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HOUSE BILL NO. 1642

Offered January 12, 2011

Prefiled January 10, 2011

A BILL to amend and reenact §§ 54.1-2709, 54.1-2711.1, and 54.1-2713 of the Code of Virginia, and to repeal § 54.1-2714.1 of the Code of Virginia, relating to the licensure of dental school faculty.

Patron—O'Bannon

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2709, 54.1-2711.1, and 54.1-2713 of the Code of Virginia are amended and reenacted as follows:

§ 54.1-2709. License; application; qualifications; examinations.

A. No person shall practice dentistry unless he possesses a current valid license from the Board of Dentistry.

B. An application for such license shall be made to the Board in writing and shall be accompanied by satisfactory proof that the applicant (i) is of good moral character; (ii) is a graduate of an accredited dental school or college, or dental department of a university or college; (iii) has passed ~~Part I and Part H~~ *all parts* of the examination given by the Joint Commission on National Dental Examinations; (iv) has successfully completed a clinical examination acceptable to the Board; and (v) has met other qualifications as determined in regulations promulgated by the Board.

C. The Board may grant a license to practice dentistry to an applicant licensed to practice in another jurisdiction if he (i) meets the requirements of subsection B; (ii) holds a current, unrestricted license to practice dentistry in another jurisdiction in the United States and is certified to be in good standing by each jurisdiction in which he currently holds or has held a license; (iii) has not committed any act that would constitute grounds for denial as set forth in § 54.1-2706; and (iv) has been in continuous clinical practice for five out of the six years immediately preceding application for licensure pursuant to this section. Active patient care in the dental corps of the United States Armed Forces, volunteer practice in a public health clinic, or practice in an intern or residency program may be accepted by the Board to satisfy this requirement.

D. The Board shall provide for an inactive license for those dentists who hold a current, unrestricted dental license in the Commonwealth at the time of application for an inactive license and who do not wish to practice in Virginia. The Board shall promulgate such regulations as may be necessary to carry out the provisions of this section, including requirements for remedial education to activate a license.

E. *The Board shall grant a license to practice dentistry for faculty members employed by a dental school in the Commonwealth, according to § 54.1-2713.*

F. *The Board shall grant a temporary license to practice dentistry for persons enrolled in advanced dental education programs and accredited continuing education programs, according to § 54.1-2711.1.*

G. The Board shall promulgate regulations requiring continuing education for any dental license renewal or reinstatement. The Board may grant extensions or exemptions from these continuing education requirements.

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

A. Upon recommendation by the dean of the school of dentistry *or the hospital program director*, 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 issue a temporary license to persons enrolled in accredited continuing education programs offered by schools of dentistry for the duration of the course. Such license shall expire upon the holder's completion, withdrawal or termination from the relevant program. Such a temporary license holder may only engage in the practice of dentistry as part of the accredited educational program in the teaching facilities of the school of dentistry and only under supervision of a licensed faculty member.*

C. The Board may prescribe such regulations not in conflict with existing law and require such

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59 reports from any hospital or the school of dentistry operating an accredited advanced dental education
60 program *or an accredited continuing dental education program* in the Commonwealth as may be
61 necessary to carry out the provisions of this section.

62 § 54.1-2713. Licenses for faculty members in dental schools; renewals.

63 A. Upon payment of the prescribed fee, the Board shall grant, without examination, a license to teach
64 *and practice* dentistry to any applicant who ~~(i) is~~ *meets any of the following qualifications:*

65 1. *Is a graduate of a dental school or college or the dental department of a college or university*
66 ~~approved by the Board of Dentistry; (ii) has a D.D.S. or D.M.D. degree and is otherwise qualified; (iii),~~
67 *has a license to practice dentistry in at least one other state, is not licensed to practice dentistry in the*
68 *Commonwealth; (iv), and has not failed an examination for a license to practice dentistry in Virginia;*
69 ~~and (v) has a license to practice dentistry in at least one other state on three or more occasions;~~

70 2. *Is a graduate of a dental school or college or the dental department of a college or university,*
71 *has completed an ADA-CODA-accredited advanced dental education program, is not licensed to practice*
72 *dentistry in the Commonwealth, and has not failed an examination for a license to practice dentistry in*
73 *Virginia on three or more occasions. Applicants who are qualified educationally for board certification*
74 *are licensed in the specialty in which they are qualified; or*

75 3. *Is otherwise qualified in the opinion of the Board.*

76 B. The applicant shall also be certified *by the dean* to be on the faculty of a dental school with an
77 accredited program that teaches dentistry. The holder of such a license shall be entitled to perform all
78 operations ~~which that a person licensed to practice dentistry would be entitled to perform but only for~~
79 ~~the express purpose of teaching and that are part of their faculty duties. This includes all patient care~~
80 *activities associated with teaching, research, and the delivery of patient care and that take place only*
81 *within facilities owned or operated by, or affiliated with, the dental school. This license does not entitle*
82 *permit the holder to practice dentistry intramurally or privately or to receive fees for service in other*
83 *offices or clinics. This license will be subject to renewal annually and will terminate automatically upon*
84 *cessation of the faculty appointment.*

85 Any license issued under this section shall expire on the June 30 of the second year after its issuance
86 or shall terminate when the licensee leaves employment at the accredited dental program. Such license
87 may be renewed annually thereafter as long as the accredited program certifies to the licensee's
88 continuing employment.

89 2. That § 54.1-2714.1 of the Code of Virginia is repealed.

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