

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

COMMITTEE SUBSTITUTE

FOR ENGROSSED

SENATE BILL NO. 669

By: Gillespie of the Senate

and

Roe of the House

COMMITTEE SUBSTITUTE

An Act relating to the practice of dentistry; amending 59 O.S. 2021, Section 328.2, which relates to declarations; conforming language; updating statutory language; amending 59 O.S. 2021, Section 328.3, as last amended by Section 1, Chapter 46, O.S.L. 2024 (59 O.S. Supp. 2024, Section 328.3), which relates to definitions; defining term; conforming language; amending 59 O.S. 2021, Section 328.17, which relates to standing committees; adding certain authorized programs; amending 59 O.S. 2021, Section 328.19, as amended by Section 2, Chapter 158, O.S.L. 2022 (59 O.S. Supp. 2024, Section 328.19), which relates to acts constituting practice of dentistry; conforming language; amending 59 O.S. 2021, Section 328.21, as last amended by Section 3, Chapter 46, O.S.L. 2024 (59 O.S. Supp. 2024, Section 328.21), which relates to application for license; updating statutory language; expanding eligibility for license by credentials; amending 59 O.S. 2021, Section 328.24, as last amended by Section 5, Chapter 46, O.S.L. 2024 (59 O.S. Supp. 2024, Section 328.24), which relates to dental assistant permits; modifying qualifications for dental assistant permit; eliminating oral maxillofacial permit; creating oral maxillofacial expanded duty permit for dental assistants; describing permit; modifying certain expanded duty qualifications; clarifying certain restrictions on practice; amending 59 O.S. 2021, Section 328.25, which relates to oral maxillofacial

1 surgery expanded duty permit; modifying and removing
2 requirements for permitting and supervision;
3 conforming language; amending 59 O.S. 2021, Section
4 328.26, which relates to interns; adding dental
5 hygiene students to certain provisions; authorizing
6 dental student interns to perform certain services;
7 amending 59 O.S. 2021, Section 328.27, which relates
8 to faculty licenses; providing for research faculty
9 permit; amending 59 O.S. 2021, Section 328.28a, which
10 relates to applicant criminal background check;
11 modifying grounds for license denial; amending 59
12 O.S. 2021, Section 328.29a, as amended by Section 5,
13 Chapter 158, O.S.L. 2022 (59 O.S. Supp. 2024, Section
14 328.29a), which relates to penalties for dental
15 assistants; conforming language; amending 59 O.S.
16 2021, Section 328.31a, which relates to use of trade
17 names; removing certain conditions for use of trade
18 names; amending 59 O.S. 2021, Section 328.31b, as
19 amended by Section 6, Chapter 46, O.S.L. 2024 (59
20 O.S. Supp. 2024, Section 328.31b), which relates to
21 patient recordkeeping requirements; requiring certain
22 in-person examination; adding certain requirements;
23 requiring certain notice of closure; amending 59 O.S.
24 2021, Section 328.32, as last amended by Section 7,
Chapter 46, O.S.L. 2024 (59 O.S. Supp. 2024, Section
328.32), which relates to penalties for dentists;
conforming language; amending 59 O.S. 2021, Section
328.41, as last amended by Section 8, Chapter 46,
O.S.L. 2024 (59 O.S. Supp. 2024, Section 328.41),
which relates to license renewals; modifying
exemptions from continuing education requirements;
modifying requirements for license reinstatement;
conforming language; amending 59 O.S. 2021, Section
328.44a, as amended by Section 10, Chapter 46, O.S.L.
2024 (59 O.S. Supp. 2024, Section 328.44a), which
relates to penalties; conforming language; amending
59 O.S. 2021, Section 328.51a, which relates to fees;
conforming language; amending 59 O.S. 2021, Section
328.55, which relates to death of patient; limiting
effect of certain requirement; and providing an
effective date.

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

1 SECTION 1. AMENDATORY 59 O.S. 2021, Section 328.2, is
2 amended to read as follows:

3 Section 328.2. The practice of dentistry in the State of
4 Oklahoma is hereby declared to affect the public health, safety and
5 general welfare and to be subject to regulation and control in the
6 public's best interest. It is further declared to be a matter of
7 public interest and concern that the dental profession, through
8 advancement and achievement, merits and receives the confidence of
9 the public and that only properly qualified dentists be permitted to
10 practice dentistry and supervise dental hygienists, and dental
11 assistants ~~and oral maxillofacial surgery assistants in the State of~~
12 ~~Oklahoma~~ this state. All provisions of this act relating to the
13 practice of dentistry, the practice of dental hygiene, and the
14 procedures performed by dental assistants ~~and oral maxillofacial~~
15 ~~surgery assistants~~, and the fabrication of dental appliances in
16 dental laboratories by dental laboratory technicians shall be
17 liberally construed to carry out these objects and purposes.

18 SECTION 2. AMENDATORY 59 O.S. 2021, Section 328.3, as
19 last amended by Section 1, Chapter 46, O.S.L. 2024 (59 O.S. Supp.
20 2024, Section 328.3), is amended to read as follows:

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

24

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

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;

7 3. "Accredited dental assisting program or class" means a
8 dental assisting program which is accredited by the Commission on
9 Dental Accreditation of the American Dental Association or a class
10 approved by the Board of Dentistry;

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

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

15 6. "Certified dental assistant" means a dental assistant who
16 has earned and maintains current certified dental assistant
17 certification from the Dental Assisting National Board (DANB);

18 7. "Coronal polishing" means a procedure limited to the removal
19 of plaque and stain from exposed tooth surfaces, utilizing a slow
20 speed hand piece with a prophylaxis/polishing cup or brush and polishing
21 agent and is not prophylaxis. To be considered prophylaxis,
22 examination for calculus and scaling must be done by a dental
23 hygienist or dentist;

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

7 Cardiovascular function is usually maintained;

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

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

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

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

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

1 ~~13.~~ 14. "Dental hygiene" means the science and practice of the
2 promotion of oral health and prevention and treatment of oral
3 disease through the provision of educational, therapeutic, clinical,
4 and preventive services;

5 ~~14.~~ 15. "Dental hygienist" means an individual who has
6 fulfilled the educational requirements and is a graduate of an
7 accredited dental hygiene program and who has passed an examination
8 and has been issued a license by the Board and who is authorized to
9 practice dental hygiene as defined in this section;

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

21 ~~16.~~ 17. "Dental laboratory" means a location, whether in a
22 dental office or not, where a dentist or a dental laboratory
23 technician performs dental laboratory technology;

1 ~~17.~~ 18. "Dental laboratory technician" means an individual
2 whose 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 ~~18.~~ 19. "Dental laboratory technology" means using materials
8 and mechanical devices for the construction, reproduction or repair
9 of dental restorations, appliances or other devices to be worn in a
10 human mouth;

11 ~~19.~~ 20. "Dental specialty" means a specialized practice of a
12 branch of dentistry, recognized by the Board, where the dental
13 college and specialty program are accredited by the Commission on
14 Dental Accreditation (CODA), or a dental specialty recognized by the
15 Board, 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 ~~20.~~ 21. "Direct supervision" means the supervisory dentist is
19 in the dental office or treatment facility and, during the
20 appointment, personally examines the patient, diagnoses any
21 conditions to be treated, and authorizes the procedures to be
22 performed by a dental hygienist, or dental assistant, ~~or oral~~
23 ~~maxillofacial surgery assistant.~~ The supervising dentist is
24 continuously on-site and physically present in the dental office or

1 treatment facility while the procedures are being performed and,
2 before dismissal of the patient, evaluates the results of the dental
3 treatment;

4 ~~21.~~ 22. "Direct visual supervision" means the supervisory
5 dentist has direct ongoing visual oversight which shall be
6 maintained at all times during any procedure authorized to be
7 performed by a dental assistant ~~or an oral maxillofacial surgery~~
8 assistant;

9 ~~22.~~ 23. "Expanded duty" means a dental procedure for which a
10 dental assistant has received special training in a course of study
11 approved by the Board;

12 ~~23.~~ 24. "Fellowship" means a program designed for post-
13 residency graduates to gain knowledge and experience in a
14 specialized field;

15 ~~24.~~ 25. "General anesthesia" means a drug-induced loss of
16 consciousness during which patients are not arousable, even by
17 painful stimulation. The ability to independently maintain
18 ventilator function is often impaired. Patients often require
19 assistance in maintaining a patent airway, and positive pressure
20 ventilation may be required because of depressed spontaneous
21 ventilation or drug-induced depression of neuromuscular function.
22 Cardiovascular function may be impaired;

23 ~~25.~~ 26. "General supervision" means the supervisory dentist has
24 diagnosed any conditions to be treated within the past thirteen (13)

1 months, has personally authorized the procedures to be performed by
2 a dental hygienist, and will evaluate the results of the dental
3 treatment within a reasonable time as determined by the nature of
4 the procedures performed, the needs of the patient, and the
5 professional judgment of the supervisory dentist. General
6 supervision may only be used to supervise a dental hygienist and may
7 not be used to supervise ~~an oral maxillofacial surgery assistant or~~
8 a dental assistant except as provided by Section 328.58 of this
9 title;

10 ~~26.~~ 27. "Indirect supervision" means the supervisory dentist is
11 in the dental office or treatment facility and has personally
12 diagnosed any conditions to be treated, authorizes the procedures to
13 be performed by a dental hygienist, remains in the dental office or
14 treatment facility while the procedures are being performed, and
15 will evaluate the results of the dental treatment within a
16 reasonable time as determined by the nature of the procedures
17 performed, the needs of the patient, and the professional judgment
18 of the supervisory dentist. Indirect supervision may not be used
19 for ~~an oral maxillofacial surgery assistant or~~ a dental assistant;

20 ~~27.~~ 28. "Investigations" means an investigation proceeding,
21 authorized under Sections 328.15A and 328.43a of this title, to
22 investigate alleged violations of the State Dental Act or the rules
23 of the Board;

1 ~~28.~~ 29. "Laboratory prescription" means a written description,
2 dated and signed by a dentist, of dental laboratory technology to be
3 performed by a dental laboratory technician;

4 ~~29.~~ 30. "Minimal sedation" means a minimally depressed level of
5 consciousness, produced by a pharmacological method, that retains
6 the patient's ability to independently and continuously maintain an
7 airway and respond normally to tactile stimulation and verbal
8 command. Although cognitive function and coordination may be
9 modestly impaired, ventilator and cardiovascular functions are
10 unaffected;

11 ~~30.~~ 31. "Mobile dental anesthesia provider" means a licensed
12 and anesthesia-permitted dentist, physician or Certified Registered
13 Nurse Anesthetist (CRNA) that has a mobile dental unit and provides
14 anesthesia in dental offices and facilities in the state;

15 ~~31.~~ 32. "Mobile dental clinic" means a permitted motor vehicle
16 or trailer utilized as a dental clinic, and/or that contains dental
17 equipment and is used to provide dental services to patients on-site
18 and shall not include a mobile dental anesthesia provider. A mobile
19 dental clinic shall also mean and include a volunteer mobile dental
20 facility that is directly affiliated with a church or religious
21 organization as defined by Section 501(c)(3) or 501(d) of the United
22 States Internal Revenue Code, the church or religious organization
23 with which it is affiliated is clearly indicated on the exterior of
24 the volunteer mobile dental facility, and such facility does not

1 receive any form of payment either directly or indirectly for work
2 provided to patients other than donations through the affiliated
3 church or religious organization; provided, that the volunteer
4 mobile dental facility shall be exempt from any registration fee
5 required under the State Dental Act;

6 ~~32.~~ 33. "Moderate sedation" means a drug-induced depression of
7 consciousness during which patients respond purposefully to verbal
8 commands, either alone or accompanied by light tactile stimulation.
9 No interventions are required to maintain a patent airway, and
10 spontaneous ventilation is adequate. Cardiovascular function is
11 usually maintained;

12 ~~33.~~ 34. "Prophylaxis" means the removal of any and all
13 calcareous deposits, stains, accretions or concretions from the
14 supragingival and subgingival surfaces of human teeth, utilizing
15 instrumentation by scaler or periodontal curette on the crown and
16 root surfaces of human teeth including rotary or power-driven
17 instruments. This procedure may only be performed by a dentist or
18 dental hygienist;

19 ~~34.~~ 35. "Patient" or "patient of record" means an individual
20 who has given a medical history and has been examined and accepted
21 by a dentist for dental care;

22 ~~35.~~ 36. "Residencies" are programs designed for advanced
23 clinical and didactic training in general dentistry or other
24 specialties or other specialists at the post-doctoral level

1 recognized by the Commission on Dental Accreditation (CODA) or the
2 Board;

3 ~~36.~~ 37. "Supervision" means direct supervision, direct visual
4 supervision, indirect supervision or general supervision;

5 ~~37.~~ 38. "Teledentistry" means the remote delivery of dental
6 patient care via telecommunications and other technology for the
7 exchange of clinical information and images for dental consultation,
8 preliminary treatment planning and patient monitoring; and

9 ~~38.~~ 39. "Treatment facility" means:

- 10 a. a federal, tribal, state or local public health
11 facility,
 - 12 b. a Federally Qualified Health Center (FQHC),
 - 13 c. a private health facility,
 - 14 d. a group home or residential care facility serving the
15 elderly, disabled or juveniles,
 - 16 e. a hospital or dental ambulatory surgery center (DASC),
 - 17 f. a nursing home,
 - 18 g. a penal institution operated by or under contract with
19 the federal or state government,
 - 20 h. a public or private school,
 - 21 i. a patient of record's private residence,
 - 22 j. a mobile dental clinic,
- 23
24

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

5 SECTION 3. AMENDATORY 59 O.S. 2021, Section 328.17, is
6 amended to read as follows:

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

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

18 2. Each committee shall be cochaired by a current or past Board
19 member to be appointed by the Board President with approval by the
20 Board and a member of a statewide organization representing dentists
21 as recommended by such organization~~+~~.

22 3. Each committee may have up to ten committee members with the
23 exception of the Anesthesia Committee which may have up to eighteen
24 members, exclusive of the cochairs~~+~~.

1 4. The Board President, with approval of the Board, shall
2 appoint all committee members. One-half (1/2 or 50%) of the
3 committee members shall be recommended by the Board and one-half
4 (1/2 or 50%) of the committee members shall be recommended to the
5 Board President by a statewide organization representing dentists~~+~~
6 and.

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

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

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

12 2. Two dental hygienists recommended by the Board and two
13 dental hygienists recommended by a statewide organization
14 representing dental hygienists;

15 3. The Committee shall have the following functions:

16 a. to develop and propose recommendations to the Board
17 regarding the education, examination, licensure, and
18 regulation of dental hygienists,

19 b. to advise the Board in rulemaking regarding dental
20 hygiene,

21 c. to hold meetings at least annually, but not more than
22 six (6) times a year, and
23
24

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

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

C. There shall be an Allied Dental Education Committee.

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

2. The Allied Dental Education Committee shall:

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

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

- 1 c. recommend standards and guidelines and review criteria
2 for all expanded duty programs or courses for dental
3 assistants from CODA approved programs and non-CODA
4 approved providers and advanced procedures of dental
5 hygienists from CODA approved programs or training and
6 non-CODA approved programs or training to the Board,
7 and
8 d. recommend and develop guidelines for classroom,
9 electronic media and other forms of education and
10 testing;

11 3. The Committee shall meet as deemed necessary by the Board
12 President; and

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

- 16 a. the Board President or his or her designee who must be
17 a current or past Board Member,
18 b. the hygiene member of the Board or their designee who
19 must be a current or past Board Member,
20 c. the Dean of the University of Oklahoma College of
21 Dentistry or his or her designee, and
22 d. up to seven at-large members, one of which must be an
23 educator and one of which must have a current
24 Certified Dental Assistant Permit.

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

3 E. All Committee members of standing committees, the Hygiene
4 Committee and the Allied Dental Education Committee shall serve
5 staggered three-year terms and serve at the pleasure of the Board.

6 SECTION 4. AMENDATORY 59 O.S. 2021, Section 328.19, as
7 amended by Section 2, Chapter 158, O.S.L. 2022 (59 O.S. Supp. 2024,
8 Section 328.19), is amended to read as follows:

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

12 1. Representing oneself to the public as being a dentist or as
13 one authorized to practice dentistry;

14 2. Representing oneself to the public as being able to diagnose
15 or examine clinical material or contract for the treating thereof;

16 3. Representing oneself as treating or professing to treat by
17 professional instructions or by advertised use of professional
18 equipment or products;

19 4. Representing oneself to the public as treating any of the
20 diseases or disorders or lesions of the oral cavity, teeth, gums,
21 maxillary bones, and associate structures;

22 5. Removing human teeth;

23 6. Repairing or filling cavities in human teeth;

24 7. Correcting or attempting to correct malposed teeth;

1 8. Administering anesthetics, general or local;

2 9. Treating deformities of the jaws and adjacent structures;

3 10. Using x-ray and interpreting dental x-ray film;

4 11. Offering, undertaking or assisting, by any means or
5 methods, to remove stains, discolorations, or concretions from the
6 teeth; provided, that this paragraph shall not preclude or prohibit
7 the sale of any teeth whitening kit designed for self-administration
8 as approved by the United States Food and Drug Administration;

9 12. Operating or prescribing for any disease, pain, injury,
10 deficiency, deformity, or any physical condition connected with the
11 human mouth;

12 13. Taking impressions of the teeth and jaws;

13 14. Furnishing, supplying, constructing, reproducing, or
14 repairing, or offering to furnish, supply, construct, reproduce, or
15 repair, prosthetic dentures, sometimes known as plates, bridges, or
16 other substitutes for natural teeth for the user or prospective user
17 thereof;

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

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

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

4 18. Owning, maintaining, or operating an office or offices by
5 holding a financial interest in same for the practice of dentistry;
6 or

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

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

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

19 2. The practice of dentistry in the discharge of the person's
20 official duties by dentists in the United States Army, the United
21 States Navy, the United States Air Force, the United States Marine
22 Corps, the United States Coast Guard, the United States Public
23 Health Service, or the United States Veterans Administration;

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

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

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

11 6. The performing of acts by a dental assistant ~~or oral~~
12 ~~maxillofacial surgery assistant~~ who performs the acts under the
13 direct supervision or direct visual supervision of a dentist and in
14 accordance with the provisions of the State Dental Act and the rules
15 promulgated by the Board; or

16 7. The fabrication of dental appliances pursuant to a
17 laboratory prescription of a dentist, by a dental laboratory
18 technician in a dental laboratory using inert materials and
19 mechanical devices for the fabrication of any restoration, appliance
20 or thing to be worn in the human mouth.

21 SECTION 5. AMENDATORY 59 O.S. 2021, Section 328.21, as
22 last amended by Section 3, Chapter 46, O.S.L. 2024 (59 O.S. Supp.
23 2024, Section 328.21), is amended to read as follows:

1 Section 328.21. A. No person shall practice dentistry ~~or,~~
2 dental hygiene, or dental assisting without first applying for and
3 obtaining a license from the Board of Dentistry.

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

7 1. Is of good moral character;

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

11 3. Has passed a written theoretical examination and a clinical
12 examination approved by the Board within the previous five (5)
13 years; and

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

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

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

22 2. Is a graduate of an accredited dental hygiene program, if
23 the applicant is to practice dental hygiene; and
24

1 3. Has passed all portions of the National Board Dental
2 Examination or the National Board Dental Hygiene Examination.

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

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

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

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

- a. clinical patient treatments with an evaluation of specific clinical skills, and
- b. evaluation of the candidate's compliance with professional standards during the treatment as approved by the Board in Section 328.15 of this title and shall include:
 - (1) extra/intra oral assessment,
 - (2) periodontal probing, and
 - (3) scaling/subgingival calculus removal and supragingival deposit removal.

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

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

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

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

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

- 21 a. a letter of good standing from all states in which the
- 22 applicant has ever been licensed, and
- 23 b. any other requirements as set forth by the rules; ~~and~~

1 3. An applicant applying for a dental or dental hygiene license
2 by credentials shall only be required to pass the jurisprudence
3 portion of the examination requirements as set forth in paragraph 4
4 of subsection B of this section; and

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

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

- 14 a. administration of nitrous oxide,
- 15 b. administration of local anesthesia,
- 16 c. neuromodulator administration,
- 17 d. therapeutic use of lasers,
- 18 e. phlebotomy,
- 19 f. venipuncture, and
- 20 g. elder care and public health pursuant to Section
21 328.58 of this title.

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

1 application for the advanced procedure permit by credentials for
2 administration of local anesthesia shall additionally require proof
3 of passage of such advanced procedure in a CDCA-WREB-CITA 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 training as required by
7 state law and rules of the Board. A dental hygienist licensed by
8 the Board prior to January 30, 2024, shall be eligible for the
9 advanced procedure of therapeutic use of lasers upon submission of
10 an affidavit attesting to two (2) years of practice using lasers.

11 4. All advanced procedures shall be added to the dental hygiene
12 license upon approval.

13 J. All licensees and permit holders shall display the current
14 permit or license in a visible place within the dental office or
15 treatment facility.

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

19 L. During a year in which governmental officials have declared
20 a health pandemic, a state or federal disaster, or other natural or
21 man-made disaster, the Board shall have the authority through a
22 resolution to change or make allowances in requirements of all
23 candidates for licensure and issue temporary licenses for extended
24 periods of time or as needed until the event passes. The resolution

1 shall have a beginning and an end date and shall automatically
2 expire no less than thirty (30) days after the end of the disaster
3 is declared by governmental officials.

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

16 SECTION 6. AMENDATORY 59 O.S. 2021, Section 328.24, as
17 last amended by Section 5, Chapter 46, O.S.L. 2024 (59 O.S. Supp.
18 2024, Section 328.24), is amended to read as follows:

19 Section 328.24. A. No person shall practice as a dental
20 assistant ~~or oral maxillofacial surgery assistant for more than one~~
21 ~~(1) day in a calendar year without having applied for a permit as a~~
22 ~~dental assistant or oral maxillofacial surgery assistant from the~~
23 ~~Board of Dentistry within thirty (30) days of beginning employment.~~
24 ~~During this time period, the dental assistant shall work under the~~

1 ~~direct visual supervision of a dentist at all times~~ without first
2 applying for and obtaining a permit from the Board of Dentistry.

3 B. The application shall be made to the Board in writing and
4 shall be accompanied by the fee established by the Board, together
5 with satisfactory proof that the applicant passes a background check
6 with criteria established by the Board.

7 C. ~~Beginning January 1, 2020, every~~ Every dental assistant
8 receiving a permit shall complete a class on infection control as
9 approved by the Board within one (1) year from the date of receipt
10 of the permit. ~~Any person holding a valid dental assistant permit~~
11 ~~prior to January 1, 2020, shall complete an infection-control class~~
12 ~~as approved by the Board before December 31, 2020.~~ Failure to
13 complete the class shall be grounds for discipline pursuant to
14 Section 328.29a of this title.

15 D. There shall be eight types of expanded duty permits
16 available for dental assistants ~~or oral maxillofacial surgery~~
17 ~~assistants~~ upon completion of a program approved by the Commission
18 on Dental Accreditation (CODA) or a course that has been approved by
19 the Board:

- 20 1. Radiation safety;
- 21 2. Coronal polishing and topical fluoride;
- 22 3. Sealants;
- 23 4. Assisting in the administration of nitrous oxide;
- 24 5. Phlebotomy;

1 6. Venipuncture;

2 7. Elder care and public health; or

3 8. ~~Assisting~~ Oral maxillofacial surgery. An oral maxillofacial
4 surgery expanded duty permit shall be available to a dental
5 assistant who has met the requirements as listed in Section 328.25
6 of this title and assists a dentist, pediatric dentist, or oral
7 maxillofacial surgeon who holds a parenteral or ~~pediatric~~ general
8 anesthesia permit; provided, only the dentist, pediatric dentist, or
9 oral maxillofacial surgeon, or an anesthesiologist or a Certified
10 Registered Nurse Anesthetist, may administer anesthesia and assess
11 the patient's level of sedation and only the dentist, pediatric
12 dentist, or oral maxillofacial surgeon may perform surgery.

13 All expanded duties shall be added to the dental assistant
14 ~~license or oral maxillofacial surgery assistant license~~ permit upon
15 approval by the Board.

16 E. The training requirements for all expanded duty permits
17 shall be set forth by the Board. A program that is not CODA-
18 certified must meet the standards set forth and be approved by the
19 Board.

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

1 G. A dental assistant who holds an out-of-state dental
2 assistant permit with expanded duties may apply for credentialing
3 and reciprocity for a dental assistant permit including any expanded
4 duty by demonstrating the following:

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

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

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

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

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

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

SECTION 7. AMENDATORY 59 O.S. 2021, Section 328.25, is amended to read as follows:

Section 328.25. A. ~~No person shall practice as an oral maxillofacial surgery assistant without having obtained a permit as an oral maxillofacial surgery assistant from the Board of Dentistry~~ Any person applying for an oral maxillofacial surgery expanded duty permit shall complete the requirements of this section for submission and approval before the Board.

B. ~~Any person seeking to obtain an oral maxillofacial surgery assistant permit must have a supervising oral maxillofacial surgeon with a current Oklahoma license and complete the requirements set forth by the Board.~~

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

1. Passes a background check with criteria established by the Board; and

2. Has completed all of the training requirements for the oral maxillofacial surgery ~~assistant permit~~ expanded duty permit as established by the Board.

~~D.~~ C. An oral maxillofacial surgery ~~assistant~~ expanded duty permit shall be considered a temporary training permit until all of the training requirements, as established by the Board for ~~each~~ the

1 oral maxillofacial surgery ~~assistant~~ expanded duty permit, have been
2 completed and approved by the Board.

3 ~~E.~~ D. A temporary training permit for ~~each~~ the oral
4 maxillofacial surgery ~~assistant~~ expanded duty shall not be extended
5 beyond two (2) years.

6 ~~F.~~ All E. When performing the expanded duty of oral
7 maxillofacial surgery, dental assistants ~~are required to~~ shall be
8 under direct supervision or direct visual supervision at all times
9 by a licensed oral maxillofacial surgeon.

10 ~~G.~~ If an oral maxillofacial surgery assistant is not currently
11 employed by an oral maxillofacial surgeon, the oral maxillofacial
12 surgery assistant permit shall automatically revert to a dental
13 assistant permit as set forth in Section 328.24 of this title and
14 may be eligible for an expanded function assisting a, dentist, or
15 pediatric dentist who holds a parenteral or pediatric general
16 anesthesia permit; provided, only the oral maxillofacial surgeon,
17 dentist, or pediatric dentist, or an anesthesiologist or a Certified
18 Registered Nurse Anesthetist, may administer anesthesia and assess
19 the patient's level of sedation. ~~The oral maxillofacial surgery~~
20 ~~assistant permit may be reinstated upon employment under a licensed~~
21 ~~oral maxillofacial surgeon.~~

22 ~~H.~~ Any oral maxillofacial surgeon shall notify the Board within
23 thirty (30) days of an oral maxillofacial surgery assistant no
24

1 ~~longer under his or her supervision~~ and only the oral maxillofacial
2 surgeon, dentist, or pediatric dentist may perform surgery.

3 ~~I.~~ F. An applicant for an oral maxillofacial surgery ~~assistant~~
4 expanded duty permit shall provide satisfactory proof of:

5 1. Successful completion of the Dental Anesthesia Assistant
6 National Certification Examination (DAANCE) provided by the American
7 Association of Oral Maxillofacial Surgeons (AAOMS) or another
8 program or examination as approved by the Board;

9 2. A valid BLS certification;

10 3. Employment and completion of a minimum of six (6) months of
11 training under the direct supervision of a licensed oral
12 maxillofacial surgeon prior to starting DAANCE or another program or
13 examination as approved by the Board;

14 4. Completion of a standardized course approved by the Board
15 including a minimum of four (4) hours of didactic training that must
16 include anatomy, intravenous access or phlebotomy, technique, risks
17 and complications, and hands-on experience starting and maintaining
18 intravenous lines on a human or simulator/manikin, and pharmacology;
19 and

20 5. Completion of an infection-control course as approved by the
21 Board.

22 ~~J. An oral maxillofacial surgery assistant who has completed~~
23 ~~all the requirements shall receive a permit to practice as an oral~~
24

~~maxillofacial surgery assistant within a dental office, surgery center, dental ambulatory surgery center or hospital.~~

~~K. Oral~~ G. A dental assistant with an oral maxillofacial surgery ~~assistants~~ expanded duty permit shall ~~be required to~~ complete eight (8) hours of continuing education every two (2) years in classes approved by AAOMS that are certified by the American Dental Association CERP program or another program approved by the Board. The continuing education requirement shall include at least one (1) hour on infection control.

~~L. H.~~ H. The Anesthesia Committee provided pursuant to Section 328.17 of this title may make a recommendation to the Board for ~~an a~~ a dental assistant with an oral maxillofacial surgery assistant expanded duty permit holding a temporary training permit to substitute training received from another state university, dental school or technical training institute or training acquired in a surgery center or hospital while working under the authority of a licensed physician, to qualify as a partial substitute for the requirements to attain an oral maxillofacial surgery ~~assistant permit~~ expanded duty permit.

~~M. An~~ I. A dental assistant with an oral maxillofacial surgery assistant expanded duty permit may only accept delegation from an oral and maxillofacial surgeon, dentist, or pediatric dentist with a valid general or parenteral anesthesia permit:

1. Under direct supervision:

- a. initiate and discontinue an intravenous line for a patient being prepared to receive intravenous medications, sedation or general anesthesia, or
- b. draw up and prepare medications; and

2. Under direct visual supervision:

- a. follow instructions of the oral surgeon while acting as an accessory hand on behalf of the oral surgeon that is administering the medication and actively treating the patient. For the purposes of this section, "administer" means to have the sole responsibility for anesthesia care including determining medicines to be used and the dosage, timing, route of delivery and administration of medication and the assessment of the level of anesthesia and monitoring the physiological results of such care; provided, only an oral surgeon or dentist possessing a current general anesthesia permit may administer or assess the level of sedation or general anesthesia and monitor the results of such care,
- b. follow instructions of the oral surgeon to adjust the rate of intravenous fluids to maintain or keep the line patent or open and adjust an electronic device to provide medications such as an infusion pump, and

1 c. assist the oral surgeon by reading, recording vital
2 signs of a patient receiving deep sedation or general
3 anesthesia; provided, only an oral surgeon may assess
4 the level of sedation.

5 ~~N.~~ J. Only an oral surgeon shall be responsible to diagnose,
6 treat, monitor, determine and administer the selection of the drug,
7 dosage, and timing of all anesthetic medications, and care of the
8 patient through the perioperative period shall rest solely with the
9 supervising oral and maxillofacial surgeon.

10 ~~Q.~~ K. Nothing in the State Dental Act shall be construed as to
11 allow ~~an oral surgery assistant or a dental assistant~~ with an oral
12 maxillofacial expanded duty permit to administer anesthesia care to
13 a patient.

14 SECTION 8. AMENDATORY 59 O.S. 2021, Section 328.26, is
15 amended to read as follows:

16 Section 328.26. A. The Board of Dentistry may, without
17 examination, issue a dental student intern, resident or fellowship
18 permit to a student or graduate of an approved dental school or
19 college, or a residency program approved by the Commission on Dental
20 Accreditation (CODA). Upon meeting the qualifications and upon
21 approval of the dean or the governing body of any public or private
22 institution any person may request a dental student or dental
23 hygiene student intern, resident or fellow permit to be issued from
24 the Board, with limited duties as defined in the permit. A

1 fellowship permit may only be given to a person currently
2 participating in a fellowship program affiliated with an accredited
3 dental school.

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

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

16 D. A dental student or dental hygiene student intern with a
17 valid dental student intern permit may work under the direct
18 supervision of a licensed dentist for compensation upon meeting the
19 following criteria:

20 1. The dental student or dental hygiene student intern shall
21 notify the Board of the supervising dentist;

22 2. A dental student or dental hygiene student intern, having
23 finished the first year of dental school, may assist in all duties
24

1 of a dental assistant pursuant to the administrative rules of the
2 Board; ~~and~~

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

7 4. A dental student intern, having finished the second semester
8 of the third year of dental school, may provide scaling, root
9 planing, and local anesthesia.

10 E. A dental or dental hygiene student intern, resident or
11 fellowship permit shall automatically expire when the permit holder
12 is no longer participating in the program offered by the college of
13 dentistry, the accredited dental college or the institution.

14 F. The issuance of a dental student intern, resident or
15 fellowship permit by the Board shall in no way be considered a
16 guarantee or predetermination of any person to receive a full
17 license issued by the Board.

18 G. Dental student intern or resident or fellowship permits may
19 be renewed annually at the request of the dean of the college or
20 program director of the program approved by CODA and at the
21 discretion of the Board.

22 H. Residents and Fellows with a valid permit may supervise
23 student dental clinics under the authority of the Dean or Associate
24 Dean of the University of Oklahoma College of Dentistry.

1 I. Students currently enrolled at the University of Oklahoma
2 College of Dentistry or an accredited dental hygiene or dental
3 assisting program shall be exempted from Sections 328.19 and 328.21
4 of this title while participating in an educational program located
5 at the University of Oklahoma College of Dentistry or the clinic of
6 an accredited dental hygiene or dental assisting program. A
7 licensed dentist, hygienist or faculty license holder shall be
8 physically present in the facility whenever students of dentistry,
9 dental hygiene or dental assisting are performing a clinical dental
10 procedure on patients.

11 SECTION 9. AMENDATORY 59 O.S. 2021, Section 328.27, is
12 amended to read as follows:

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

- 20 a. is a graduate of a school of dentistry approved by the
21 Board and is licensed to practice dentistry in another
22 state or country,
23 b. has graduated from an accredited dental program, ~~or~~

- 1 c. successfully completes advanced training in a
2 specialty dental program approved by the Commission on
3 Dental Accreditation of the American Dental
4 Association, or
- 5 d. if applying for a hygiene faculty license, is a
6 graduate of an accredited dental hygiene program and
7 is licensed to practice dental hygiene in another
8 state.

9 2. A faculty license or faculty specialty license shall be
10 issued only upon the request and certification of the dean of an
11 accredited dental college or the program director of an accredited
12 dental hygiene program located in this state that the applicant is a
13 full-time member of the teaching staff of that college or program.

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

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

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

1 6. The holder of a faculty license or faculty specialty license
2 shall be entitled to perform services and procedures in the same
3 manner as a person holding a license to practice dentistry or dental
4 hygiene in this state, but all services and procedures performed by
5 the faculty license or faculty specialty license holder shall be
6 without compensation other than that received in salary from a
7 faculty position or through faculty practice as authorized by the
8 Board. The holder of a faculty license or faculty specialty license
9 shall be limited to practicing in the specialty area as designated
10 on the license. Such services and procedures shall be performed
11 only within the facilities of an accredited dental college or
12 accredited dental hygiene program or within the facilities
13 designated by the accredited dental college and teaching hospitals
14 approved by the Board.

15 B. The dean of an accredited dental or hygiene program may
16 petition the Board to allow a faculty member to have a limited
17 faculty or research faculty permit, based on a showing of criteria
18 that the individual possesses specialty knowledge in a specific area
19 that would benefit the college or program. The holder of a limited
20 faculty or research faculty permit shall not have privileges to
21 perform procedures in the faculty practice at the University of
22 Oklahoma College of Dentistry, but may oversee the student clinic.
23 A limited faculty permit shall be valid for one (1) year and may be
24 renewed by the Board at the written request of the dean of an

1 accredited dental program or the director of an accredited dental
2 hygiene program.

3 C. Upon request of the dean, the Board President may issue a
4 dentist or hygienist licensed in another state or country a
5 temporary license pursuant to Section 328.23 of this title for the
6 purpose of attending, presenting or participating in a seminar or
7 live training in dental techniques or dental anesthesia, given at
8 the University of Oklahoma College of Dentistry to licensed dentists
9 and hygienists for continuing education credits and students
10 enrolled in the University of Oklahoma College of Dentistry. A
11 temporary permit issued for this purpose shall not exceed seven (7)
12 days and may not be issued to the same person more than four (4)
13 times in a calendar year.

14 D. Upon the request of the Oklahoma Dental Association
15 President or the Oklahoma Dental Hygienist Association President,
16 the Board President may issue a dentist or a hygienist licensed in
17 another state a temporary license pursuant to Section 328.23 of this
18 title for the purpose of presenting or participating in live patient
19 demonstrations presented by the Oklahoma Dental Association or
20 Oklahoma Dental Hygienist Association or other professional
21 organizations approved by the Board at its annual meeting. A
22 temporary permit issued for this purpose shall not exceed four (4)
23 days per calendar year.

1 E. Courses for expanded duties for dental assistants pursuant
2 to the administrative rules of the Board may be taught in an online,
3 interactive online, in-classroom, lab or blended format. All
4 expanded-duty courses shall include a dentist or dental hygienist
5 that is employed full- or part-time by an educational program
6 approved by the Commission on Dental Accreditation and currently on
7 file with the Board. Courses offered pursuant to this subsection
8 shall meet all criteria in administrative rules approved by the
9 Board.

10 SECTION 10. AMENDATORY 59 O.S. 2021, Section 328.28a, is
11 amended to read as follows:

12 Section 328.28a. ~~Beginning January 2016, every~~ Every applicant
13 for any type of license or permit issued by the Board of Dentistry
14 shall be subject to a national criminal background check. The Board
15 may deny a license or permit for any applicant who fails to disclose
16 a criminal history or ~~if any applicant has pled guilty or nolo~~
17 ~~contendere to or has been convicted of a felony or misdemeanor~~
18 ~~involving moral turpitude~~ a disqualifying violation of the law
19 pursuant to Section 328.32 of this title, Medicaid fraud, or a
20 violation of federal or state controlled dangerous substances laws.

21 SECTION 11. AMENDATORY 59 O.S. 2021, Section 328.29a, as
22 amended by Section 5, Chapter 158, O.S.L. 2022 (59 O.S. Supp. 2024,
23 Section 328.29a), is amended to read as follows:

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

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

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

20 C. The decision shall be final unless the dental assistant ~~or~~
21 ~~oral maxillofacial surgery assistant~~ appeals the decision as
22 provided by the State Dental Act.

23 D. The Board shall have power to revoke or suspend the permit,
24 censure, or place on probation a dental assistant ~~or oral~~

1 ~~maxillofacial surgery assistant~~ for a violation of one or more of
2 the following:

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

8 2. Presenting to the Board a false application or documentation
9 for a permit;

10 3. Being, by reason of persistent inebriety or addiction to
11 drugs, incompetent to continue to function as a dental assistant ~~or~~
12 ~~oral maxillofacial surgery assistant~~;

13 4. Functioning outside the direct or direct visual supervision
14 of a dentist;

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

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

22 E. The Board's review panel, as set forth in Section 328.43a of
23 this title, upon concurrence with the president of the Board, may
24 determine that an emergency exists to temporarily suspend the permit

1 of a dental assistant ~~or oral maxillofacial surgery assistant~~ if the
2 panel finds that public health, safety or welfare imperatively
3 requires emergency action. The panel may conduct a hearing pursuant
4 to Section 314 of Title 75 of the Oklahoma Statutes for the
5 temporary suspension.

6 F. As used in this section:

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

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

15 SECTION 12. AMENDATORY 59 O.S. 2021, Section 328.31a, is
16 amended to read as follows:

17 Section 328.31a. A. One dentist or multiple dentists may use a
18 trade name in connection with the practice of dentistry provided
19 that:

20 1. The use of the trade name shall not be false, fraudulent or
21 misleading; and

22 ~~2. The name of the dentist or dentists actually providing the~~
23 ~~dental services to the patient shall appear on all insurance claim~~
24

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

3 ~~3. Treatment records shall be maintained for each patient that~~
4 ~~clearly identify the dentist or dentists who performed all dental~~
5 ~~services for the patient; and~~

6 ~~4.~~ When one dentist or multiple dentists make an advertisement
7 in the trade name or the trade name is included in an advertisement,
8 a copy of the advertisement, including but not limited to any
9 electronic form of the advertising, shall be kept by the dentist or
10 dentists for three (3) years from the first publication date of the
11 advertisement.

12 B. ~~Beginning July 1, 2016, all~~ All advertisements for dentistry
13 shall include the name of the dentist or dentists that shall be
14 providing treatment and shall list the type of dental or specialty
15 license on the advertisement.

16 C. The Board of Dentistry shall promulgate rules regulating
17 advertisements in which one dentist or multiple dentists use a trade
18 name.

19 SECTION 13. AMENDATORY 59 O.S. 2021, Section 328.31b, as
20 amended by Section 6, Chapter 46, O.S.L. 2024 (59 O.S. Supp. 2024,
21 Section 328.31b), is amended to read as follows:

22 Section 328.31b. A. Every dental office or treatment facility,
23 whether individual, group or multi-doctor practice operating under a
24 name, trade name or other professional entity shall maintain written

1 records on each patient treated at the facility and shall make these
2 records available to the Board of Dentistry and other regulatory
3 entities or be subject to the penalties as set forth in Section
4 328.44a of this title.

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

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

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

14 3. Treatment plan proposed by the dentist; and

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

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

1 D. 1. The name of the dentist or dentists actually providing
2 the dental services to the patient shall appear on all insurance
3 claim forms, billing invoices, or statements sent to the patient and
4 on all receipts if any are given to the patient.

5 2. Treatment records shall be maintained for each patient that
6 clearly identify the dentist or dentists who performed all dental
7 services for the patient.

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

13 ~~D.~~ F. All claims being submitted for insurance must be signed,
14 stamped or have an electronic signature by the treating dentist.

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

22 ~~F.~~ H. All patient records shall be maintained for seven (7)
23 years from the date of treatment.

1 ~~G.~~ I. Each licensed dentist shall retain a copy of each entry
2 in his or her patient appointment book or such other log, calendar,
3 book, file or computer data used in lieu of an appointment book for
4 a period no less than seven (7) years from the date of each entry
5 thereon.

6 J. A licensee closing an office shall notify the Board in
7 writing and include the location of where the patient records will
8 be maintained.

9 SECTION 14. AMENDATORY 59 O.S. 2021, Section 328.32, as
10 last amended by Section 7, Chapter 46, O.S.L. 2024 (59 O.S. Supp.
11 2024, Section 328.32), is amended to read as follows:

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

17 1. Pleading guilty or nolo contendere to, or being convicted
18 of, a felony, a misdemeanor involving moral turpitude, any crime in
19 which an individual would be required to be a registered sex
20 offender under state law, any violent crime, Medicaid fraud,
21 insurance fraud, identity theft, embezzlement or a violation of
22 federal or state controlled dangerous substances laws;

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

4 3. Being, by reason of persistent inebriety or addiction to
5 drugs, incompetent to continue the practice of dentistry or failing
6 to notify the Board of a licensee, permit holder, or other health
7 professional that is practicing while impaired or is in a state of
8 physical or mental health that the licensee or permit holder
9 suspects constitutes a threat to patient care within seventy-two
10 (72) hours of witness or belief of such conditions;

11 4. Publishing a false, fraudulent, or misleading advertisement
12 or statement;

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

16 6. Authorizing or aiding a dental hygienist to perform any
17 procedure prohibited by the State Dental Act or the rules of the
18 Board;

19 7. Authorizing or aiding a dental assistant ~~or oral~~
20 ~~maxillofacial surgery assistant~~ to perform any procedure prohibited
21 by the State Dental Act or the rules of the Board;

22 8. Failing to pay fees as required by the State Dental Act or
23 the rules of the Board;

24 9. Failing to complete continuing education requirements;

1 10. Representing himself or herself to the public as a
2 specialist in a dental specialty without holding a dental specialty
3 license as listed in Section 328.22 of this title;

4 11. Practicing below the basic standard of care of a patient
5 which an ordinary prudent dentist with similar training and
6 experience within the local area would have provided including, but
7 not limited to, failing to complete proper training and demonstrate
8 proficiency for any procedure delegated to a dental hygienist or
9 dental assistant;

10 12. Endangering the health of patients by reason of having a
11 highly communicable disease and continuing to practice dentistry
12 without taking appropriate safeguards;

13 13. Practicing dentistry in an unsafe or unsanitary manner or
14 place including but not limited to repeated failures to follow
15 Centers for Disease Control and Prevention (CDC) or Occupational
16 Safety and Health Administration (OSHA) guidelines;

17 14. Being shown to be mentally unsound;

18 15. Being shown to be grossly immoral and that such condition
19 represents a threat to patient care or treatment;

20 16. Being incompetent to practice dentistry while delivering
21 care to a patient;

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

23 18. Committing repeated acts of negligence in the practice of
24 dentistry;

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

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

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

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

15 23. Having more than the equivalent of three full-time dental
16 hygienists for each dentist actively practicing in the same dental
17 office;

18 24. Allowing a person not holding a permit or license issued by
19 the Board to assist in the treatment of a patient without having a
20 license or permit issued by the Board;

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

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

5 27. Willfully disclosing information protected by the Health
6 Insurance Portability and Accountability Act of 1996, P.L. 104-191;

7 28. Writing a false, unnecessary, or excessive prescription for
8 any drug or narcotic which is a controlled dangerous substance under
9 either federal or state law, or prescribing, dispensing or
10 administering opioid drugs in excess of the maximum limits
11 authorized in Section 2-309I of Title 63 of the Oklahoma Statutes;

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

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

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

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

22 33. Being dishonest in a material way with a patient or during
23 the practice of dentistry;

1 34. Failing to retain all patient records for at least seven
2 (7) years from the date of the last treatment as provided by Section
3 328.31b of this title, except that the failure to retain records
4 shall not be a violation of the State Dental Act if the dentist
5 shows that the records were lost, destroyed, or removed by another,
6 without the consent of the dentist;

7 35. Failing to retain the dentist's copy of any laboratory
8 prescription for at least seven (7) 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 Oklahoma 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 this state as a principal,
12 accessory 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;

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

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 43. Falling below the basic standard of care of a licensed
4 dentist or dentist practicing in his or her specialty, a dental
5 hygienist, dental assistant, or other licensee or permit holder
6 pursuant to the State Dental Act and Section 20.1 of Title 76 of the
7 Oklahoma Statutes; or

8 44. Failing to provide patient records as provided by Sections
9 19 and 20 of Title 76 of the Oklahoma Statutes.

10 B. Any person making a report in good faith to the Board or to
11 a peer assistance group regarding a professional suspected of
12 practicing dentistry while being impaired pursuant to paragraph 3 of
13 subsection A of this section shall be immune from any civil or
14 criminal liability arising from such reports.

15 C. The provisions of the State Dental Act shall not be
16 construed to prohibit any dentist from displaying or otherwise
17 advertising that the dentist is also currently licensed, registered,
18 certified or otherwise credentialed pursuant to the laws of this
19 state or a nationally recognized credentialing board, if authorized
20 by the laws of the state or credentialing board to display or
21 otherwise advertise as a licensed, registered, certified, or
22 credentialed dentist.

SECTION 15. AMENDATORY 59 O.S. 2021, Section 328.41, as last amended by Section 8, Chapter 46, O.S.L. 2024 (59 O.S. Supp. 2024, Section 328.41), is amended to read as follows:

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

2. Resident and fellowship permits shall be valid from July 1 through June 30 of each year and dental student intern permits shall be valid from August 1 through July 31 of each year.

B. Continuing education requirements shall be due at the end of each two-year period.

1 C. 1. Continuing education requirements for a dentist or
2 dental hygienist shall consist of:

3 a. a live, in-person cardiopulmonary resuscitation class
4 approved by the Board,

5 b. an ethics class approved by the Board,

6 c. for a dentist, two (2) hours of opioid and scheduled
7 drug prescribing classes, and

8 d. any combination of the following:

9 (1) completion of classes at a university, college or
10 technology center school accredited by the
11 Commission on Dental Accreditation (CODA) or
12 college courses related to dentistry, which shall
13 count equal to credit hours received on a
14 transcript,

15 (2) teaching one or more classes at a school or
16 program accredited by CODA, for which the dentist
17 or dental hygienist shall receive credit for the
18 semester credit hours and one (1) hour of credit
19 per eighteen (18) hours of clinical instruction,

20 (3) publishing papers, presenting clinics and
21 lecturing, for which the dentist or dental
22 hygienist shall receive six (6) credit hours for
23 each hour of the original presentation and hour-
24 for-hour credit for a subsequent presentation of

1 the same material. No more than fifty percent
2 (50%) of total required continuing education
3 hours may be fulfilled by activities described in
4 this division,

5 (4) a scientific-based medical treatment and patient
6 care class approved by the Board,

7 (5) any health-related program sponsored by the
8 United States Department of Veteran Affairs or
9 Armed Forces provided at a government facility,

10 (6) formal meetings by national or state professional
11 organizations for dental providers, or
12 university-sponsored professional alumni clinical
13 meetings approved by the Board,

14 (7) organized study clubs,

15 (8) uncompensated volunteer work at an event approved
16 by the Board not to exceed seven (7) hours for a
17 dentist or four (4) hours for a dental hygienist,
18 or

19 (9) practice-management-related courses not to exceed
20 four (4) hours for a dentist or two (2) hours for
21 a dental hygienist.

22 2. Full-time graduate study, internships, residencies and
23 dentists and dental hygienists engaged in a full-time program
24

1 accredited by CODA shall be exempt from continuing education for a
2 continuing education year per academic year completed.

3 3. New graduates of dental and hygiene programs shall not be
4 required to complete continuing education for the first year after
5 graduation. Continuing education requirements for dentists and
6 dental hygienists who are new graduates shall begin July 1 of the
7 calendar year following the year of graduation. Hours shall be
8 prorated by year of new licensure.

9 4. A dentist or dental hygienist on active duty military
10 service shall be exempt from continuing education if he or she is:

11 a. currently on full-time active duty service as a
12 dentist or dental hygienist for a minimum of eighteen
13 (18) months in a two-year continuing education cycle
14 and is deployed outside of the United States, or

15 b. a licensed dentist or dental hygienist serving in the
16 reserve components of the armed forces as specified in
17 10 U.S.C., Section 10101, who is actively deployed
18 outside of the United States for a minimum of eighteen
19 (18) months in a two-year continuing education cycle.

20 D. 1. Dentists shall complete forty (40) hours of continuing
21 education with no more than twenty (20) hours to be completed
22 online. Dental hygienists shall complete twenty (20) hours of
23 continuing education with no more than ten (10) hours to be
24

1 completed online. Interactive classes or webinar classes may, at
2 the discretion of the Board, count as in-person.

3 2. ~~Oral maxillofacial surgery assistants~~ Dental assistants with
4 an oral maxillofacial expanded duty permit shall complete eight (8)
5 hours of continuing education including one (1) hour of infection
6 control.

7 3. ~~Dental~~ All other dental assistants shall complete two (2)
8 hours of infection control.

9 4. Any newly licensed dentist shall complete a two-hour opioid
10 and scheduled drug prescribing class within one (1) year of
11 obtaining licensure.

12 E. Upon failure of a dentist, dental hygienist, or dental
13 assistant ~~or oral maxillofacial surgery assistant~~ to pay the annual
14 renewal fee within two (2) months after January 1 of each year, the
15 Board shall notify the dentist, dental hygienist, dental assistant,
16 ~~oral maxillofacial surgery assistant~~, or other permit holder that
17 the license or permit will be officially canceled as of April 1
18 pursuant to subsection M of Section 328.21 of this title. A list of
19 canceled licenses or permits not otherwise renewed shall be
20 published at the following meeting of the Board.

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

14 G. ~~The Board, by rule, shall provide for the remittance of fees~~
15 ~~otherwise required by the State Dental Act while a~~ A dentist, dental
16 assistant, or dental hygienist who is on active duty with any of the
17 Armed Forces of the United States and is deployed outside of the
18 United States shall be exempt from renewal fees.

19 H. In case of a lost or destroyed license or renewal
20 certificate and upon satisfactory proof of the loss or destruction
21 thereof, the Board may issue a duplicate, charging therefor a fee
22 established by the rules of the Board.

23 I. A dentist, dental hygienist, ~~oral maxillofacial surgery~~
24 ~~assistant~~ or dental assistant that is in good standing and not under

1 investigation that notifies the Board in writing of a voluntary
2 nonrenewal of license or requests retirement status shall have a
3 right to renew or reinstate his or her license within five (5) years
4 from the date of notice. The Board may require any training or
5 continuing education requirements to be met prior to reinstatement.

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

10 K. Any application for a license or permit that has remained
11 inactive for more than one (1) year shall be closed.

12 SECTION 16. AMENDATORY 59 O.S. 2021, Section 328.44a, as
13 amended by Section 10, Chapter 46, O.S.L. 2024 (59 O.S. Supp. 2024,
14 Section 328.44a), is amended to read as follows:

15 Section 328.44a. A. The Board of Dentistry is authorized,
16 after notice and opportunity for a hearing pursuant to Article II of
17 the Administrative Procedures Act, to issue an order imposing one or
18 more of the following penalties whenever the Board finds, by clear
19 and convincing evidence, that a dentist, dental hygienist, dental
20 assistant, ~~oral maxillofacial surgery assistant~~, dental laboratory
21 technician, holder of a permit to operate a dental laboratory, or an
22 entity operating pursuant to the provisions of the Professional
23 Entity Act or the State Dental Act has committed any of the acts or
24

1 occurrences prohibited by the State Dental Act or rules of the
2 Board:

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

5 2. Suspension of a license or permit issued by the Board for a
6 period of time deemed appropriate by the Board;

7 3. Revocation of a license or permit issued by the Board;

8 4. Imposition of an administrative penalty not to exceed One
9 Thousand Five Hundred Dollars (\$1,500.00) per violation;

10 5. Issuance of a censure;

11 6. Placement on probation for a period of time and under such
12 terms and conditions as deemed appropriate by the Board;

13 7. Probation monitoring fees, which shall be the responsibility
14 of the licensee on all probations; or

15 8. Restriction of the services that can be provided by a
16 dentist or dental hygienist, under such terms and conditions as
17 deemed appropriate by the Board.

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

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

4 D. 1. A licensee or permit holder may petition the Board to
5 reopen and withdraw an order after the expiration of seven (7) years
6 from the date of issue if:

7 a. the order does not include allegations or a finding of
8 direct patient harm,

9 b. the licensee has maintained an active full-time
10 practice in good standing and has not received an
11 additional order or private reprimand since the issue
12 of the order,

13 c. the licensee has not been the subject of any
14 settlement reports in the National Practitioner Data
15 Bank within the previous seven (7) years, and

16 d. the order concerns an administrative violation and
17 does not include a direct action against the licensee
18 including, but not limited to, probation or suspension
19 of the license.

20 2. Upon receipt of a motion to reopen and withdraw an order,
21 the president of the Board shall assign a panel for review and
22 investigation to be brought to the Board. The Board shall take into
23 consideration the issues causing the order; any changes to laws
24 relevant to the order since its issue that may have resulted in a

1 different outcome if such laws had been in place at the time of the
2 complaint; any actions by the licensee to better his or her
3 abilities as a practicing licensee; current patient outcomes;
4 service to his or her community or state; and any other issues,
5 testimony, or other information relating to the licensee found
6 during an investigation or submitted to the Board.

7 3. The panel and the president may make a determination that
8 the case is not appropriate to bring before the Board and shall have
9 the authority to summarily deny the order and, if appropriate, to
10 advise the licensee of requirements to complete for future
11 consideration. The panel may choose to keep the matter pending
12 while the licensee completes the requirements advised.

13 4. Upon a case brought before the Board, the Board shall vote
14 to withdraw or stay the order. If the order is withdrawn, it shall
15 revert to a private settlement agreement pursuant to Section 328.43a
16 of this title.

17 SECTION 17. AMENDATORY 59 O.S. 2021, Section 328.51a, is
18 amended to read as follows:

19 Section 328.51a. A. The Board of Dentistry is authorized to
20 charge the following fees for the purpose of implementing and
21 enforcing the State Dental Act. The penalty and late fee shall be
22 twice the amount of the original fee for license renewals.
23 Notwithstanding any other provisions of the State Dental Act, the
24

fees established by the Board shall be not less nor more than the range created by the following schedule:

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
Dental Hygienist	\$50.00	\$100.00
f. Dental Student Intern Permit	\$50.00	\$200.00
g. Temporary License to Practice		
Dental Hygiene	\$50.00	\$100.00
h. Dental Assistant or Oral Maxillofacial Surgery Assistant Permit	\$50.00	\$100.00

1	i.	Dental Assistant with		
2		Expanded Duty or Duties by		
3		Credential	\$100.00	\$200.00
4	j.	Temporary License to Practice		
5		Dentistry	\$75.00	\$150.00
6	k.	Permit to Operate a Dental		
7		Laboratory - current Oklahoma		
8		licensed dentist	\$20.00	\$60.00
9	l.	General Anesthesia Permit		
10		Dentist	\$100.00	\$200.00
11	m.	Conscious Sedation Permit		
12		Dentist	\$100.00	\$200.00
13	n.	Permit to Operate a Dental		
14		Laboratory - commercial	\$200.00	\$500.00
15	2.	RE-EXAMINATION FEES:		
16	a.	License by Examination		
17		Dentist	\$200.00	\$400.00
18		Dental Hygienist	\$100.00	\$200.00
19	b.	Dental Specialty License by		
20		Examination	\$300.00	\$600.00
21	c.	Jurisprudence Only Re-		
22		Examination		
23		Dentist	\$10.00	\$20.00
24		Dental Hygienist	\$10.00	\$20.00

3. ANNUAL RENEWAL FEES:

a.	Dentist	\$200.00	\$400.00
b.	Dental Hygienist	\$100.00	\$200.00
c.	Dental Specialty License	\$100.00	\$200.00
d.	Faculty Permit		
	Dentist	\$50.00	\$100.00
	Dental Hygienist	\$50.00	\$100.00
e.	Dental Resident, Dental		
	Fellowship	\$100.00	\$200.00
f.	Dental Assistant, Oral		
	Maxillofacial Surgery		
	Assistant, or Dental Student		
	Intern Permit	\$50.00	\$100.00
g.	Permit to Operate a Dental		
	Laboratory, current Oklahoma		
	Licensed dentist	\$20.00	\$60.00
h.	General Anesthesia Permit		
	Dentist	\$100.00	\$200.00
i.	Conscious Sedation Permit		
	Dentist	\$100.00	\$200.00
j.	Permit to Operate a Dental		
	Laboratory, non-dentist owner	\$300.00	\$500.00

4. OTHER FEES:

a.	Duplicate License		
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1	Dentist or Dental		
2	Hygienist	\$30.00	\$40.00
3	b. Duplicate Permit or		
4	Registration	\$5.00	\$15.00
5	c. Certificate of Good Standing	\$5.00	\$15.00
6	d. Professional Entity		
7	Certification Letter	\$5.00	\$20.00
8	e. Professional Entity		
9	Registration or Update	\$5.00	\$20.00
10	f. Mobile Dental Clinic	\$200.00	\$400.00
11	g. List of the Name and Current		
12	Mailing Address of all		
13	Persons who hold a License or		
14	Permit issued by the Board.		
15	(A request for a list shall		
16	be submitted to the Board in		
17	writing noting the specific		
18	proposed use of the list.)	\$25.00	\$75.00
19	h. Official State Dental License		
20	Identification Card with		
21	Picture	\$25.00	\$35.00
22	i. Returned checks	\$25.00	\$30.00
23	B. A person who holds a license to practice dentistry in this		
24	state, and who also holds a dental specialty license, shall not be		

1 required to pay an annual renewal fee for the dental specialty
2 license if the licensee has paid the annual renewal fee for the
3 license to practice dentistry.

4 SECTION 18. AMENDATORY 59 O.S. 2021, Section 328.55, is
5 amended to read as follows:

6 Section 328.55. All licensees engaged in the practice of
7 dentistry in this state shall notify the Board within twenty-four
8 (24) hours of the discovery of a death of a patient, or an emergency
9 hospital visit where the patient is admitted, pursuant to treatment
10 in a dental office and potentially related to the practice of
11 dentistry by the licensee. A licensee shall submit a complete
12 report to the Board of any fatality or serious injury occurring
13 during the practice of dentistry or the discovery of the death of a
14 patient whose death is causally related to the practice of dentistry
15 by the licensee within thirty (30) days of such occurrence.

16 SECTION 19. This act shall become effective November 1, 2025.

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18 60-1-13544 TJ 04/16/25
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