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HOUSE BILL NO. 626

Offered January 14, 2004

Prefiled January 13, 2004

A BILL to amend and reenact §§ 54.1-2715, 54.1-2717, and 54.1-2718 of the Code of Virginia, relating to the practice of licensed dentists in certain dental clinics.

Patron—O'Bannon

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2715, 54.1-2717, and 54.1-2718 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-2715. Temporary permits for certain clinicians.

A. The Board may issue a temporary permit to a graduate of a dental school or college or the dental department of a college or university, who (i) has a D.D.S. or D.M.D. degree and is otherwise qualified, (ii) is not licensed to practice dentistry in Virginia, and (iii) has not failed an examination for a license to practice dentistry in this Commonwealth. Such temporary permits may be issued only to those eligible graduates who serve as clinicians in dental clinics operated by (a) the Virginia Department of Health, (b) the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services, or (c) a Virginia charitable corporation granted tax-exempt status under § 501 (c) (3) of the Internal Revenue Code and operating as a clinic for the indigent and uninsured that is organized for the delivery of primary health care services: (i) as a federal qualified health center designated by the Centers for Medicare and Medicaid Services or (ii) at a reduced or sliding fee scale or without charge.

B. Applicants for temporary permits shall be certified to the secretary of the Board by the Commissioner of Health, the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services, or the chief executive officer of a Virginia charitable corporation identified in subsection A. The holder of such a temporary permit shall not be entitled to receive any fee or other compensation other than salary. Such permits shall be valid for no more than two years and shall expire on the second June 30 after their issuance, or shall terminate when the holder ceases to serve as a clinician with the certifying agency or charitable corporation. Such permits may be reissued after their expiration or may be revoked at any time for cause in the discretion of the Board.

C. Dentists licensed pursuant to this chapter may practice as employees of the dental clinics operated as specified in subsection A.

§ 54.1-2717. Practice of dentistry by professional business entities.

A. No corporation shall be formed or foreign corporation domesticated in the Commonwealth for the purpose of practicing dentistry other than a professional corporation as permitted by Chapter 7 (§ 13.1-542 et seq.) of Title 13.1.

B. No limited liability company shall be organized or foreign limited liability company domesticated in the Commonwealth for the purpose of practicing dentistry other than a professional limited liability company as permitted by Chapter 13 (§ 13.1-1100 et seq.) of Title 13.1.

C. Notwithstanding the provisions of subsections A and B, dentists licensed pursuant to this chapter may practice as employees of the dental clinics operated as specified in subsection A of § 54.1-2715.

§ 54.1-2718. Practicing under firm or assumed name.

A. No person shall practice, offer to practice, or hold himself out as practicing dentistry, under a name other than his own. This section shall not prohibit the practice of dentistry by a partnership under a firm name containing only the names of every member of the partnership or prohibit a licensed dentist from practicing dentistry as the employee of a licensed dentist, practicing under his own name or under a firm name, containing only the names of each member of such firm or as the employee of a professional corporation, or as a member, manager, employee, or agent of a professional limited liability company or as the employee of a dental clinic operated as specified in subsection A of § 54.1-2715.

B. The name of any professional corporation or professional limited liability company shall contain the name of each associate, shareholder, member, manager, employee, or agent engaged in the practice of dentistry on behalf of such professional business entity, and any other words designating its legal status as may be required by law, but no other words other than the initials D.D.S. or D.M.D. following the name of each associate, shareholder, member, manager, employee, or agent so qualified.

INTRODUCED

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