

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 SENATE BILL 1831

By: McIntosh

6 AS INTRODUCED

7 An Act relating to the practice of dentistry;
8 amending 59 O.S. 2021, Sections 328.23 and 328.29a,
9 as last amended by Section 11, Chapter 273, O.S.L.
10 2025 (59 O.S. Supp. 2025, Section 328.29a), which
relate to the State Dental Act; modifying certain
exams; modifying certain supervision requirement; and
providing an effective date.

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

14 SECTION 1. AMENDATORY 59 O.S. 2021, Section 328.23, is
15 amended to read as follows:

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

23 B. The President of the Board, upon verification that a person
24 meets the requirements provided for in the State Dental Act, may

1 issue an emergency temporary license to practice dental hygiene,
2 which shall expire as of the date of the next dental hygiene
3 clinical examination in Oklahoma, as required by the Board.

4 C. An active duty military spouse residing with the active duty
5 member having met the requirements for licensure shall be eligible
6 for a temporary license.

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

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

18 F. The President of the Board may authorize patient treatment
19 and care by individuals taking the ~~Commission on Dental Competency~~
20 ~~Assessments (CDCA)~~ or the ~~Western Regional Examining Board exam~~, or
21 ~~other regional exams as approved by the Board, American Board of~~
22 Dental Examiners (ADEX) exam in order for such individuals to
23 complete criteria related to Board examinations. The Board may

1 authorize specialty examinations to be given throughout the year as
2 needed.

3 SECTION 2. AMENDATORY 59 O.S. 2021, Section 328.29a, as
4 last amended by Section 11, Chapter 273, O.S.L. 2025 (59 O.S. Supp.
5 2025, Section 328.29a), is amended to read as follows:

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

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

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

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

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

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

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

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

13 4. Functioning outside the general direct or direct visual
14 supervision of a dentist for a procedure as required by the State
15 Dental Act;

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

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

23 E. The Board's review panel, as set forth in Section 328.43a of
24 this title, upon concurrence with the president of the Board, may

1 determine that an emergency exists to temporarily suspend the permit
2 of a dental assistant if the panel finds that public health, safety
3 or welfare imperatively requires emergency action. The panel may
4 conduct a hearing pursuant to Section 314 of Title 75 of the
5 Oklahoma Statutes for the 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 3. This act shall become effective November 1, 2026.

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