

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3934 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: David Smith _____

Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

PROPOSED OVERSIGHT
COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 3934

By: Smith

PROPOSED OVERSIGHT COMMITTEE SUBSTITUTE

An Act relating to professions and occupations; amending 59 O.S. 2021, Section 328.3, as last amended by Section 2, Chapter 273, O.S.L. 2025 (59 O.S. Supp. 2025, Section 328.3), which relates to the practice of dentistry definitions; updating certain definitions; amending 59 O.S. 2021, Section 328.17, as amended by Section 3, Chapter 273, O.S.L. 2025 (59 O.S. Supp. 2025, Section 328.17), which relates to standing committees; adding a reference to the Dental Practice Committee; amending 59 O.S. 2021, Section 328.19, as last amended by Section 4, Chapter 273, O.S.L. 2025 (59 O.S. Supp. 2025, Section 328.19), which relates to acts constituting practice of dentistry; requiring auxiliary health care providers to limit practice within scope of dentistry; amending 59 O.S. 2021, Section 328.21, as last amended by Section 5, Chapter 273, O.S.L. 2025 (59 O.S. Supp. 2025, Section 328.21), which relates to application of dental licensure; updating approved accredited programs; amending 59 O.S. 2021, Section 328.22, as amended by Section 3, Chapter 220, O.S.L. 2023 (59 O.S. Supp. 2025, Section 328.22), which relates to specialty licenses; specifying requirements to represent oneself as a dental specialist; amending 59 O.S. 2021, Section 328.23, which relates to temporary licensing of dentists and dental hygienists; updating the required examination; amending 59 O.S. 2021, Section 328.23a, as last amended by Section 4, Chapter 46, O.S.L. 2024 (59 O.S. Supp. 2025, Section 328.23a), which relates to special volunteer licenses for dentist and dental hygienist; allowing dental assistants to work under certain procedures; amending 59 O.S. 2021, Section 328.24, as last amended by

1 Section 6, Chapter 273, O.S.L. 2025 (59 O.S. Supp.
2 2025, Section 328.24), which relates to dental
3 assistant permits; allowing specific exemptions for
4 dental assistants to work outside of the direct
5 supervision of a dentist; amending 59 O.S. 2021,
6 Section 328.29a, as last amended by Section 11,
7 Chapter 273, O.S.L. 2025 (59 O.S. Supp. 2025, Section
8 328.29a), which relates to dental assistants;
9 updating language; amending 59 O.S. 2021, Section
10 328.31, which relates to Board of Dentistry
11 requirements; removing requirement to publish an
12 annual summary of the registry; amending 59 O.S.
13 2021, Section 328.31b, as last amended by Section 13,
14 Chapter 273, O.S.L. 2025 (59 O.S. Supp. 2025, Section
15 328.31b), which relates to maintenance and retention
16 of written records; removing requirements of
17 maintaining certain records; amending 59 O.S. 2021,
18 Section 328.34, as amended by Section 6, Chapter 220,
19 O.S.L. 2023 (59 O.S. Supp. 2025, Section 328.34),
20 which relates to the scope of practice for dental
21 hygienists; updating scope of practice; amending 59
22 O.S. 2021, Section 328.54, which relates to the
23 practice of dentistry via internet; allowing for a
24 patient of record to be established under certain
circumstances; creating procedures for foreign
trained dentist licensure; providing for
codification; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 2021, Section 328.3, as
last amended by Section 2, Chapter 273, O.S.L. 2025 (59 O.S. Supp.
2025, Section 328.3), is amended to read as follows:

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

1. "Accredited dental college" means an institution whose
dental educational program is accredited by the Commission on Dental

1 Accreditation of the American Dental Association, or the Commission
2 on Dental Accreditation of Canada (CADA) or another accrediting
3 association recognized by the United States Department of Education;

4 2. "Accredited dental hygiene program" means a dental hygiene
5 educational program which is accredited by the Commission on Dental
6 Accreditation of the American Dental Association, or the Commission
7 on Dental Accreditation of Canada (CADA) or another accrediting
8 association recognized by the United States Department of Education;

9 3. "Accredited dental assisting program or class" means a
10 dental assisting program which is accredited by the Commission on
11 Dental Accreditation of the American Dental Association or another
12 accrediting association recognized by the United States Department
13 of Education or a class approved by the Board of Dentistry;

14 4. "Advanced procedure" means a dental procedure for which a
15 dental hygienist has received special training in a course of study
16 approved by the Board;

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

18 6. "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 7. "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 prophylaxis/polishing cup or brush and polishing
24 agent and is not prophylaxis. To be considered prophylaxis,

1 examination for calculus and scaling must be done by a dental
2 hygienist or dentist;

3 8. "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 9. "Dentistry" means the practice of dentistry in all of its
11 branches;

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

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

20 12. "Dental appliance" means a dental appliance, prosthetic
21 denture, bridge, restoration, or other device made for an individual
22 patient for a purpose listed in Section 328.19 of this title;

23 13. "Dental office" means an establishment owned and operated
24 by a dentist for the practice of dentistry, which may be composed of

1 reception rooms, business offices, private offices, laboratories,
2 and dental operating rooms where dental operations are performed;

3 14. "Dental hygiene" means the science and practice of the
4 promotion of oral health and prevention and treatment of oral
5 disease through the provision of educational, therapeutic, clinical,
6 and preventive services;

7 15. "Dental hygienist" means an individual who has fulfilled
8 the educational requirements and is a graduate of an accredited
9 dental hygiene program and who has passed an examination and has
10 been issued a license by the Board and who is authorized to practice
11 dental hygiene as defined in this section;

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

21 17. "Dental laboratory" means a location, whether in a dental
22 office or not, where a dentist or a dental laboratory technician
23 performs dental laboratory technology;

24

1 18. "Dental laboratory technician" means an individual whose
2 name is duly filed in the official records of the Board, which
3 authorizes the technician, upon the laboratory prescription of a
4 dentist, to perform dental laboratory technology, which services
5 must be rendered only to the prescribing dentist and not to the
6 public;

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

11 20. "Dental specialty" means a specialized practice of a branch
12 of dentistry, recognized by the Board, where the dental college and
13 specialty program are accredited by the Commission on Dental
14 Accreditation (CODA), or a dental specialty recognized by the Board,
15 requiring a minimum number of hours of approved education and
16 training and/or recognition by a nationally recognized association
17 or accreditation board;

18 21. "Direct supervision" means the supervisory dentist is in
19 the dental office or treatment facility and, during the appointment,
20 personally examines the patient, diagnoses any conditions to be
21 treated, and authorizes the procedures to be performed by a dental
22 hygienist or dental assistant. The supervising dentist is
23 continuously on-site and physically present in the dental office or
24 treatment facility while the procedures are being performed and,

1 before dismissal of the patient, evaluates the results of the dental
2 treatment;

3 22. "Direct visual supervision" means the supervisory dentist
4 has direct ongoing visual oversight which shall be maintained at all
5 times during any procedure authorized to be performed by a dental
6 assistant;

7 23. "Expanded duty" means a dental procedure for which a dental
8 assistant has received special training in a course of study
9 approved by the Board;

10 24. "Fellowship" means a program designed for post-residency
11 graduates to gain knowledge and experience in a specialized field;

12 25. "General anesthesia" means a drug-induced loss of
13 consciousness during which patients are not arousable, even by
14 painful stimulation. The ability to independently maintain
15 ventilator function is often impaired. Patients often require
16 assistance in maintaining a patent airway, and positive pressure
17 ventilation may be required because of depressed spontaneous
18 ventilation or drug-induced depression of neuromuscular function.
19 Cardiovascular function may be impaired;

20 26. "General supervision" means the supervisory dentist has
21 diagnosed any conditions to be treated within the past thirteen (13)
22 months, has personally authorized the procedures to be performed by
23 a dental hygienist, and will evaluate the results of the dental
24 treatment within a reasonable time as determined by the nature of

1 the procedures performed, the needs of the patient, and the
2 professional judgment of the supervisory dentist. General
3 supervision may only be used to supervise a dental hygienist and may
4 not be used to supervise a dental assistant except as provided by
5 Sections 328.24(I) and 328.58 of this title;

6 27. "Indirect supervision" means the supervisory dentist is in
7 the dental office or treatment facility and has personally diagnosed
8 any conditions to be treated, authorizes the procedures to be
9 performed by a dental hygienist, remains in the dental office or
10 treatment facility while the procedures are being performed, and
11 will evaluate the results of the dental treatment within a
12 reasonable time as determined by the nature of the procedures
13 performed, the needs of the patient, and the professional judgment
14 of the supervisory dentist. Indirect supervision may not be used
15 for a dental assistant;

16 28. "Investigations" means an investigation proceeding,
17 authorized under Sections 328.15A and 328.43a of this title, to
18 investigate alleged violations of the State Dental Act or the rules
19 of the Board;

20 29. "Laboratory prescription" means a written description,
21 dated and signed by a dentist, of dental laboratory technology to be
22 performed by a dental laboratory technician;

23 30. "Minimal sedation" means a minimally depressed level of
24 consciousness, produced by a pharmacological method, that retains

1 the patient's ability to independently and continuously maintain an
2 airway and respond normally to tactile stimulation and verbal
3 command. Although cognitive function and coordination may be
4 modestly impaired, ventilator and cardiovascular functions are
5 unaffected;

6 31. "Mobile dental anesthesia provider" means a licensed and
7 anesthesia-permitted dentist, physician or Certified Registered
8 Nurse Anesthetist (CRNA) that has a mobile dental unit and provides
9 anesthesia in dental offices and facilities in the state;

10 32. "Mobile dental clinic" means a permitted motor vehicle or
11 trailer utilized as a dental clinic, and/or that contains dental
12 equipment and is used to provide dental services to patients on-site
13 and shall not include a mobile dental anesthesia provider. A mobile
14 dental clinic shall also mean and include a volunteer mobile dental
15 facility that is directly affiliated with a church or religious
16 organization as defined by Section 501(c)(3) or 501(d) of the United
17 States Internal Revenue Code, the church or religious organization
18 with which it is affiliated is clearly indicated on the exterior of
19 the volunteer mobile dental facility, and such facility does not
20 receive any form of payment either directly or indirectly for work
21 provided to patients other than donations through the affiliated
22 church or religious organization; provided, that the volunteer
23 mobile dental facility shall be exempt from any registration fee
24 required under the State Dental Act;

1 33. "Moderate sedation" means a drug-induced depression of
2 consciousness during which patients respond purposefully to verbal
3 commands, either alone or accompanied by light tactile stimulation.
4 No interventions are required to maintain a patent airway, and
5 spontaneous ventilation is adequate. Cardiovascular function is
6 usually maintained;

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

13 35. "Patient" or "patient of record" means an individual who
14 has given a medical history and has been examined and accepted by a
15 dentist for dental care;

16 36. "Residencies" are programs designed for advanced clinical
17 and didactic training in general dentistry or other specialties or
18 other specialists at the post-doctoral level recognized by the
19 Commission on Dental Accreditation (CODA) or the Board;

20 37. "Supervision" means direct supervision, direct visual
21 supervision, indirect supervision or general supervision;

22 38. "Teledentistry" means the remote delivery of dental patient
23 care via telecommunications and other technology for the exchange of
24

1 clinical information and images for dental consultation, preliminary
2 treatment planning and patient monitoring; and

3 39. "Treatment facility" means:

- 4 a. a federal, tribal, state or local public health
5 facility,
- 6 b. a Federally Qualified Health Center (FQHC),
- 7 c. a private health facility,
- 8 d. a group home or residential care facility serving the
9 elderly, disabled or juveniles,
- 10 e. a hospital or dental ambulatory surgery center (DASC),
- 11 f. a nursing home,
- 12 g. a penal institution operated by or under contract with
13 the federal or state government,
- 14 h. a public or private school,
- 15 i. a patient of record's private residence,
- 16 j. a mobile dental clinic,
- 17 k. a church with a non-profit clinic,
- 18 ~~k.~~
- 19 l. a dental college, dental program, dental hygiene
20 program or dental assisting program accredited by the
21 Commission on Dental Accreditation, or
- 22 ~~l.~~
- 23 m. such other places as are authorized by the Board.

24

1 SECTION 2. AMENDATORY 59 O.S. 2021, Section 328.17, as
2 amended by Section 3, Chapter 273, O.S.L. 2025 (59 O.S. Supp. 2025,
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 Dental Practice and Anesthesia Committees which may
21 have up to eighteen 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 5. Committee members shall be on staggered three-year terms and
4 shall serve at the pleasure of the Board.

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

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

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

11 3. The Committee shall have the following functions:

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

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

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

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

22 4. Members of the Committee shall be appointed by the Board and
23 shall serve a term of three (3) years. Appointments shall be made
24 so that approximately one-third (1/3 or 33%) of the Committee is

1 reappointed at any given time. Members may be appointed for
2 consecutive terms if recommended by the Board President and approved
3 by the Board.

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

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

7 2. The Allied Dental Education Committee shall:

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

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

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

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, and

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. 2021, Section 328.19, as
2 last amended by Section 4, Chapter 273, O.S.L. 2025 (59 O.S. Supp.
3 2025, Section 328.19), is amended to read as follows:

4 Section 328.19. A. The following acts by any person shall be
5 regarded as practicing dentistry within the meaning of the State
6 Dental Act:

- 7 1. Representing oneself to the public as being a dentist or as
8 one authorized to practice dentistry;
- 9 2. Representing oneself to the public as being able to diagnose
10 or examine clinical material or contract for the treating thereof;
- 11 3. Representing oneself as treating or professing to treat by
12 professional instructions or by advertised use of professional
13 equipment or products;
- 14 4. Representing oneself to the public as treating any of the
15 diseases or disorders or lesions of the oral cavity, teeth, gums,
16 maxillary bones, and associate structures;
- 17 5. Removing human teeth;
- 18 6. Repairing or filling cavities in human teeth;
- 19 7. Correcting or attempting to correct malposed teeth;
- 20 8. Administering anesthetics, general or local;
- 21 9. Treating deformities of the jaws and adjacent structures;
- 22 10. Using x-ray and interpreting dental x-ray film;
- 23 11. Offering, undertaking or assisting, by any means or
24 methods, to remove stains, discolorations, or concretions from the

1 teeth; provided, that this paragraph shall not preclude or prohibit
2 the sale of any teeth whitening kit designed for self-administration
3 as approved by the United States Food and Drug Administration;

4 12. Operating or prescribing for any disease, pain, injury,
5 deficiency, deformity, or any physical condition connected with the
6 human mouth;

7 13. Taking impressions of the teeth and jaws;

8 14. Furnishing, supplying, constructing, reproducing, or
9 repairing, or offering to furnish, supply, construct, reproduce, or
10 repair, prosthetic dentures, sometimes known as plates, bridges, or
11 other substitutes for natural teeth for the user or prospective user
12 thereof;

13 15. Adjusting or attempting to adjust any prosthetic denture,
14 bridge, appliance, or any other structure to be worn in the human
15 mouth;

16 16. Diagnosing, making, and adjusting appliances to artificial
17 casts of malposed teeth for treatment of the malposed teeth in the
18 human mouth, without instructions;

19 17. Writing a laboratory prescription to a dental laboratory or
20 dental laboratory technician for the construction, reproduction or
21 repair of any appliance or structure to be worn in the human mouth;

22 18. Owning, maintaining, or operating an office or offices by
23 holding a financial interest in same for the practice of dentistry;
24 or

1 19. Any other procedure otherwise defined in the State Dental
2 Act requiring a valid license or permit to perform while the person
3 does not hold such valid license or permit issued by the Board.

4 B. The fact that a person uses any dental degree, or
5 designation, or any card, device, directory, poster, sign or other
6 media representing oneself to be a dentist shall be prima facie
7 evidence that the person is engaged in the practice of dentistry;
8 provided that nothing in this section shall be so construed as to
9 prevent the following:

10 1. Physicians or surgeons, who are licensed under the laws of
11 this state, from administering any kind of treatment coming within
12 the province of medicine or surgery;

13 2. The practice of dentistry in the discharge of the person's
14 official duties by dentists in the United States Army, the United
15 States Navy, the United States Air Force, the United States Marine
16 Corps, the United States Coast Guard, the United States Public
17 Health Service, or the United States Veterans Administration;

18 3. Dental schools or colleges, as now conducted and approved,
19 or as may be approved, and the practice of dentistry by students in
20 dental schools, colleges or hospitals, approved by the Board, when
21 acting under the direction and supervision of licensed dentists or
22 dentists holding properly issued permits acting as instructors;

1 4. Acts of a dental clinician or other participant at a dental
2 educational meeting or at an accredited dental college, when no fee
3 is charged to or paid by a patient;

4 5. The practice of dental hygiene, as defined herein, by a
5 person granted a license by the Board;

6 6. The performing of acts by a dental assistant who performs
7 the acts under the general direct supervision or direct visual
8 supervision of a dentist and in accordance with the provisions of
9 the State Dental Act and the rules promulgated by the Board; or

10 7. The fabrication of dental appliances pursuant to a
11 laboratory prescription of a dentist, by a dental laboratory
12 technician in a dental laboratory using inert materials and
13 mechanical devices for the fabrication of any restoration, appliance
14 or thing to be worn in the human mouth.

15 C. Any auxiliary health care provider, licensed or permitted by
16 the state that is working under the supervision of a dentist, shall
17 be limited to practicing within the scope of dentistry.

18 SECTION 4. AMENDATORY 59 O.S. 2021, Section 328.21, as
19 last amended by Section 5, Chapter 273, O.S.L. 2025 (59 O.S. Supp.
20 2025, Section 328.21), is amended to read as follows:

21 Section 328.21. A. No person shall practice dentistry, dental
22 hygiene, or dental assisting without first applying for and
23 obtaining a license from the Board of Dentistry.

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

4 1. Is of good moral character;

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

8 3. Has passed a written theoretical examination and a clinical
9 examination approved by the Board within the previous five (5)
10 years; and

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

13 C. An application from a candidate who desires to secure a
14 license from the Board to practice dentistry or dental hygiene in
15 this state shall be accompanied by satisfactory proof that the
16 applicant:

17 1. Is a graduate of ~~an~~ a United States or Canadian accredited
18 dental college, if the applicant is to practice dentistry;

19 2. Is a graduate of ~~an~~ a United States or Canadian accredited
20 dental hygiene program, if the applicant is to practice dental
21 hygiene; and

22 3. Has passed all portions of the National Board Dental
23 Examination or the National Board Dental Hygiene Examination.
24

1 D. Pursuant to Section 328.15 of this title, the Board may
2 affiliate as a member state, and accept regional exams from the
3 ~~Commission on Dental Competency Assessments (CDCA-WREB-CITA)~~
4 American Board of Dental Examiners (ADEX) if the following
5 requirements are included:

6 1. For dental licensing the following components on a live
7 patient or manikin:

- 8 a. a fixed prosthetic component of the preparation of an
9 anterior all porcelain crown and the preparation of a
10 three-unit posterior bridge,
- 11 b. a periodontal component,
- 12 c. an endodontic component,
- 13 d. an anterior class III and posterior class II
14 restorative component,
- 15 e. a diagnosis and treatment planning section as approved
16 by the Board, as specified in Section 328.15 of this
17 title, and
- 18 f. the Board may determine equivalencies based on
19 components of other exams for the purpose of
20 credentialing; or

21 2. For dental hygienists licensing the following components on
22 a live patient or manikin:

- 23 a. clinical patient treatments with an evaluation of
24 specific clinical skills, and

1 b. evaluation of the candidate's compliance with
2 professional standards during the treatment as
3 approved by the Board in Section 328.15 of this title
4 and shall include:

- 5 (1) extra/intra oral assessment,
- 6 (2) periodontal probing, and
- 7 (3) scaling/subgingival calculus removal and
8 supragingival deposit removal.

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

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

23 G. Any applicant who fails to pass the jurisprudence
24 examination may apply for a second examination, in which case the

1 applicant shall pay a reexamination fee as established by the
2 statutes or rules of the State Dental Act.

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

7 1. A dentist holding a general dentist license in good standing
8 and having practiced for at least five hundred (500) hours within
9 the previous five (5) years immediately prior to application and
10 having passed a regional examination substantially equivalent to the
11 requirements for this state may apply for licensure by credentials;

12 2. A dental hygienist holding a dental hygiene license in good
13 standing and having practiced for at least four hundred twenty (420)
14 hours within the previous five (5) years immediately prior to
15 application and having passed a regional examination substantially
16 equivalent to the requirements for this state may apply for
17 licensure by credentials. Applicants for credentialing must
18 include:

19 a. a letter of good standing from all states in which the
20 applicant has ever been licensed, and

21 b. any other requirements as set forth by the rules;

22 3. An applicant applying for a dental or dental hygiene license
23 by credentials shall only be required to pass the jurisprudence
24

1 portion of the examination requirements as set forth in paragraph 4
2 of subsection B of this section; and

3 4. The spouse of an active duty military member pursuant to a
4 current permanent change of station order from the military who was
5 actively licensed in another state for the previous two (2) years
6 shall be eligible for a license or permit pursuant to the
7 requirements listed in 50 U.S.C., Section 4025(a).

8 I. 1. There shall be seven types of advanced procedures
9 available for dental hygienists upon completion of a ~~Commission on~~
10 ~~Dental Accreditation (CODA)~~ United States or Canadian accredited
11 approved program, course, or certification program that has been
12 approved by the Board:

- 13 a. administration of nitrous oxide,
- 14 b. administration of local anesthesia,
- 15 c. neuromodulator administration,
- 16 d. therapeutic use of lasers,
- 17 e. phlebotomy,
- 18 f. venipuncture, and
- 19 g. elder care and public health pursuant to Section
20 328.58 of this title.

21 2. A dental hygienist holding an advanced procedure permit or
22 credential in any other state for two (2) years shall be eligible
23 for the advanced procedure permit by credentials; provided, that
24 application for the advanced procedure permit by credentials for

1 administration of local anesthesia shall additionally require proof
2 of passage of such advanced procedure in a ~~CDCA WREB CITA~~ an
3 American Board of Dental Examiners (ADEX) exam.

4 3. For all advanced procedures other than administration of
5 local anesthesia, a dental hygienist may apply by filling out an
6 application with required documentation of education, training as
7 required by state law and rules of the Board or verification of
8 active practice for the previous two (2) years of the advanced
9 procedure in a dental office. A dental hygienist licensed by the
10 Board prior to January 30, 2024, shall be eligible for the advanced
11 procedure of therapeutic use of lasers upon submission of an
12 affidavit attesting to two (2) years of practice using lasers.

13 4. All advanced procedures shall be added to the dental hygiene
14 license upon ~~approval~~ verification of documentation as listed in
15 paragraphs 2 and 3 of this subsection.

16 J. All licensees and permit holders shall display the current
17 permit or license in a visible place within the dental office or
18 treatment facility.

19 K. The Board shall have the authority to temporarily change
20 requirements of an examination due to availability or changes in the
21 examination format, not to exceed one (1) year.

22 L. During a year in which governmental officials have declared
23 a health pandemic, a state or federal disaster, or other natural or
24 man-made disaster, the Board shall have the authority through a

1 resolution to change or make allowances in requirements of all
2 candidates for licensure and issue temporary licenses for extended
3 periods of time or as needed until the event passes. The resolution
4 shall have a beginning and an end date and shall automatically
5 expire no less than thirty (30) days after the end of the disaster
6 is declared by governmental officials.

7 M. Every licensee or permit holder shall have an official
8 address and email address listed with the Board. Every licensee or
9 permit holder shall update the address within thirty (30) calendar
10 days of moving. Official notification of any action of the Board
11 adverse to a licensee or permit holder including but not limited to
12 notification of license or permit cancellation due to nonrenewal,
13 notice of a formal complaint, or a decision of the hearing panel or
14 board, shall be served to the licensee or permit holder by
15 registered mail at the official address, in person, to the
16 licensee's or permit holder's attorney, by agreement of the
17 individual, by a process server, or by an investigator of the Board
18 pursuant to Section 2004 of Title 12 of the Oklahoma Statutes.

19 SECTION 5. AMENDATORY 59 O.S. 2021, Section 328.22, as
20 amended by Section 3, Chapter 220, O.S.L. 2023 (59 O.S. Supp. 2025,
21 Section 328.22), is amended to read as follows:

22 Section 328.22. A. 1. The Board of Dentistry may issue a
23 dental specialty license authorizing a dentist to represent himself
24

1 or herself to the public as a specialist, and to practice as a
2 specialist, in a dental specialty.

3 2. No dentist shall represent himself or herself to the public
4 as a specialist or practice as a specialist as listed in this
5 paragraph, unless the individual:

6 a. has successfully completed an advanced dental
7 specialty educational program accredited by the
8 Commission on Dental Accreditation, or has met the
9 board certification requirements and is recognized as
10 a current board certified member of a dental specialty
11 organization or association recognized by the National
12 Commission on Recognition of Dental Specialties and
13 Certifying Boards,

14 b. has passed the jurisprudence examination covering the
15 State Dental Act, rules and state laws, ~~and~~

16 c. has passed a regional exam as defined in Section
17 328.21(D), or is board certified in their specialty as
18 described in subsection A of this section, and

19 ~~e.~~

20 d. has completed any additional requirements set forth in
21 state law or rules and has been issued a dental
22 specialty license by the Board.

23 3. Specialty licenses recognized by the Board shall include:

24 a. dental public health,

- b. endodontics,
- c. oral and maxillofacial surgery,
- d. oral and maxillofacial radiology,
- e. orthodontics and dentofacial orthopedics,
- f. pediatric dentistry,
- g. periodontics,
- h. prosthodontics,
- i. oral and maxillofacial pathology,
- j. dental anesthesiology,
- k. oral medicine, and
- l. orofacial pain.

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

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

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

1 D. The Board may use the American Dental Association National
2 Commission on Recognition of Dental Specialties and Certifying
3 Boards guidelines or the guidelines of another nationally recognized
4 dental association or board for the purpose of defining a specialty
5 practice area not otherwise defined herein.

6 SECTION 6. AMENDATORY 59 O.S. 2021, Section 328.23, is
7 amended to read as follows:

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

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

20 C. An active duty military spouse residing with the active duty
21 member having met the requirements for licensure shall be eligible
22 for a temporary license.

23 D. Any applicant requesting an emergency temporary license
24 shall submit a letter explaining the exigent circumstances along

1 with all application materials. The determination of whether or not
2 to grant the emergency temporary license based upon the exigent
3 circumstances shall be at the sole discretion of the President or
4 acting President of the Board.

5 E. A holder of a temporary license to practice dentistry or
6 dental hygiene shall have the same rights and privileges and be
7 governed by the State Dental Act and the rules of the Board in the
8 same manner as a holder of a permanent license to practice dentistry
9 and dental hygiene.

10 F. The President of the Board may authorize patient treatment
11 and care by individuals taking the ~~Commission on Dental Competency~~
12 ~~Assessments (CDCA) or the Western Regional Examining Board exam~~
13 American Board of Dental Examiners (ADEX), or other regional exams
14 as approved by the Board, in order for such individuals to complete
15 criteria related to Board examinations. The Board may authorize
16 specialty examinations to be given throughout the year as needed.

17 SECTION 7. AMENDATORY 59 O.S. 2021, Section 328.23a, as
18 last amended by Section 4, Chapter 46, O.S.L. 2024 (59 O.S. Supp.
19 2025, Section 328.23a), is amended to read as follows:

20 Section 328.23a. A. There is established a special volunteer
21 license for dentists and a special volunteer license for dental
22 hygienists who are retired from active practice or out-of-state
23 licensees in active practice who are in the Oklahoma Medical Reserve
24 Corps or assisting with emergency management, emergency operations

1 or hazard mitigation in response to any emergency, man-made disaster
2 or natural disaster, or participating in public health initiatives,
3 disaster drills and community service events that are endorsed by a
4 city or county health department or the State Department of Health
5 and wish to donate their expertise for the dental care and treatment
6 of indigent and needy persons of the state. A special volunteer
7 license may also be issued for any live patient training approved by
8 the Board of Dentistry. The special volunteer license shall be:

- 9 1. Issued by the Board of Dentistry to eligible persons;
- 10 2. Issued without the payment of an application fee, license
11 fee or renewal fee;
- 12 3. Issued or renewed without any continuing education
13 requirements for a period less than one (1) calendar year; and
- 14 4. Issued for one (1) calendar year or part thereof.

15 B. A special volunteer license may be issued for a dentist or
16 dental hygienist who is on active duty military service. This
17 license shall not be subject to paragraph 4 of subsection A of this
18 section and may be issued for the time period of the tour of duty.

19 C. A dentist or dental hygienist must meet the following
20 requirements to be eligible for a special volunteer license:

- 21 1. Completion of a special volunteer dental or dental hygiene
22 license application including documentation of the dental or dental
23 hygiene school graduation and practice history;

24

1 2. Documentation that the dentist or dental hygienist has been
2 previously issued a full and unrestricted license to practice
3 dentistry or dental hygiene in this state or in another state of the
4 United States and that he or she has never been the subject of any
5 reportable medical or dental disciplinary action in any
6 jurisdiction. If the dentist or dental hygienist is licensed in
7 more than one state and any license of the licensee is suspended,
8 revoked, or subject to any agency order limiting or restricting
9 practice privileges, or has been voluntarily terminated under threat
10 of sanction, the dentist or dental hygienist shall be ineligible to
11 receive a special volunteer license;

12 3. Acknowledgement and documentation that the dentist's or
13 dental hygienist's practice under the special volunteer license will
14 be exclusively and totally devoted to providing dental care to needy
15 and indigent persons in this state;

16 4. Acknowledgement and documentation that the dentist or dental
17 hygienist will not receive or have the expectation to receive any
18 payment or compensation, either direct or indirect, for any dental
19 services rendered under the special volunteer license; and

20 5. A listing of all locations and dates that the person will be
21 completing volunteer work under the special volunteer license.

22 D. The Board of Dentistry shall have jurisdiction over
23 dentists, dental hygienists, dental assistants and dental
24 technicians who volunteer their professional services in the state.

1 Dental assistants and dental technicians shall work under the direct
2 supervision of a dentist. A dental assistant may work under general
3 supervision of a dentist to assist a hygienist with a procedure that
4 the hygienist is allowed to perform under general supervision as
5 listed in Section 328.34 of this title.

6 E. Dental assistants may be issued a volunteer permit at the
7 request of an entity that provides dental services to the needy.
8 Volunteers in a volunteer initiative who are not dentists or dental
9 hygienists shall be named and provided on a list to the Board by the
10 entity hosting the volunteer initiative with any other requirements
11 as set forth by the Board. The Board shall provide written
12 documentation to the host entity designating all persons who may
13 participate in the volunteer initiative including authorization of
14 the timetable requested by the host entity for granting licensure
15 exemption. Any person working under a volunteer dental assistant
16 permit shall not receive payment or compensation for any services
17 rendered under the volunteer dental assistant permit. Volunteer
18 dental assistant permits shall be limited to specific dates and
19 locations of services to be provided.

20 F. All persons providing care shall do so under the provisions
21 specified in Section 328.1 et seq. of this title or rules
22 promulgated by the Board. Only those functions authorized by law or
23 administrative rule shall be performed by the named person approved
24 by the Board.

1 G. Volunteers shall not use sedation or general anesthesia
2 during volunteer procedures.

3 H. Volunteers shall use a form to be provided by the Board for
4 any patient with clear instructions for any and all follow-up care.

5 I. At any time, the Board shall revoke a volunteer license
6 based on documentation of failure to participate according to state
7 laws or administrative rules.

8 J. A special volunteer license shall be restricted to services
9 provided at the locations listed on the application or for a
10 specific not-for-profit treatment provider group as approved by the
11 Board.

12 K. A special volunteer license may be issued to a dentist with
13 an active license in good standing in another state for the purpose
14 of participating in a continuing education class that includes live
15 patient treatment as a part of the training program.

16 SECTION 8. AMENDATORY 59 O.S. 2021, Section 328.24, as
17 last amended by Section 6, Chapter 273, O.S.L. 2025 (59 O.S. Supp.
18 2025, Section 328.24), is amended to read as follows:

19 Section 328.24. A. No person shall practice as a dental
20 assistant without first applying for and obtaining a permit from the
21 Board of Dentistry.

22 B. The application shall be made to the Board in writing and
23 shall be accompanied by the fee established by the Board, together
24

1 with satisfactory proof that the applicant passes a background check
2 with criteria established by the Board.

3 C. Every dental assistant receiving a permit shall complete a
4 class on infection control as approved by the Board within one (1)
5 year from the date of receipt of the permit. Failure to complete
6 the class shall be grounds for discipline pursuant to Section
7 328.29a of this title.

8 D. There shall be eight types of expanded duty permits
9 available for dental assistants upon completion of a program
10 approved by the Commission on Dental Accreditation (CODA) or a
11 course that has been approved by the Board:

- 12 1. Radiation safety;
- 13 2. Coronal polishing and topical fluoride;
- 14 3. Sealants;
- 15 4. Assisting in the administration of nitrous oxide;
- 16 5. Phlebotomy;
- 17 6. Venipuncture;
- 18 7. Elder care and public health; or
- 19 8. Oral maxillofacial surgery. An oral maxillofacial surgery
20 expanded duty permit shall be available to a dental assistant who
21 has met the requirements as listed in Section 328.25 of this title
22 and assists a dentist, pediatric dentist, or oral maxillofacial
23 surgeon who holds a parenteral or general anesthesia permit;
24 provided, only the dentist, pediatric dentist, or oral maxillofacial

1 surgeon, or an anesthesiologist or a Certified Registered Nurse
2 Anesthetist, may administer anesthesia and assess the patient's
3 level of sedation and only the dentist, pediatric dentist, or oral
4 maxillofacial surgeon may perform surgery.

5 All expanded duties shall be added to the dental assistant
6 permit upon approval by the Board.

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

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

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

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

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

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

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

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

11 2. Verification from the commanding officer of the medical
12 program or the appropriate supervisor stating that the dental
13 assistant provided the expanded functions on patients in the
14 military dental facility for a minimum of one (1) year within the
15 past five (5) years.

16 L. Dental assistants are required to work under the direct
17 supervision of a dentist for all procedures with the following
18 exceptions:

19 a. a dental assistant may complete Radiation Safety under
20 the general supervision of a dentist;

21 b. a dental assistant may work under general supervision
22 or a dentist to assist a hygienist with a procedure
23 that the hygienist is allowed to perform under general
24 supervision.

1 SECTION 9. AMENDATORY 59 O.S. 2021, Section 328.29a, as
2 last amended by Section 11, Chapter 273, O.S.L. 2025 (59 O.S. Supp.
3 2025, Section 328.29a), is amended to read as follows:

4 Section 328.29a. A. The following acts or occurrences by a
5 dental assistant shall constitute grounds for which the penalties
6 specified in Section 328.44a of this title may be imposed by the
7 Board of Dentistry or be the basis for denying a new applicant any
8 license or permit issued by the Board:

- 9 1. Any of the causes now existing in the laws of this state;
- 10 2. A violation of the provisions of the State Dental Act; or
- 11 3. A violation of the rules of the Board promulgated pursuant
12 to the State Dental Act.

13 B. The Board shall also have the power to act upon a petition
14 by a dental assistant for reinstatement to good standing. The Board
15 shall keep a record of the evidence and proceedings in all matters
16 involving the revocation or suspension of a permit, censure or
17 probation of a dental assistant. The Board shall make findings of
18 fact and a decision thereon. Notification of the licensee or permit
19 holder shall occur pursuant to Section 328.21 of this title.

20 C. The decision shall be final unless the dental assistant
21 appeals the decision as provided by the State Dental Act.

22 D. The Board shall have power to revoke or suspend the permit,
23 censure, or place on probation a dental assistant for a violation of
24 one or more of the following:

1 1. Pleading guilty or nolo contendere to, or being convicted
2 of, a felony crime that substantially relates to the occupation of a
3 dental assistant and poses a reasonable threat to public safety, or
4 a violation of federal or state controlled dangerous substances
5 laws;

6 2. Presenting to the Board a false application or documentation
7 for a permit;

8 3. Being, by reason of persistent inebriety or addiction to
9 drugs, incompetent to continue to function as a dental assistant;

10 4. Functioning outside the general direct or direct visual
11 supervision of a dentist for a procedure required by this act;

12 5. Performing any function prohibited by Chapter 15 of the
13 Oklahoma Administrative Code or any violation that would be a
14 violation for a dentist or hygienist under Section 328.32 or 328.33
15 of this title, or any other duty not assignable to a dental
16 assistant; or

17 6. Failure to secure an annual registration as specified in
18 Section 328.41 of this title.

19 E. The Board's review panel, as set forth in Section 328.43a of
20 this title, upon concurrence with the president of the Board, may
21 determine that an emergency exists to temporarily suspend the permit
22 of a dental assistant if the panel finds that public health, safety
23 or welfare imperatively requires emergency action. The panel may
24

1 conduct a hearing pursuant to Section 314 of Title 75 of the
2 Oklahoma Statutes for the temporary suspension.

3 F. As used in this section:

4 1. "Substantially relates" means the nature of criminal conduct
5 for which the person was convicted has a direct bearing on the
6 fitness or ability to perform one or more of the duties or
7 responsibilities necessarily related to the occupation; and

8 2. "Poses a reasonable threat" means the nature of criminal
9 conduct for which the person was convicted involved an act or threat
10 of harm against another and has a bearing on the fitness or ability
11 to serve the public or work with others in the occupation.

12 SECTION 10. AMENDATORY 59 O.S. 2021, Section 328.31, is
13 amended to read as follows:

14 Section 328.31. A. Professional entities formed pursuant to
15 the Professional Entity Act, for the purpose of rendering
16 professional services by a dentist, shall be subject to all of the
17 provisions of the State Dental Act, except that professional
18 entities shall not be required to obtain a license from the Board of
19 Dentistry. Individuals who hold a license issued by the Board shall
20 be responsible, pursuant to the State Dental Act, for their personal
21 conduct without regard to the fact that they are acting as an owner,
22 manager, agent or employee of, or the holder of an interest in, a
23 professional entity.

24

1 B. Professional entities formed for the purpose of rendering
2 professional services by a dentist must register with the Board
3 before rendering such services and must update the registration
4 during the renewal period of each year. The Board shall:

5 1. Provide the form and establish the fee for the registration
6 and update; and

7 2. Maintain a registry of all such professional entities; ~~and~~

8 ~~3. Publish annually a summary of the registry.~~

9 C. The Board is authorized to issue certificates pursuant to
10 Section 804 of Title 18 of the Oklahoma Statutes and shall maintain
11 a record of each certificate issued.

12 D. Enforcement actions by the Board for violation of the State
13 Dental Act or the rules of the Board may be brought against a
14 professional entity as well as against any individual who is or has
15 acted as an owner, manager, agent or employee of, or the holder of
16 an interest in, the professional entity.

17 SECTION 11. AMENDATORY 59 O.S. 2021, Section 328.31b, as
18 last amended by Section 13, Chapter 273, O.S.L. 2025 (59 O.S. Supp.
19 2025, Section 328.31b), is amended to read as follows:

20 Section 328.31b. A. Every dental office or treatment facility,
21 whether individual, group or multi-doctor practice operating under a
22 name, trade name or other professional entity shall maintain written
23 records on each patient treated at the facility and shall make these
24 records available to the Board of Dentistry and other regulatory

1 entities or be subject to the penalties as set forth in Section
2 328.44a of this title.

3 B. Each licensed dentist shall maintain written records on each
4 patient that shall contain, at a minimum, the following information
5 about the patient:

6 1. A current health history listing known illnesses, other
7 treating physicians and current medications prescribed;

8 2. Results of a clinical examination, including a physical
9 intraoral examination and head and neck examination, tests
10 conducted, and any lab results including the identification, or lack
11 thereof, of any oral pathology or diseases;

12 3. Treatment plan proposed by the dentist; and

13 4. Treatment rendered to the patient. The patient record shall
14 clearly identify the dentist and the dental hygienist or dental
15 assistant providing the treatment with the dentist, specialty or
16 dental hygienist license number. The patient record shall include
17 documentation of any medications prescribed, administered or
18 dispensed to the patient.

19 C. Prior to a dentist prescribing, diagnosing, or overseeing
20 patient treatment for any dental appliance, the patient shall be a
21 patient of record and the dentist shall conduct an in-person patient
22 examination.

23 D. 1. The name of the dentist or dentists actually providing
24 the dental services to the patient shall appear on all insurance

1 claim forms, ~~billing invoices, or statements sent to the patient and~~
2 ~~on all receipts if any are given to the patient.~~

3 2. Treatment records shall be maintained for each patient that
4 clearly identify the dentist or dentists, hygienists or dental
5 assistants who performed all dental services for the patient.

6 E. Whenever patient records are released or transferred, the
7 dentist releasing or transferring the records shall maintain either
8 the original records or copies thereof and a notation shall be made
9 in the retained records indicating to whom the records were released
10 or transferred.

11 F. All claims being submitted for insurance must be signed,
12 stamped or have an electronic signature by the treating dentist.

13 G. Patient records may be kept in an electronic data format,
14 provided that the dentist maintains a backup copy of information
15 stored in the data processing system using disk, tape or other
16 electronic back-up system and that backup is updated on a regular
17 basis, at least weekly, to assure that data is not lost due to
18 system failure. Any electronic data system shall be capable of
19 producing a hard copy on demand.

20 H. All patient records shall be maintained for seven (7) years
21 from the date of treatment.

22 I. Each licensed dentist shall retain a copy of each entry in
23 his or her patient appointment book, calendar, or such other log,
24 calendar, book, file or computer data used in lieu of an appointment

1 book for a period no less than seven (7) years from the date of each
2 entry thereon.

3 J. A licensee closing an office shall notify the Board in
4 writing and include the location of where the patient records will
5 be maintained.

6 SECTION 12. AMENDATORY 59 O.S. 2021, Section 328.34, as
7 amended by Section 6, Chapter 220, O.S.L. 2023 (59 O.S. Supp. 2025,
8 Section 328.34), is amended to read as follows:

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

17 B. 1. A dentist may delegate to a dental hygienist the
18 following procedures:

- 19 a. the duties and expanded duties authorized for dental
20 assistants by the State Dental Act or the rules of the
21 Board of Dentistry,
22 b. health history assessment pertaining to dental
23 hygiene,

24

- 1 c. dental hygiene examination and the charting of intra-
2 oral and extra-oral conditions, which include
3 periodontal charting, dental charting and classifying
4 occlusion,
- 5 d. dental hygiene assessment and treatment planning for
6 procedures authorized by the supervisory dentist,
- 7 e. prophylaxis, which means the removal of any and all
8 calcareous deposits, stains, accretions, or
9 concretions from the supragingival and subgingival
10 surfaces of human teeth, utilizing instrumentation by
11 scaler or periodontal curette on the crown and root
12 surfaces of human teeth, including rotary or power-
13 driven instruments. This paragraph shall not be
14 construed to prohibit the use of a prophy/polishing
15 cup or brush on the crowns of human teeth by a dental
16 assistant who holds a current expanded duty permit for
17 coronal polishing and topical fluoride issued by the
18 Board,
- 19 f. periodontal scaling and root planing,
- 20 g. dental hygiene nutritional and dietary evaluation,
- 21 h. placement of subgingival prescription drugs for
22 prevention and treatment of periodontal disease,
- 23 i. soft tissue curettage,
- 24 j. placement of temporary fillings,

- k. removal of overhanging margins,
- l. dental implant maintenance,
- m. removal of periodontal packs,
- n. polishing of amalgam restorations, and
- o. other procedures authorized by the Board.

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

3. Except as provided in subsections C and D of this section, the procedures specified in paragraph 1 of this subsection may be performed by a dental hygienist only on a patient of record and only under the supervision of a dentist. The advanced procedures of administration of nitrous oxide, therapeutic use of lasers and administration of local anesthesia, may be performed under general supervision and neuromodulator administration, ~~therapeutic use of lasers,~~ and phlebotomy and venipuncture shall be performed only under the direct or indirect supervision of a dentist. The level of supervision, whether direct, indirect, or general, for the advanced procedure of elder care and public health pursuant to Section 7 of this act shall be at the discretion of the supervisory dentist. Authorization for general supervision shall be limited to a maximum of thirteen (13) months following an examination by the supervisory dentist of a patient of record.

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, or pursuant to
10 Section 7 of this act.

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

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

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

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

1 E. The Board is authorized to prescribe, by rule, the
2 educational requirements for advanced procedures that may be
3 performed by a dental hygienist upon receipt of the advanced
4 procedures designated on his or her license. The advanced
5 procedures shall include the administration of local anesthesia, the
6 administration of nitrous oxide analgesia, neuromodulator
7 administration, therapeutic use of lasers, phlebotomy and
8 venipuncture, and elder care and public health pursuant to Section 7
9 of this act.

10 F. A dental hygienist shall not own or operate an independent
11 practice of dental hygiene.

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

15 H. Nothing in the State Dental Act shall be construed to allow
16 a dental assistant to work under the supervision of a dental
17 hygienist while acting under direct, indirect or general
18 supervision, except as provided by Section 7 328.24(I) and Section
19 328.57 of this ~~act~~ title.

20 SECTION 13. 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 "patient of record" may be established by teledentistry
5 for the purposes of an emergency or hygiene treatment if the patient
6 is physically located at the dental office or treatment facility and
7 the dentist is not readily available.

8 B. A dentist holding a valid dental license in Oklahoma may
9 consult, diagnose and treat a patient of record via synchronous or
10 asynchronous telecommunication between the patient and dentist. The
11 dentist must record all activities relating to teledentistry in the
12 patient record and must have an office location in Oklahoma
13 available for follow-up treatment and maintenance of records.

14 SECTION 14. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 328.21(a) of Title 59, unless
16 there is created a duplication in numbering, reads as follows:

17 A. A dentist, having received a dental degree or certificate in
18 a foreign country that is a non-United states or Canadian accredited
19 program, may apply for a dental hygiene license upon meeting the
20 following requirements:

21 1. The applicant must provide proof of a valid dental education
22 and degree, certificate or other proof of acceptable by the Board
23 and proof of lawful practice of dentistry for the past two years in
24

1 a foreign country. All documents shall be translated to English and
2 verifiable by the Board;

3 2. Successful passage of the ADEX dental hygiene licensure
4 exam;

5 3. Successful passage of the Test of English as a Foreign
6 Language (TOEFL). The Applicant can provide proof of passing the
7 TOEFL exam within the past five (5) years;

8 4. Successful completion of an evaluation program to practice
9 dental hygiene conducted by the University of Oklahoma College of
10 Dentistry;

11 5. Successful completion of the Oklahoma Jurisprudence exam.

12 SECTION 15. This act shall become effective November 1, 2026.

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