

HOUSE BILL NO. 101

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE WILSON

Introduced: 3/18/19

Referred: Health and Social Services, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to qualifications for a license to practice dentistry; and providing for
2 an effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 08.36.110(a) is amended to read:

5 (a) The board shall issue a license to practice dentistry to an [AN]
6 applicant who [FOR A LICENSE TO PRACTICE DENTISTRY SHALL]

7 (1) provides [PROVIDE] certification to the board that the applicant

8 (A) is a graduate of a dental school that, at the time of
9 graduation, is approved by the board;

10 (B) has successfully passed a written examination approved by
11 the board;

12 (C) has successfully passed a clinical examination provided
13 by the Western Regional Examining Board or the American Board of
14 Dental Examiners, or another clinical examination approved by the board

1 **and provided by a nationally recognized organization of dental examiners;**

2 **(D)** has not had a license to practice dentistry revoked,
3 suspended, or voluntarily surrendered in this state or another state;

4 **(E)** [(D)] is not the subject of an adverse decision based on a
5 complaint, investigation, review procedure, or other disciplinary proceeding
6 within the five years immediately preceding application, or of an unresolved
7 complaint, investigation, review procedure, or other disciplinary proceeding,
8 undertaken by a state, territorial, local, or federal dental licensing jurisdiction;

9 **(F)** [(E)] is not the subject of an unresolved or an adverse
10 decision based on a complaint, investigation, review procedure, or other
11 disciplinary proceeding, undertaken by a state, territorial, local, or federal
12 dental licensing jurisdiction or law enforcement agency that relates to criminal
13 or fraudulent activity, dental malpractice, or negligent dental care and that
14 adversely reflects on the applicant's ability or competence to practice dentistry
15 or on the safety or well-being of patients;

16 **(G)** [(F)] is not the subject of an adverse report from the
17 National Practitioner Data Bank or the American Association of Dental Boards
18 Clearinghouse for Board Actions that relates to criminal or fraudulent activity,
19 or dental malpractice;

20 **(H)** [(G)] is not impaired to an extent that affects the applicant's
21 ability to practice dentistry;

22 **(I)** [(H)] has not been convicted of a crime that adversely
23 reflects on the applicant's ability or competency to practice dentistry or that
24 jeopardizes the safety or well-being of a patient; **and**

25 (2) **has completed** [PASS, TO THE SATISFACTION OF THE
26 BOARD, WRITTEN, CLINICAL, AND OTHER EXAMINATIONS
27 ADMINISTERED OR APPROVED BY THE BOARD; AND

28 (3) MEET THE OTHER QUALIFICATIONS FOR A LICENSE
29 ESTABLISHED BY THE BOARD BY REGULATION, INCLUDING] education in
30 pain management and opioid use and addiction in the two years preceding the
31 application for a license, unless the applicant has demonstrated to the satisfaction of

1 the board that the applicant does not currently hold a valid federal Drug Enforcement
2 Administration registration number; approved education may include dental school
3 coursework.

4 * **Sec. 2.** AS 08.36.110(b) and 08.36.234(d) are repealed.

5 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
6 read:

7 APPLICABILITY. AS 08.36.110(a), as amended by sec. 1 of this Act, and the repeals
8 of AS 08.36.110(b) and 08.36.234(d) by sec. 2 of this Act apply to applications for licensure
9 submitted on or after the effective date of secs. 1 and 2 of this Act.

10 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
11 read:

12 TRANSITION: REGULATIONS. The Department of Commerce, Community, and
13 Economic Development and the Board of Dental Examiners may adopt regulations necessary
14 to implement the changes made by this Act. The regulations take effect under AS 44.62
15 (Administrative Procedure Act), but not before the effective date of the law implemented by
16 the regulation.

17 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
18 read:

19 REVISOR'S INSTRUCTION. The revisor of statutes is requested to change the catch
20 line of AS 08.36.110 from "Qualifications for license; interview" to "Qualifications for
21 license."

22 * **Sec. 6.** Section 4 of this Act takes effect immediately under AS 01.10.070(c).