

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB1383 _____
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

Amendment submitted by: Josh West

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

PROPOSED
COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 1383

By: Bergstrom of the Senate

and

West (Josh) of the House

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to diagnostic X-ray systems; amending 59 O.S. 2021, Section 328.15, as amended by Section 1, Chapter 158, O.S.L. 2022 (59 O.S. Supp. 2023, Section 328.15), which relates to powers and duties of the Board of Dentistry; requiring the Board to enforce certain state and federal laws; amending 63 O.S. 2021, Section 1-1503, which relates to diagnostic X-ray systems; providing certain exception; giving certain power and duty to the Board; requiring the Board to submit certain data to the State Department of Health; limiting certain fee schedule; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 2021, Section 328.15, as amended by Section 1, Chapter 158, O.S.L. 2022 (59 O.S. Supp. 2023, Section 328.15), is amended to read as follows:

Section 328.15 A. Pursuant to and in compliance with Article I of the Administrative Procedures Act, the Board of Dentistry shall

1 have the power to formulate, adopt, and promulgate rules as may be
2 necessary to regulate the practice of dentistry in this state and to
3 implement and enforce the provisions of the State Dental Act.

4 B. The Board is authorized and empowered to:

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

7 2. Affiliate by contract or cooperative agreement with another
8 state or combination of states for the purpose of conducting
9 simultaneous regional examinations of applicants for a license to
10 practice dentistry, dental hygiene, or a dental specialty;

11 3. Maintain a list of the name, current mailing address and
12 official address of all persons who hold a license or permit issued
13 by the Board;

14 4. Account for all receipts and expenditures of the monies of
15 the Board including annually preparing and publishing a statement of
16 receipts and expenditures of the Board for each fiscal year;

17 5. Within limits prescribed in the State Dental Act, set all
18 fees and administrative penalties to be imposed and collected by the
19 Board;

20 6. Employ an Executive Director, legal counsel and other
21 advisors to the Board including advisory committees;

22 7. Investigate and issue investigative and other subpoenas,
23 pursuant to Article II of the Administrative Procedures Act;
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1 8. Initiate individual proceedings and issue orders imposing
2 administrative penalties, pursuant to Article II of the
3 Administrative Procedures Act, against any dentist, dental
4 hygienist, dental assistant, oral maxillofacial surgery assistant,
5 dental laboratory technician, or holder of a permit to operate a
6 dental laboratory who has violated the State Dental Act or the rules
7 of the Board;

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

11 10. Establish guidelines for courses of study necessary for
12 dental assistants, oral maxillofacial surgery assistants and, when
13 appropriate, issue permits authorizing dental assistants to perform
14 expanded duties;

15 11. Establish continuing education requirements for dentists,
16 dental hygienists, dental assistants and oral maxillofacial surgery
17 assistants who hold permits issued by the Board;

18 12. Recognize the parameters and standards of care established
19 and approved by the American Dental Association;

20 13. Formulate, adopt, and promulgate rules, pursuant to Article
21 I of the Administrative Procedures Act, as may be necessary to
22 implement and enforce the provisions of the Oklahoma Dental
23 Mediation Act and ensure all persons who hold a license or permit
24 issued by the Board comply with all state and federal laws

pertaining to the use of diagnostic X-ray systems or other sources
of radiation used for treatment purposes that occur in a dental
office including, but not limited to, the Diagnostic X-ray Facility
Act;

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

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

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

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

18. Enter into contracts;

19. Acquire by purchase, lease, gift, solicitation of gift or
by any other manner, hold, encumber, and dispose of personal
property as is needed, maintain, use and operate or contract for the
maintenance, use and operation of or lease of any and all property
of any kind, real, personal or mixed or any interest therein unless
otherwise provided by the State Dental Act; provided, all contracts
for real property shall be subject to the provisions of Section 63
of Title 74 of the Oklahoma Statutes;

1 20. Receive or accept the surrender of a license, permit, or
2 certificate granted to any person by the Board as provided in
3 Section 328.44b of this title; and

4 21. Take all other actions necessary to implement and enforce
5 the State Dental Act.

6 SECTION 2. AMENDATORY 63 O.S. 2021, Section 1-1503, is
7 amended to read as follows:

8 Section 1-1503. A. The State Department of Health is hereby
9 designated as the official agency of the State of Oklahoma for all
10 regulatory activities pertaining to health and safety in the use of
11 diagnostic ~~x-ray~~ X-ray systems, and shall act as the coordinating
12 agency for the purpose of cooperating with other states, the United
13 States Public Health Service and other federal agencies in the
14 administration of programs relating to diagnostic ~~x-ray~~ X-ray
15 systems, available to the State of Oklahoma under federal laws; and
16 it shall encourage, participate in, and conduct studies,
17 investigations, training, research and demonstrations relating to
18 constructive uses of diagnostic ~~x-ray~~ X-ray systems and the
19 prevention and control of its associated harmful effects or
20 unnecessary exposure, the effects to health on exposure to ~~x-rays~~ X-
21 rays, and related problems.

22 B. Nothing in the Diagnostic ~~X-Ray~~ X-ray Facility Act shall
23 interfere with the doctor-patient relationship of any licensed
24 member of the healing arts; nor shall anything in the Diagnostic ~~X-~~

1 ~~Ray~~ X-ray Facility Act prohibit a licensed practitioner of the
2 healing arts, or an individual under the direction of such licensed
3 practitioner, from using ~~x-rays~~ X-rays or other sources of radiation
4 and/or fluoroscopes for diagnostic, research or treatment purposes,
5 as authorized under the Practitioner's Licensing Act, provided the
6 radiation devices and the related facilities of the practitioner
7 shall comply with the rules and regulations promulgated under the
8 provisions of the Diagnostic ~~X-Ray~~ X-ray Facility Act.

9 C. Beginning on the effective date of this act, the Board of
10 Dentistry may conduct inspections pertaining to the use of
11 diagnostic X-ray systems or other sources of radiation used for
12 treatment purposes that occur in a dental office. The Board shall
13 gather and submit, for all persons who hold a license or permit
14 issued by the Board, data and statistics required by state and
15 federal law to the State Department of Health annually or as
16 requested. Any fees collected by the Board for inspections
17 conducted by the Board under this subsection shall be remitted to
18 the State Department of Health.

19 SECTION 3. This act shall become effective January 1, 2025.
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