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**HOUSE BILL NO. 1049**

Offered January 14, 2004

Prefiled January 14, 2004

*A BILL to amend and reenact § 54.1-2712 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 54.1-2711.1, relating to the practice of dentistry or dental hygiene by students; temporary licenses to persons enrolled in advanced dental education programs; emergency.*

Patron—Hamilton

Referred to Committee on Health, Welfare and Institutions

**Be it enacted by the General Assembly of Virginia:**

**1. That § 54.1-2712 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 54.1-2711.1 as follows:**

*§ 54.1-2711.1. Temporary licenses to persons enrolled in advanced dental education programs; Board regulations.*

*A. Upon recommendation by the dean of the school of dentistry, the Board may issue a temporary annual license to practice dentistry to persons enrolled in advanced dental education programs, serving as dental interns, residents or post-doctoral certificate or degree candidates in hospitals or schools of dentistry that maintain dental intern, residency or post-doctoral programs accredited by the Commission on Dental Accreditation of the American Dental Association. No such license shall be issued to a dental intern or resident or post-doctoral certificate or degree candidate who has not completed successfully the academic education required for admission to examination given by the Board. Such license shall expire upon the holder's graduation, withdrawal or termination from the relevant program.*

*B. The Board may prescribe such regulations not in conflict with existing law and require such reports from any hospital or the school of dentistry operating an accredited advanced dental education program in the Commonwealth as may be necessary to carry out the provisions of this section.*

*§ 54.1-2712. Permissible practices.*

The following activities shall be permissible:

1. Dental assistants or dental hygienists aiding or assisting licensed dentists;  
2. The performance of mechanical work on inanimate objects only, for licensed dentists, by any person employed in or operating a dental laboratory;

3. Dental students ~~(+)~~ who are enrolled in accredited D.D.S. or D.M.D. degree programs performing dental operations, under the direction of competent instructors (i) within a dental school or college, dental department of a university or college, or other dental facility - ~~managed by~~ within a university or college that is accredited by an accrediting agency recognized by the Board of Dentistry United States Department of Education; (ii) practicing in a dental clinic operated by a nonprofit organization providing indigent care; (iii) in recognized governmental or indigent care clinics or educational institutions in which the student is assigned to practice during his final academic year rotations; (iv) in a private dental office for a limited time during the student's final academic year when under the direct tutorial supervision of a licensed dentist holding appointment on the dental faculty of the school in which the student is enrolled; or (iiiiv) practicing dental hygiene in a private dental office under the direct tutorial supervision of a licensed dentist holding appointment on the dental faculty of the school in which the student is enrolled;

4. A licensed dentist from another state or country appearing as a clinician for demonstrating technical procedures before a dental society or organization, convention, or dental college, or performing his duties in connection with a specific case on which he may have been called to this Commonwealth; and

5. Graduates of dental schools or colleges or the dental departments of colleges or universities whether located within or outside of the boundaries of the United States, who have D.D.S. or D.M.D. degrees or the equivalent, who are enrolled in advanced dental education programs, serving as dental interns, residents or post-doctoral certificate or degree candidates in hospitals or schools of dentistry operated or licensed by the Commonwealth which maintain dental intern, residency or post-doctoral programs accredited by the Commission on Dental Accreditation of the American Dental Association, without meeting licensure requirements for the duration of their participation in such advanced education program; and

6. Dental hygiene students enrolled in an accredited dental hygiene program performing dental hygiene practices as a requisite of the program, under the direction of competent instructors, as defined by regulations of the Board of Dentistry, (i) within a dental hygiene program in a dental school or

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59 college, or department thereof, or other dental facility ~~managed by~~ *within* a university or college *that is*  
60 *accredited by an accrediting agency recognized by the Board of Dentistry United States Department of*  
61 *Education; (ii) in a dental clinic operated by a nonprofit organization providing indigent care; (iii) in a*  
62 *governmental or indigent care clinic in which the student is assigned to practice during his final*  
63 *academic year rotations; or (iv) in a private dental office for a limited time during the student's final*  
64 *academic year when under the direct supervision of a licensed dentist holding appointment on the dental*  
65 *faculty of the school in which the student is enrolled.*

66 **2. That the Board of Dentistry shall promulgate regulations to implement the provisions of this act**  
67 **to be effective within 280 days of its enactment.**

68 **3. That an emergency exists and this act is in force from its passage.**