

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 HOUSE BILL 4041

By: Townley of the House

5 and

6 **Kidd** of the Senate

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10 AS INTRODUCED

11 An Act relating to professions and occupations;
12 amending 59 O.S. 2021, Section 328.54, which relates
to dental practice; modifying teledentistry
requirements; amending 63 O.S. 2021, Sections 1-2711
13 and 1-2712, which relate to the Oklahoma Dental Loan
Repayment Act; adding legislative findings;
14 increasing certain repayment program allowances;
15 modifying program requirements; and providing an
effective date.

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

20 SECTION 1. AMENDATORY 59 O.S. 2021, Section 328.54, is
21 amended to read as follows:

22 Section 328.54 A. Any person conducting a diagnosis for the
23 purpose of prescribing medication or treatment or any other action
24 determined to be a dental practice as defined by the State Dental

1 Act, via the Internet or other telecommunications device on any
2 patient that is physically located in this state shall hold a valid
3 Oklahoma state dental license.

4 B. A dentist holding a valid dental license in Oklahoma may
5 consult, diagnose and treat a patient of record via synchronous or
6 asynchronous telecommunication between the patient and dentist. The
7 dentist must record all activities relating to teledentistry in the
8 patient record and must have an office location ~~in Oklahoma~~
9 available for follow-up treatment and maintenance of records in
10 Oklahoma or adjacent to Oklahoma and within fifty (50) miles of an
11 Oklahoma border of a state with an interstate dental and dental
12 hygienist compact.

13 SECTION 2. AMENDATORY 63 O.S. 2021, Section 1-2711, is
14 amended to read as follows:

15 Section 1-2711. A. The Legislature recognizes that there is a
16 need to:

17 1. Upgrade the availability of quality dental care services for
18 the people of Oklahoma;

19 2. Improve the balance of dental manpower distribution in the
20 state by geographic location; ~~and~~

21 3. Increase access to dental care to those who are dependent on
22 the state for necessary dental care;

23 4. Allow providers to work at the top of their license and
24 utilize supporting roles; and

1 5. Address the need for dental faculty.

2 B. The purpose of the Oklahoma Dental Loan Repayment Act shall
3 be to:

4 1. Increase the number of dentists serving and caring for those
5 dependent upon the state for dental care; and

6 2. Ensure that dental care and services are accessible
7 throughout the state, and specifically, that quality dental care and
8 services be accessible to underserved dental areas in rural and
9 metropolitan areas of the state, and to those dependent upon the
10 state for dental care.

11 SECTION 3. AMENDATORY 63 O.S. 2021, Section 1-2712, is
12 amended to read as follows:

13 Section 1-2712. A. 1. The State Department of Health shall
14 administer the Oklahoma Dental Loan Repayment Program.

15 2. The Program, depending upon available funding, shall provide
16 educational loan repayment assistance for up to a total of ~~twenty-~~
17 ~~five~~ thirty full-time equivalent Oklahoma licensed dentists per year
18 including new and continuing contract renewable participants.

19 3. Each award shall be for a contracted period and shall be
20 distributed to the participant by drafts made payable to the
21 participant for deposit to an appropriate loan agency in equal
22 monthly disbursements, not to exceed ~~Fifty Thousand Dollars~~
23 ~~(\$50,000.00)~~ Sixty Thousand Dollars (\$60,000.00) per year for a
24 maximum five-year period. Prior to any disbursement, the Department

1 shall certify and properly review monthly reports submitted by the
2 participating dentist detailing performance of activities in
3 accordance with the Oklahoma Dental Loan Repayment Act.

4 4. At the conclusion of the minimum service obligation, the
5 Department shall review the performance in the Program of the
6 participating dentist and determine whether an award may be granted
7 for an additional period not to exceed a total participation in the
8 Program of five (5) years pursuant to rules promulgated by the
9 Department.

10 B. Any dentist entering the Program each year as a nonfaculty
11 participant shall agree to provide dental care and services to
12 Medicaid recipients as authorized by the Oklahoma Health Care
13 Authority. The Department shall be responsible for ensuring that at
14 least thirty percent (30%) of the patients treated by the dentist
15 will be Medicaid recipients.

16 1. Any general practice dentist entering the Program each year
17 as a nonfaculty participant shall agree to provide dental care and
18 services in a designated Dental Health Professional Shortage Area
19 (DHPSA) of this state.

20 2. Any dentist licensed to practice as a Pediatric Dentistry
21 Specialist as defined by the State Dental Act or any dentist
22 practicing in a Federally Qualified Health Center (FQHC), FQHC look-
23 alike, county health department or city-county health department may
24

1 be exempt from the requirement to practice in a Dental Health
2 Professional Shortage Area (DHPSA).

3 C. A dentist entering the Program as a faculty participant
4 shall agree to teach at the University of Oklahoma College of
5 Dentistry. In the event there are no appropriate faculty
6 applicants, the Program may award additional nonfaculty dentists.

7 D. A dentist shall be eligible to participate in the Program if
8 the dentist:

- 9 1. Is a ~~new~~ dental school graduate. Preference will be given
10 to graduates of the University of Oklahoma College of Dentistry;
- 11 2. Is licensed to practice dentistry in Oklahoma; and
- 12 3. Has demonstrated financial need.

13 E. The dentist shall execute a contract with the Department to
14 provide dental services pursuant to the terms of the contract and in
15 accordance with rules promulgated by the Department.

16 F. If the dentist does not fulfill the service obligation, the
17 Department may collect from the participant the entire amount of
18 loan payments made under the Program plus interest.

19 G. The Department shall present a report on the operation of
20 the Program to the Governor, the Speaker of the House of
21 Representatives, and the President Pro Tempore of the Senate within
22 one (1) month of the beginning of each regular session of the
23 Legislature including but not limited to the progress made in
24 accomplishing the goal of the Program.

SECTION 4. This act shall become effective November 1, 2024.

COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 02/22/2024 -
DO PASS, As Coauthored.