 2. The Allied Dental Education Committee shall:

9 a. review the standards and equivalency of in-state and
10 out-of-state dental and auxiliary program requirements
11 and make recommendations to the Board,

12 b. evaluate individual credentials and programs for the
13 purpose of issuing dental assistant expanded duty
14 permits and dental hygiene advanced procedure permits
15 from persons holding out-of-state licenses and permits
16 based on CODA or DANB programs and criteria as defined
17 by the State Dental Act and other statutes and shall
18 make recommendations to the Board,

19 c. recommend standards and guidelines and review criteria
20 for all expanded duty programs or courses for dental
21 assistants from CODA approved programs and non-CODA
22 approved providers and advanced procedures of dental
23 hygienists from CODA approved programs to the Board,
24 and

1 d. recommend and develop guidelines for classroom,
2 electronic media and other forms of education and
3 testing;

4 3. The Committee shall meet as deemed necessary by the Board
5 President;

6 4. The Committee may have up to ten (10) members of whom three
7 shall have a background in dental education. The Committee shall be
8 composed of:

9 a. the Board President or his or her designee who must be
10 a current or past Board Member,

11 b. the hygiene member of the Board or their designee who
12 must be a current or past Board Member,

13 c. the Dean of the University of Oklahoma College of
14 Dentistry or his or her designee,

15 d. up to seven at-large members, one of which must be an
16 educator and one of which must have a current
17 Certified Dental Assistant Permit.

18 D. The Board President shall have the authority to appoint
19 other ad hoc committees as needed.

20 E. All Committee members of standing committees, the Hygiene
21 Committee and the Allied Dental Education Committee shall serve
22 staggered three-year terms and serve at the pleasure of the Board.
23
24

1 SECTION 3. AMENDATORY 59 O.S. 2011, Section 328.21, as
2 last amended by Section 7, Chapter 229, O.S.L. 2015 (59 O.S. Supp.
3 2018, Section 328.21), is amended to read as follows:

4 Section 328.21 A. No person shall practice dentistry or dental
5 hygiene without first applying for and obtaining a license from the
6 Board of Dentistry.

7 B. Application shall be made to the Board in writing and shall
8 be accompanied by the fee established by the rules of the Board,
9 together with satisfactory proof that the applicant:

10 1. Is of good moral character;

11 2. Is twenty-one (21) years of age, or over, at the time of
12 making application to practice dentistry or eighteen (18) years of
13 age, or over, if the applicant is to practice dental hygiene;

14 3. Has passed a written theoretical examination and a clinical
15 examination approved by the Board; and

16 4. Has passed a written jurisprudence examination over the
17 rules and laws affecting dentistry in this state.

18 C. An application from a candidate who desires to secure a
19 license from the Board to practice dentistry or dental hygiene in
20 this state shall be accompanied by satisfactory proof that the
21 applicant:

22 1. Is a graduate of an accredited dental college, if the
23 applicant is to practice dentistry;

24

1 2. Is a graduate of an accredited dental hygiene program, if
2 the applicant is to practice dental hygiene;

3 3. Has passed all portions of the National Board Dental
4 Examination or the National Board Dental Hygiene Examination; and

5 4. Has passed a regional exam including, but not limited to,
6 the Western Regional Examination Board (WREB), Central Regional
7 Dental Testing Service (CRDTS) or another regional exam as approved
8 by the Board, as specified in Section 328.15 of this title that the
9 Board has affiliated with pursuant to Section 328.15 of this title,
10 which includes the following requirements:

11 a. for dental licensing the following components:

12 (1) a fixed prosthetic component of an anterior crown
13 and a posterior bridge preparation,

14 (2) a periodontal component,

15 (3) an endodontic component,

16 (4) an anterior class III and posterior class II
17 restorative component on a live patient,

18 (5) a diagnosis and treatment planning section as
19 approved by the Board, as specified in Section
20 328.15 of this title, and

21 (6) any equivalencies based on components of other
22 exams as determined by the Board, or

23 b. for dental hygienists licensing the following
24 components:

- 1 (1) the evaluation and treatment, including
2 periodontal probing, of one quadrant of teeth
3 with the appropriate number of qualifying
4 surfaces on a live patient, and
5 (2) cleaning and removal of supragingival and
6 subgingival deposits of at least one quadrant of
7 teeth with at least eight (8) qualifying surfaces
8 on a live patient as approved by the Board, as
9 specified in Section 328.15 of this title.

10 D. When the applicant and the accompanying proof are found
11 satisfactory, the Board shall notify the applicant to appear for the
12 jurisprudence examination at the time and place to be fixed by the
13 Board. A dental student or a dental hygiene student in their last
14 semester of a dental or dental hygiene program, having met all other
15 requirements, may make application and take the jurisprudence
16 examination with a letter from the dean of the dental school or
17 director of the hygiene program stating that the applicant is a
18 candidate for graduation within the next six (6) months.

19 E. The Board shall require every applicant for a license to
20 practice dentistry or dental hygiene to submit, for the files of the
21 Board, a copy of a dental degree or dental hygiene degree, an
22 official transcript, a recent photograph duly identified and
23 attested, and any other information as required by the Board.

1 F. Any applicant who fails to pass the jurisprudence
2 examination may apply for a second examination, in which case the
3 applicant shall pay a reexamination fee as established by the
4 statutes or rules of the State Dental Act.

5 G. Any applicant who fails to pass the clinical examination as
6 described in paragraph 4 of subsection C of this section may be
7 given credit for such subjects as the Board may allow, but such
8 credits shall be extended only to the succeeding examinations. If
9 the applicant fails to pass a second examination, before further re-
10 examination, the Board may require evidence of additional education,
11 as specified by the Board. After a third examination, the Board may
12 deny the applicant another examination.

13 H. A dentist or dental hygienist currently licensed in another
14 state having met the qualifications in paragraphs 1 through 3 of
15 subsections B and C of this section may apply for a license by
16 credentials upon meeting the following:

17 1. A dentist holding a general dentist license in good standing
18 and having practiced for at least five hundred (500) hours ~~per year~~
19 ~~for~~ within the previous five (5) years immediately prior to
20 application and having passed a regional examination substantially
21 equivalent to the requirements for this state may apply for
22 licensure by credentials;

23 2. A dental hygienist holding a dental hygiene license in good
24 standing and having practiced for at least four hundred twenty (420)

1 hours ~~per year for the previous two (2) years~~ within the previous
2 five (5) years immediately prior to application and having passed a
3 regional examination substantially equivalent to the requirements
4 for Oklahoma may apply for licensure by credentials. Applicants for
5 ~~reciprocity~~ credentialing must include:

6 a. a letter of good standing from all states ever
7 licensed, and

8 b. ~~proof of five (5) years of continuous active practice~~
9 ~~immediately prior to application for dentists and two~~
10 ~~(2) years for hygienists, and~~

11 ~~e.~~ any other requirements as set forth by the rules; or

12 3. An applicant applying for a dental or dental hygiene license
13 by credentials shall only be required to pass the jurisprudence
14 portion of the examination requirements as set forth in paragraph 4
15 of subsection C of this section.

16 I. There shall be two types of advanced procedure available for
17 dental hygienists upon completion of a CODA approved program or
18 course that has been approved by the Board:

19 1. Administration of nitrous oxide; and

20 2. Administration of local anesthesia.

21 J. All licensees and permit holders shall display their current
22 permit or license in a visible place within the dental office or
23 treatment facility.

24

1 SECTION 4. AMENDATORY 59 O.S. 2011, Section 328.22, as
2 last amended by Section 4, Chapter 151, O.S.L. 2018 (59 O.S. Supp.
3 2018, Section 328.22), is amended to read as follows:

4 Section 328.22 A. 1. The Board of Dentistry may issue a
5 dental specialty license authorizing a dentist to represent himself
6 or herself to the public as a specialist, and to practice as a
7 specialist, in a dental specialty.

8 2. No dentist shall represent himself or herself to the public
9 as a specialist, nor practice as a specialist, unless the
10 individual:

11 a. has successfully completed an advanced dental
12 specialty educational program recognized by the Board
13 and accredited by the Commission on Dental
14 Accreditation, or a dental specialty recognized by the
15 Board, requiring a minimum number of hours of approved
16 education and training and/or recognition by a
17 nationally recognized dental specialty accreditation
18 board,

19 ~~b. has met the requirements for a general dental license~~
20 ~~set forth by Section 328.21 of this title,~~

21 ~~c.~~ has passed the jurisprudence examination covering the
22 State Dental Act, rules and state laws, and

23 ~~d.~~

24

1 c. has completed any additional requirements set forth in
2 state law or rules and has been issued a dental
3 specialty license by the Board.

4 3. Specialties recognized by the Board shall include:

- 5 a. dental public health,
- 6 b. endodontics,
- 7 c. oral and maxillofacial surgery,
- 8 d. oral and maxillofacial radiology,
- 9 e. orthodontics and dentofacial orthopedics,
- 10 f. pediatric dentistry,
- 11 g. periodontics,
- 12 h. prosthodontics, and
- 13 i. oral pathology.

14 B. 1. At the time of application, if the dentist has ever been
15 licensed in any other state, he or she shall provide a letter of
16 good standing from such state before the Board may issue a specialty
17 license.

18 2. In conducting an investigation of an applicant who has
19 applied for a dental specialty license pursuant to this subsection,
20 the Board shall require of the applicant disclosure of the same
21 background information as is required of an applicant for a license
22 to practice dentistry in this state.

1 C. Any person holding an Oklahoma specialty license that does
2 not have an Oklahoma general dentistry license shall be limited to
3 practicing that specialty for which they hold a license.

4 D. The Board may use the American Dental Association guidelines
5 or the guidelines of another nationally recognized dental
6 association or board for the purpose of defining a specialty
7 practice area not otherwise defined herein.

8 SECTION 5. AMENDATORY 59 O.S. 2011, Section 328.23, as
9 last amended by Section 5, Chapter 151, O.S.L. 2018 (59 O.S. Supp.
10 2018, Section 328.23), is amended to read as follows:

11 Section 328.23 A. The President of the Board, upon
12 verification that a person meets the requirements provided for in
13 this section and any other requirements provided for in the State
14 Dental Act, may issue an emergency temporary license to practice
15 dentistry for thirty (30) days. A temporary license may be extended
16 but shall not exceed ninety (90) days or the next available
17 regularly scheduled Board meeting.

18 B. The President of the Board, upon verification that a person
19 meets the requirements provided for in the State Dental Act, may
20 issue an emergency temporary license to practice dental hygiene,
21 which shall expire as of the date of the next dental hygiene
22 clinical examination in Oklahoma, as required by the Board.

1 C. An active duty military spouse residing with the active duty
2 member having met the requirements for licensure shall be eligible
3 for a temporary license.

4 D. Any applicant requesting an emergency temporary license
5 shall submit a letter explaining the exigent circumstances along
6 with all application materials. The determination of whether or not
7 to grant the emergency temporary license based upon the exigent
8 circumstances shall be at the sole discretion of the President or
9 acting President of the Board.

10 ~~D.~~ E. A holder of a temporary license to practice dentistry or
11 dental hygiene shall have the same rights and privileges and be
12 governed by the State Dental Act and the rules of the Board in the
13 same manner as a holder of a permanent license to practice dentistry
14 and dental hygiene.

15 ~~E.~~ F. The President of the Board may authorize patient
16 treatment and care to individuals taking the Western Regional
17 Examining Board Exam, or other regional exams as approved by the
18 Board, to complete criteria related to Board examinations and may
19 authorize specialty examinations to be given throughout the year as
20 needed.

21 SECTION 6. AMENDATORY 59 O.S. 2011, Section 328.24, as
22 last amended by Section 6, Chapter 151, O.S.L. 2018 (59 O.S. Supp.
23 2018, Section 328.24), is amended to read as follows:
24

1 Section 328.24 A. No person shall practice as a dental
2 assistant or oral maxillofacial surgery assistant for more than one
3 (1) day in a calendar year without having applied for a permit as a
4 dental assistant or oral maxillofacial surgery assistant from the
5 Board of Dentistry within thirty (30) days of beginning employment.
6 During this time period, the dental assistant shall work under the
7 direct visual supervision of a dentist at all times.

8 B. The application shall be made to the Board in writing and
9 shall be accompanied by the fee established by the Board, together
10 with satisfactory proof that the applicant:

- 11 1. Is of good moral character; and
- 12 2. Passes a background check with criteria established by the
13 Board.

14 C. Beginning ~~January 1, 2019~~ January 1, 2020, every dental
15 assistant receiving a permit shall complete a class on infection
16 control as approved by the Board within one (1) year from the date
17 of receipt of the permit. Any person holding a valid dental
18 assistant permit prior to ~~January 1, 2019~~ January 1, 2020, shall
19 complete an infection-control class as approved by the Board before
20 ~~December 31, 2019~~ December 31, 2020. Failure to complete the class
21 shall be grounds for discipline pursuant to Section 328.29a of this
22 title.

23 D. There shall be five types of expanded duty permits available
24 for dental assistants upon completion of a program approved by the

1 Commission on Dental Accreditation (CODA) or a course that has been
2 approved by the Board:

- 3 1. Radiation safety;
- 4 2. Coronal polishing and topical fluoride;
- 5 3. Sealants;
- 6 4. Assisting in the administration of nitrous oxide; or
- 7 5. Assisting a dentist who holds a parenteral or pediatric
8 anesthesia permit; provided, only the dentist may administer
9 anesthesia and assess the patient's level of sedation.

10 E. The training requirements for all five expanded duty permits
11 shall be set forth by the Board. A program that is not CODA-
12 certified must meet the standards set forth and be approved by the
13 Board.

14 F. An applicant for a dental assistant permit who has graduated
15 from a dental assisting program accredited by CODA and has passed
16 the jurisprudence test shall receive all five expanded duty permits
17 provided for in subsection D of this section if the course materials
18 approved by the Board are covered in the program.

19 G. A dental assistant who holds an out-of-state dental
20 assistant permit with expanded duties may apply for credentialing
21 and reciprocity for a dental assistant permit including any expanded
22 duty by demonstrating the following:

23
24

1 1. The dental assistant has had a valid dental assistant permit
2 in another state for a minimum of two (2) years and is in good
3 standing;

4 2. The dental assistant has had a valid expanded duty in
5 another state for a minimum of one (1) year; and

6 3. The dental assistant provides a certificate or proof of
7 completion of an educational class for the expanded duty and that
8 the dental assistant has been providing this treatment to dental
9 patients while working as a dental assistant in a dental office for
10 one (1) year.

11 H. Any person having served in the military as a dental
12 assistant shall receive credentialing and reciprocity for expanded
13 functions by demonstrating the following:

14 1. Proof of military service in excess of two (2) years with
15 any certifications or training in the expanded function areas; and

16 2. Verification from the commanding officer of the medical
17 program or the appropriate supervisor stating that the dental
18 assistant provided the expanded functions on patients in the
19 military dental facility for a minimum of one (1) year within the
20 past five (5) years.

21 SECTION 7. AMENDATORY 59 O.S. 2011, Section 328.32, as
22 last amended by Section 4, Chapter 113, O.S.L. 2016 (59 O.S. Supp.
23 2018, Section 328.32), is amended to read as follows:

1 Section 328.32 A. The following acts or occurrences by a
2 dentist shall constitute grounds for which the penalties specified
3 in Section 328.44a of this title may be imposed by order of the
4 Board of Dentistry or be the basis for denying a new applicant any
5 license or permit issued by the Board:

6 1. Pleading guilty or nolo contendere to, or being convicted
7 of, a felony, a misdemeanor involving moral turpitude, any crime in
8 which an individual would be required to be a registered sex
9 offender under Oklahoma law, any violent crime, Medicaid fraud,
10 insurance fraud, identity theft, embezzlement or a violation of
11 federal or state controlled dangerous substances laws;

12 2. Presenting to the Board a false diploma, license, or
13 certificate, or one obtained by fraud or illegal means, or providing
14 other false information on an application or renewal;

15 3. Being, by reason of persistent inebriety or addiction to
16 drugs, incompetent to continue the practice of dentistry;

17 4. Publishing a false, fraudulent, or misleading advertisement
18 or statement;

19 5. Authorizing or aiding an unlicensed person to practice
20 dentistry, to practice dental hygiene, or to perform a function for
21 which a permit from the Board is required;

22 6. Authorizing or aiding a dental hygienist to perform any
23 procedure prohibited by the State Dental Act or the rules of the
24 Board;

- 1 7. Authorizing or aiding a dental assistant or oral
2 maxillofacial surgery assistant to perform any procedure prohibited
3 by the State Dental Act or the rules of the Board;
- 4 8. Failing to pay fees as required by the State Dental Act or
5 the rules of the Board;
- 6 9. Failing to complete continuing education requirements;
- 7 10. Representing himself or herself to the public as a
8 specialist in a dental specialty without holding a dental specialty
9 license therefor;
- 10 11. Representing himself or herself to the public as a
11 specialist whose practice is limited to a dental specialty, when
12 such representation is false, fraudulent, or misleading;
- 13 12. Endangering the health of patients by reason of having a
14 highly communicable disease and continuing to practice dentistry
15 without taking appropriate safeguards;
- 16 13. Practicing dentistry in an unsafe or unsanitary manner or
17 place, including but not limited to repeated failures to follow
18 Centers for Disease Control (CDC) or Occupational Health Safety
19 Administration (OSHA) guidelines;
- 20 14. Being shown to be mentally unsound;
- 21 15. Being shown to be grossly immoral and that such condition
22 represents a threat to patient care or treatment;
- 23 16. Being incompetent to practice dentistry while delivering
24 care to a patient;

1 17. Committing gross negligence in the practice of dentistry;

2 18. Committing repeated acts of negligence in the practice of
3 dentistry;

4 19. Offering to effect or effecting a division of fees, or
5 agreeing to split or divide a fee for dental services with any
6 person, in exchange for the person bringing or referring a patient;

7 20. Being involuntarily committed to an institution for
8 treatment for substance abuse, until recovery or remission;

9 21. Using or attempting to use the services of a dental
10 laboratory or dental laboratory technician without issuing a
11 laboratory prescription, except as provided in subsection C of
12 Section 328.36 of this title;

13 22. Aiding, abetting, or encouraging a dental hygienist
14 employed by the dentist to make use of an oral prophylaxis list, or
15 the calling by telephone or by use of letters transmitted through
16 the mails to solicit patronage from patients formerly served in the
17 office of any dentist formerly employing such hygienist;

18 23. Having more than the equivalent of three full-time dental
19 hygienists for each dentist actively practicing in the same dental
20 office;

21 24. Allowing a person not holding a permit or license issued by
22 the Board to assist in the treatment of a patient without having a
23 license or permit issued by the Board;

24

1 25. Knowingly patronizing or using the services of a dental
2 laboratory or dental laboratory technician who has not complied with
3 the provisions of the State Dental Act and the rules of the Board;

4 26. Authorizing or aiding a dental hygienist, dental assistant,
5 oral maxillofacial surgery assistant, dental laboratory technician,
6 or holder of a permit to operate a dental laboratory to violate any
7 provision of the State Dental Act or the rules of the Board;

8 27. Willfully disclosing information protected by the Health
9 Information Portability and Accountability Act, P.L. 104-191;

10 28. Writing a false, unnecessary, or excessive prescription for
11 any drug or narcotic which is a controlled dangerous substance under
12 either federal or state law;

13 29. Prescribing or administering any drug or treatment without
14 having established a valid dentist-patient relationship;

15 30. Using or administering nitrous oxide gas in a dental office
16 in an inappropriate or unauthorized manner;

17 31. Engaging in nonconsensual physical contact with a patient
18 which is sexual in nature, or engaging in a verbal communication
19 which is intended to be sexually demeaning to a patient;

20 32. Practicing dentistry without displaying, at the dentist's
21 primary place of practice, the license issued to the dentist by the
22 Board to practice dentistry and the current renewal certificate;

23 33. Being dishonest in a material way with a patient;

24

1 34. Failing to retain all patient records for at least seven
2 (7) years from the date of the last treatment, except that the
3 failure to retain records shall not be a violation of the State
4 Dental Act if the dentist shows that the records were lost,
5 destroyed, or removed by another, without the consent of the
6 dentist;

7 35. Failing to retain the dentist's copy of any laboratory
8 prescription for at least three (3) years, except that the failure
9 to retain records shall not be a violation of the State Dental Act
10 if the dentist shows that the records were lost, destroyed, or
11 removed by another, without the consent of the dentist;

12 36. Allowing any corporation, organization, group, person, or
13 other legal entity, except another dentist or a professional entity
14 that is in compliance with the registration requirements of
15 subsection B of Section 328.31 of this title, to direct, control, or
16 interfere with the dentist's clinical judgment. Clinical judgment
17 shall include, but not be limited to, such matters as selection of a
18 course of treatment, control of patient records, policies and
19 decisions relating to pricing, credit, refunds, warranties and
20 advertising, and decisions relating to office personnel and hours of
21 practice. Nothing in this paragraph shall be construed to:

- 22 a. limit a patient's right of informed consent, or
- 23 b. prohibit insurers, preferred provider organizations
- 24 and managed care plans from operating pursuant to the

1 applicable provisions of the Oklahoma Insurance Code
2 and the Public Health Code;

3 37. Violating the state dental act of another state resulting
4 in a plea of guilty or nolo contendere, conviction or suspension or
5 revocation or other sanction by another state board, of the license
6 of the dentist under the laws of that state;

7 38. Violating or attempting to violate the provisions of the
8 State Dental Act or the rules of the Board, a state or federal
9 statute or rule relating to scheduled drugs, fraud, a violent crime
10 or any crime for which the penalty includes the requirement of
11 registration as a sex offender in Oklahoma as a principal, accessory
12 or accomplice;

13 39. Failing to comply with the terms and conditions of an order
14 imposing suspension of a license or placement on probation issued
15 pursuant to Section 328.44a of this title;

16 40. Failing to cooperate during an investigation or providing
17 false information, verbally or in writing, to the Board, the Board's
18 investigator or an agent of the Board; ~~or~~

19 41. Having multiple administrative or civil actions reported to
20 the National Practitioner Databank; or

21 42. Failing to complete an approved two-hour course on opioid
22 and scheduled drug prescribing within one (1) year of obtaining a
23 license or a violation of a law related to controlled dangerous
24

1 substances including prescribing laws pursuant to Section 2-309D of
2 Title 63 of the Oklahoma Statutes.

3 B. The provisions of the State Dental Act shall not be
4 construed to prohibit any dentist from displaying or otherwise
5 advertising that the dentist is also currently licensed, registered,
6 certified, or otherwise credentialed pursuant to the laws of this
7 state or a nationally recognized credentialing board, if authorized
8 by the laws of the state or credentialing board to display or
9 otherwise advertise as a licensed, registered, certified, or
10 credentialed dentist.

11 SECTION 8. AMENDATORY 59 O.S. 2011, Section 328.34, as
12 last amended by Section 8, Chapter 151, O.S.L. 2018 (59 O.S. Supp.
13 2018, Section 328.34), is amended to read as follows:

14 Section 328.34 A. A dental hygienist may practice dental
15 hygiene under the supervision of a dentist in a dental office or
16 treatment facility. A dentist may employ not more than the
17 equivalent of three full-time dental hygienists for each dentist
18 actively practicing in the same dental office. Employing the
19 equivalent of three dental hygienists shall mean the employment or
20 any combination of full- or part-time dental hygienists not to
21 exceed one hundred twenty (120) hours per week per dentist.

22 B. 1. A dentist may delegate to a dental hygienist the
23 following procedures:
24

- 1 a. the duties and expanded duties authorized for dental
2 assistants by the State Dental Act or the rules of the
3 Board of Dentistry,
- 4 b. health history assessment pertaining to dental
5 hygiene,
- 6 c. dental hygiene examination and the charting of intra-
7 oral and extra-oral conditions, which include
8 periodontal charting, dental charting and classifying
9 occlusion,
- 10 d. dental hygiene assessment and treatment planning for
11 procedures authorized by the supervisory dentist,
- 12 e. prophylaxis, which means the removal of any and all
13 calcareous deposits, stains, accretions, or
14 concretions from the supragingival and subgingival
15 surfaces of human teeth, utilizing instrumentation by
16 scaler or periodontal curette on the crown and root
17 surfaces of human teeth, including rotary or power-
18 driven instruments. This paragraph shall not be
19 construed to prohibit the use of a ~~rubber cap~~ prophy
20 cup or brush on the crowns of human teeth by a dental
21 assistant who holds a current expanded duty permit for
22 Coronal Polishing/Topical Fluoride issued by the
23 Board,
- 24 f. periodontal scaling and root planing,

- 1 g. dental hygiene nutritional and dietary evaluation,
- 2 h. placement of subgingival prescription drugs for
- 3 prevention and treatment of periodontal disease,
- 4 i. soft tissue curettage,
- 5 j. placement of temporary fillings,
- 6 k. removal of overhanging margins,
- 7 l. dental implant maintenance,
- 8 m. removal of periodontal packs,
- 9 n. polishing of amalgam restorations, and
- 10 o. other procedures authorized by the Board.

11 2. The procedures specified in subparagraphs b through o of
12 paragraph 1 of this subsection may be performed only by a dentist or
13 a dental hygienist.

14 3. Except as provided in subsections C and D of this section,
15 the procedures specified in paragraph 1 of this subsection may be
16 performed by a dental hygienist only on a patient of record and only
17 under the supervision of a dentist. The level of supervision,
18 whether direct, indirect or general, shall be at the discretion of
19 the supervisory dentist. Authorization for general supervision
20 shall be limited to a maximum of thirteen (13) months following an
21 examination by the supervisory dentist of a patient of record. For
22 the purposes of this paragraph, "patient of record" means an
23 individual who has given a medical history and has been examined and
24 accepted by a dentist for dental care.

1 C. 1. A dentist may authorize procedures to be performed by a
2 dental hygienist, without complying with the provisions of paragraph
3 3 of subsection B of this section, if:

4 a. the dental hygienist has at least two (2) years
5 experience in the practice of dental hygiene,

6 b. the authorization to perform the procedures is in
7 writing and signed by the dentist, and

8 c. the procedures are performed during an initial visit
9 to a person in a treatment facility.

10 2. The person upon whom the procedures are performed must be
11 referred to a dentist after completion of the procedures performed
12 pursuant to paragraph 1 of this subsection.

13 3. A dental hygienist shall not perform a second set of
14 procedures on a person pursuant to this subsection until the person
15 has been examined and accepted for dental care by a dentist.

16 4. The treatment facility in which any procedure is performed
17 by a dental hygienist pursuant to this subsection shall note each
18 such procedure in the medical records of the person upon whom the
19 procedure was performed and list the dentist that authorized the
20 hygienist to perform the procedures signed by the hygienist.

21 D. A treatment facility may employ dental hygienists whose
22 services shall be limited to the examination of teeth and the
23 teaching of dental hygiene or as otherwise authorized by the Board.

24 E. The Board is authorized to:

1 1. Prescribe, by rule, advanced procedures that may be
2 performed by a dental hygienist who has satisfactorily completed a
3 course of study regarding the performance of such procedures. The
4 advance procedures shall include the administration of local
5 anesthesia and the administration of nitrous oxide analgesia;

6 2. Establish guidelines for courses of study necessary for a
7 dental hygienist to perform advanced procedures;

8 3. Issue authorization to perform advanced procedures to those
9 dental hygienists who meet the eligibility requirements; and

10 4. Establish the level of supervision, whether direct, indirect
11 or general, under which the advanced procedures may be performed.

12 F. A dental hygienist shall not own or operate an independent
13 practice of dental hygiene.

14 G. Nothing in the State Dental Act shall be construed to
15 prohibit a dentist from performing any of the procedures that may be
16 performed by a dental hygienist.

17 H. Nothing in the State Dental Act shall be construed to allow
18 a dental assistant to work under the supervision of a dental
19 hygienist while acting under direct, indirect or general
20 supervision.

21 SECTION 9. AMENDATORY 59 O.S. 2011, Section 328.41, as
22 last amended by Section 11, Chapter 151, O.S.L. 2018 (59 O.S. Supp.
23 2018, Section 328.41), is amended to read as follows:

24

1 Section 328.41 A. 1. On or before the last day of December 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 completed renewal application with
7 information as may be required by the Board, together with an annual
8 renewal fee established by the rules of the Board. Upon receipt of
9 the annual renewal fee, the Board shall issue a renewal certificate
10 authorizing 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 begin on January 1 and 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 ending in 2019 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. Any newly licensed dentist shall complete a two-hour opioid
2 and scheduled drug prescribing class within one (1) year of
3 obtaining licensure; and

4 5. Beginning in 2020, continuing education requirements shall
5 be due at the end of each two-year period as follows:

6 a. dentists shall complete forty (40) hours, including a
7 one-time, two-hour opioid and scheduled drug
8 prescribing class,

9 b. hygienists shall complete twenty (20) hours,

10 c. OMS assistants shall complete eight (8) hours, and

11 d. dental assistants shall have two (2) hours of
12 infection control.

13 C. Upon failure of a dentist, dental hygienist, dental
14 assistant, or oral maxillofacial surgery assistant to pay the annual
15 renewal fee within two (2) months after January 1, the Board shall
16 notify the dentist, dental hygienist, dental assistant, or oral
17 maxillofacial surgery assistant in writing by certified mail to the
18 last-known mailing address of the dentist, dental hygienist, dental
19 assistant, or oral maxillofacial surgery assistant as reflected in
20 the records of the Board.

21 D. Any dentist, dental hygienist, dental assistant, or oral
22 maxillofacial surgery assistant whose license or permit is
23 automatically canceled by reason of failure, neglect or refusal to
24 secure the renewal certificate may be reinstated by the Board at any

1 time within one (1) year from the date of the expiration of the
2 license, upon payment of the annual renewal fee and a penalty fee
3 established by the rules of the Board. If the dentist, dental
4 hygienist, dental assistant, or oral maxillofacial surgery assistant
5 does not apply for renewal of the license or permit and pay the
6 required fees within one (1) year after the license has expired,
7 then the dentist, dental hygienist, dental assistant, or oral
8 maxillofacial surgery assistant shall be required to file an
9 application for and take the examination or other requirements
10 provided for in the State Dental Act or the rules promulgated by the
11 Board before again commencing practice.

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

16 F. In case of a lost or destroyed license or renewal
17 certificate and upon satisfactory proof of the loss or destruction
18 thereof, the Board may issue a duplicate, charging therefor a fee
19 established by the rules of the Board.

20 G. A dentist, dental hygienist, oral maxillofacial surgery
21 assistant or dental assistant that is in good standing and not under
22 investigation that notifies the Board in writing of a voluntary
23 nonrenewal of license or requests retirement status shall have a
24 right to renew or reinstate his or her license within five (5) years

1 from the date of notice. The Board may require any training or
2 continuing education requirements to be met prior to reinstatement.

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

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

9 SECTION 10. AMENDATORY 59 O.S. 2011, Section 328.44a, as
10 last amended by Section 25, Chapter 229, O.S.L. 2015 (59 O.S. Supp.
11 2018, Section 328.44a), is amended to read as follows:

12 Section 328.44a A. The Board of Dentistry is authorized, after
13 notice and opportunity for a hearing pursuant to Article II of the
14 Administrative Procedures Act, to issue an order imposing one or
15 more of the following penalties whenever the Board finds, by clear
16 and convincing evidence, that a dentist, dental hygienist, dental
17 assistant, oral maxillofacial surgery assistant, dental laboratory
18 technician, holder of a permit to operate a dental laboratory, or an
19 entity operating pursuant to the provisions of the Professional
20 Entity Act or the State Dental Act has committed any of the acts or
21 occurrences set forth in Sections 328.29, 329.29a, 328.32, 328.33,
22 328.39 and 328.39a of this title:

23 1. Refusal to issue a license or permit, or a renewal thereof,
24 provided for in the State Dental Act;

- 1 2. Suspension of a license or permit issued by the Board for a
2 period of time deemed appropriate by the Board;
- 3 3. Revocation of a license or permit issued by the Board;
- 4 4. Imposition of an administrative penalty not to exceed One
5 Thousand Five Hundred Dollars (\$1,500.00) per violation;
- 6 5. Issuance of a censure;
- 7 6. Placement on probation for a period of time and under such
8 terms and conditions as deemed appropriate by the Board;
- 9 7. Probation monitoring fees, which shall be the responsibility
10 of the licensee on all probations; or
- 11 8. Restriction of the services that can be provided by a
12 dentist or dental hygienist, under such terms and conditions as
13 deemed appropriate by the Board.

14 B. A dentist, dental hygienist, dental assistant, oral
15 maxillofacial surgery assistant, dental laboratory technician, or
16 holder of a permit to operate a dental laboratory, against whom a
17 penalty is imposed by an order of the Board pursuant to the
18 provisions of this section, shall have the right to seek a judicial
19 review of such order pursuant to Article II of the Administrative
20 Procedures Act.

21 C. The Board may issue a summary suspension on a licensee or
22 permit holder who is found guilty of a felony charge and is
23 sentenced to incarceration in a state or federal facility.

24

1 SECTION 11. AMENDATORY 59 O.S. 2011, Section 328.51a, as
2 last amended by Section 15, Chapter 151, O.S.L. 2018 (59 O.S. Supp.
3 2018, Section 328.51a), is amended to read as follows:

4 Section 328.51a A. The Board of Dentistry is authorized to
5 charge the following fees for the purpose of implementing and
6 enforcing the State Dental Act. The penalty and late fee shall be
7 twice the amount of the original fee for license renewals.
8 Notwithstanding any other provisions of the State Dental Act, the
9 fees established by the Board shall be not less nor more than the
10 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 Student Intern Permit	\$50.00	\$200.00
3	g.	Temporary License to Practice		
4		Dental Hygiene	\$50.00	\$100.00
5	h.	Dental Assistant or Oral		
6		Maxillofacial Surgery		
7		Assistant Permit	\$50.00	\$100.00
8	i.	<u>Dental Assistant with</u>		
9		<u>Expanded Duty or Duties by</u>		
10		<u>Credential</u>	<u>\$100.00</u>	<u>\$200.00</u>
11	<u>j.</u>	Temporary License to Practice		
12		Dentistry	\$75.00	\$150.00
13	j.			
14	<u>k.</u>	Permit to Operate a Dental		
15		Laboratory - current Oklahoma		
16		licensed dentist	\$20.00	\$60.00
17	k.			
18	<u>l.</u>	General Anesthesia Permit		
19		Dentist	\$100.00	\$200.00
20	l.			
21	<u>m.</u>	Conscious Sedation Permit		
22		Dentist	\$100.00	\$200.00
23	m.			
24				

1	<u>n.</u> Permit to Operate a Dental		
2	Laboratory - commercial	\$200.00	\$500.00
3	2. RE-EXAMINATION FEES:		
4	a. License by Examination		
5	Dentist	\$200.00	\$400.00
6	Dental Hygienist	\$100.00	\$200.00
7	b. Dental Specialty License by		
8	Examination	\$300.00	\$600.00
9	c. Jurisprudence Only Re-		
10	Examination		
11	Dentist	\$10.00	\$20.00
12	Dental Hygienist	\$10.00	\$20.00
13	3. ANNUAL RENEWAL FEES:		
14	a. Dentist	\$200.00	\$400.00
15	b. Dental Hygienist	\$100.00	\$200.00
16	c. Dental Specialty License	\$100.00	\$200.00
17	d. Faculty Permit		
18	Dentist	\$50.00	\$100.00
19	Dental Hygienist	\$50.00	\$100.00
20	e. Dental Resident, Dental		
21	Fellowship	\$100.00	\$200.00
22	f. Dental Assistant, Oral		
23	Maxillofacial Surgery		
24			

1	Assistant, or Dental Student		
2	Intern Permit	\$50.00	\$100.00
3	g. Permit to Operate a Dental		
4	Laboratory, current Oklahoma		
5	Licensed dentist	\$20.00	\$60.00
6	h. General Anesthesia Permit		
7	Dentist	\$100.00	\$200.00
8	i. Conscious Sedation Permit		
9	Dentist	\$100.00	\$200.00
10	j. Permit to Operate a Dental		
11	Laboratory, non-dentist owner	\$300.00	\$500.00
12	4. OTHER FEES:		
13	a. Duplicate License		
14	Dentist or Dental		
15	Hygienist	\$30.00	\$40.00
16	b. Duplicate Permit or		
17	Registration	\$5.00	\$15.00
18	c. Certificate of Good Standing	\$5.00	\$15.00
19	d. Professional Entity		
20	Certification Letter	\$5.00	\$20.00
21	e. Professional Entity		
22	Registration or Update	\$5.00	\$20.00
23	f. Mobile Dental Clinic	\$200.00	\$400.00
24			

- 1 g. List of the Name and Current
 2 Mailing Address of all
 3 Persons who hold a License or
 4 Permit issued by the Board.
 5 (A request for a list shall
 6 be submitted to the Board in
 7 writing noting the specific
 8 proposed use of the list.) \$25.00 \$75.00
- 9 h. Official State Dental License
 10 Identification Card with
 11 Picture \$25.00 \$35.00
- 12 i. Returned checks \$25.00 \$30.00

13 B. A person who holds a license to practice dentistry in this
 14 state, and who also holds a dental specialty license, shall not be
 15 required to pay an annual renewal fee for the dental specialty
 16 license if the licensee has paid the annual renewal fee for the
 17 license to practice dentistry.

18 SECTION 12. This act shall become effective November 1, 2019.

19
 20 57-1-8646 SH 04/08/19
 21
 22
 23
 24