13.0279.01001

Sixty-third
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1454

Introduced by

Representatives M. Nelson, Holman

A BILL ~~for an Act to create and enact chapter 43-20.1 of the North Dakota Century Code, relating to regulation of dental therapists; to amend and reenact subdivision cc of subsection 2 of section 12-60-24 and sections 43-20-13, 43-28-02, 43-28-06, and 43-28-18 of the North Dakota Century Code, relating to the regulation of dental therapists; and to provide a penalty.~~for an Act to provide for a legislative management study of access to dental services.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

~~**SECTION 1. AMENDMENT.** Subdivision cc of subsection 2 of section 12-60-24 of the North Dakota Century Code is amended and reenacted as follows:~~

~~cc. The board of dental examiners for investigations of applicants or, dentists, or dental therapists under section 43-28-11.2 or 43-20.1-04, except that criminal history record checks need not be made unless required by the board.~~

~~**SECTION 2. AMENDMENT.** Section 43-20-13 of the North Dakota Century Code is amended and reenacted as follows:~~

~~**43-20-13. Dental assistant - Scope of permitted practice.**~~

~~A dental assistant is an auxiliary to the practice of dentistry. To the extent applicable and to the extent they are not inconsistent with this chapter, the requirements and rules adopted by the board of dental examiners under chapter 43-28 apply to the practice of dental assistants. A dentist or dental therapist may delegate to a dental assistant who is under that dentist's or dental therapist's direct, indirect, or general supervision procedures over which the dentist or dental therapist exercises full responsibility as provided by rules adopted by the board of dental examiners.~~

~~**SECTION 3.** Chapter 43-20.1 of the North Dakota Century Code is created and enacted as follows:~~

1 ~~**43-20.1-01. Definitions.**~~
2 ~~As used in this chapter:~~
3 ~~1. "Advanced dental therapist" means an individual licensed as a dental therapist under~~
4 ~~this chapter and who has been certified by the board to practice as an advanced~~
5 ~~dental therapist under section 43-20.1-15.~~
6 ~~2. "Board" means the state board of dental examiners.~~
7 ~~3. "Dental therapist" means an individual licensed under this chapter to perform the~~
8 ~~services authorized under section 43-20.1-10 or any other services authorized under~~
9 ~~this chapter.~~
10 ~~4. "Practice of dental therapy" means an individual who:~~
11 ~~a. Works under the supervision of a North Dakota-licensed dentist under a~~
12 ~~collaborative management agreement as specified under section 43-20.1-09; and~~
13 ~~b. Provides oral health care services, including preventive, oral evaluation and~~
14 ~~assessment, educational, palliative, therapeutic, and restorative services, as~~
15 ~~authorized under sections 43-20.1-10 and 43-20.1-11 and within the context of a~~
16 ~~collaborative management agreement.~~
17 ~~**43-20.1-02. License required - Exceptions.**~~
18 ~~1. A person may not practice dental therapy in this state unless that person is a dental~~
19 ~~therapist.~~
20 ~~2. Subsection 1 does not apply to a licensed dentist, physician, dental assistant, dental~~
21 ~~hygienist, or other regulated professional who is practicing within the scope of practice~~
22 ~~of that regulated profession.~~
23 ~~**43-20.1-03. Requirements for licensure.**~~
24 ~~1. The board may grant a license to practice dental therapy to an applicant who has met~~
25 ~~all of the following requirements:~~
26 ~~a. The applicant has a baccalaureate degree or a master's degree from a~~
27 ~~board-approved dental therapy education program. The board may require that~~
28 ~~the education program be accredited by the American dental association~~
29 ~~commission on dental accreditation or another board-approved national~~
30 ~~accreditation organization.~~

~~b. The applicant has passed a comprehensive, competency-based clinical examination that is approved by the board and administered independently of an institution providing dental therapy education and has passed an examination testing the applicant's knowledge of this state's laws and rules relating to the practice of dentistry. An applicant who has failed the clinical examination twice is ineligible to retake the clinical examination until further education and training are obtained as specified by the board.~~

~~2. An applicant shall apply to the board on forms prescribed by the board. The application must be verified under oath to the effect that all of the statements contained in the application are true to the applicant's knowledge.~~

~~3. The board may deny an application or take disciplinary action against a licensee or applicant in the same manner and upon the same basis as provided under chapter 43-28. Conviction of an offense does not disqualify an individual from licensure under this chapter unless the board determines that the offense has a direct bearing upon an individual's ability to serve the public as a dental therapist or that following conviction of any offense, the individual is not sufficiently rehabilitated under section 12.1-33-02.1.~~

~~4. An applicant shall submit an application and fee as prescribed by the board and a diploma or certificate from a dental therapy education program.~~

~~**43-20.1-04. Fitness - Criminal history record check - Costs.**~~

~~The board may investigate an applicant's or a dental therapist's fitness, qualification, and previous professional record and performance. The board may seek information sought under this section from recognized data sources, including the national practitioners data bank, data repositories, licensing and disciplinary authorities of other jurisdictions, professional education and training institutions, liability insurers, health care institutions, and law enforcement agencies. An applicant or a dental therapist for whom the board is performing an investigation under this section shall cooperate with the board if necessary to access the information sought by the board. The board or the board's investigative disciplinary panels may require an applicant or a dental therapist who is the subject of a disciplinary investigation to submit to a statewide and nationwide criminal history record check. The criminal history record check must be conducted in the manner provided by section 12-60-24. All costs associated with a criminal~~

~~history record check performed under this section are the responsibility of the dental therapist or applicant.~~

~~**43-20.1-05. License renewal - Continuing education - Inactive status.**~~

~~1. Licenses expire on December thirty-first of every odd-numbered year.~~

~~2. Licenses may be renewed by December thirty-first of the odd-numbered year by submitting a renewal application, a renewal fee established by the board by rule, and proof of completion of the continuing education requirements established by the board by rule, provided the dentist's license is not revoked or grounds for denial under section 43-28-18 do not exist.~~

~~3. If the renewal application, renewal fee, and proof of completion of continuing education are not received by December thirty-first of the odd-numbered year, the license expires and the dental therapist may not practice dental therapy.~~

~~4. Within sixty days after December thirty-first of the odd-numbered year, an expired license may be renewed by submitting the renewal application, renewal fee, proof of completion of continuing education, and a late fee established by the board by rule.~~

~~5. If the renewal application, renewal fee, proof of completion of continuing education, and late fee are not received within sixty days after December thirty-first of the odd-numbered year, the license may not be renewed, and the dental therapist must apply for and meet the requirements for licensure to be granted a license.~~

~~6. The board may extend the renewal deadlines for a dental therapist providing proof of medical or other hardship rendering the dental therapist unable to meet the deadline.~~

~~7. Upon payment of a fee determined by the board, a dental therapist may request to have the dental therapist's license placed on inactive status. While on inactive status, the dental therapist may not engage in the practice of dental therapy in the state until the inactive dental therapist applies for reinstatement, pays a renewal fee, and meets any additional requirements established by the board by rule.~~

~~**43-20.1-06. State board of dental examiners - Powers - Duties.**~~

~~The board shall enforce this chapter. The board may adopt rules the board determines necessary for the proper enforcement of this chapter and the examination of dental therapists for their conduct and practice. For purposes of this chapter, the board has the powers set forth in section 43-28-06.~~

1 ~~**43-20.1-07. Practice of dental therapy supplemental to practice of dentistry.**~~
2 ~~The practice of dental therapy is supplemental and auxiliary to the practice of dentistry in~~
3 ~~North Dakota. The provisions of chapter 43-28 apply with equal force to the extent the~~
4 ~~provisions are applicable to the practice of dental therapy, except as otherwise provided for in~~
5 ~~this chapter.~~
6 ~~**43-20.1-08. Change of address.**~~
7 ~~A dental therapist shall notify the executive director of the board of any new address within~~
8 ~~thirty days of the address change. The notice required under this section must be given by~~
9 ~~certified mail, return receipt requested. A dental therapist may not practice in this state for more~~
10 ~~than thirty days after the change of address without complying with this section.~~
11 ~~**43-20.1-09. Collaborative management agreement.**~~
12 ~~1. A person may not practice dental therapy unless that person is licensed under this~~
13 ~~section as a dental therapist and has entered a written collaborative management~~
14 ~~agreement with a North Dakota licensed dentist.~~
15 ~~2. A collaborating dentist may not enter collaborative agreements with more than five~~
16 ~~dental therapists at any one time.~~
17 ~~3. A collaborative management agreement must include:~~
18 ~~a. Practice settings where services may be provided and the populations to be~~
19 ~~served;~~
20 ~~b. Any limitations on the services that may be provided by the dental therapist,~~
21 ~~including the level of supervision required by the collaborating dentist;~~
22 ~~c. Age and procedure specific practice protocols, including case selection criteria,~~
23 ~~assessment guidelines, and imaging frequency;~~
24 ~~d. A procedure for creating and maintaining dental records for the patients treated~~
25 ~~by the dental therapist;~~
26 ~~e. A plan to manage medical emergencies in each practice setting where the dental~~
27 ~~therapist provides care;~~
28 ~~f. A quality assurance plan for monitoring care provided by the dental therapist,~~
29 ~~including patient care review, referral followup, and a quality assurance chart~~
30 ~~review;~~

1 ~~g. Protocols for administering and dispensing medications authorized under section~~
2 ~~43-20.1-12, including the specific conditions and circumstance under which these~~
3 ~~medications are to be dispensed and administered;~~
4 ~~h. Criteria relating to the provision of care to patients with specific medical~~
5 ~~conditions or complex medication histories, including requirements for~~
6 ~~consultation before the initiation of care;~~
7 ~~i. Supervision criteria of dental assistants; and~~
8 ~~j. A plan for the provision of clinical resources and referrals in situations that are~~
9 ~~beyond the capabilities of the dental therapist.~~
10 ~~4. A collaborating dentist must be licensed and practicing in the state. The collaborating~~
11 ~~dentist shall accept responsibility for all services authorized and performed by the~~
12 ~~dental therapist pursuant to the management agreement. Any licensed dentist who~~
13 ~~permits a dental therapist to perform a dental service other than those authorized~~
14 ~~under this section or by the board, or any dental therapist who performs an~~
15 ~~unauthorized service, violates section 43-28-18.~~
16 ~~5. Collaborative management agreements must be signed and maintained by the~~
17 ~~collaborating dentist and the dental therapist. Agreements must be reviewed, updated,~~
18 ~~and submitted to the board on an annual basis.~~
19 ~~**43-20.1-10. Dental therapist - Scope of practice.**~~
20 ~~1. A dental therapist may perform dental services as authorized under this section within~~
21 ~~the parameters of the collaborative management agreement.~~
22 ~~2. The services authorized to be performed by a dental therapist include the oral health~~
23 ~~services, as specified in subsections 3 and 4 and within the parameters of the~~
24 ~~collaborative management agreement.~~
25 ~~3. A dental therapist may perform the following services under general supervision,~~
26 ~~unless restricted or prohibited in the collaborative management agreement:~~
27 ~~a. Oral health instruction and disease prevention education, including nutritional~~
28 ~~counseling and dietary analysis;~~
29 ~~b. Preliminary charting of the oral cavity;~~
30 ~~c. Making radiographs;~~
31 ~~d. Mechanical polishing;~~

1 ~~e. Application of topical preventive or prophylactic agents, including fluoride~~
2 ~~varnishes and pit and fissure sealants;~~
3 ~~f. Pulp vitality testing;~~
4 ~~g. Application of desensitizing medication or resin;~~
5 ~~h. Fabrication of athletic mouth guards;~~
6 ~~i. Placement of temporary restorations;~~
7 ~~j. Fabrication of soft occlusal guards;~~
8 ~~k. Tissue conditioning and soft reline;~~
9 ~~l. Atraumatic restorative therapy;~~
10 ~~m. Dressing changes;~~
11 ~~n. Tooth reimplantation;~~
12 ~~o. Administration of local anesthetic; and~~
13 ~~p. Administration of nitrous oxide.~~
14 ~~4. A dental therapist may perform the following services under indirect supervision:~~
15 ~~a. Emergency palliative treatment of dental pain;~~
16 ~~b. The placement and removal of space maintainers;~~
17 ~~c. Cavity preparation;~~
18 ~~d. Restoration of primary and permanent teeth;~~
19 ~~e. Placement of temporary crowns;~~
20 ~~f. Preparation and placement of preformed crowns;~~
21 ~~g. Pulpotomies on primary teeth;~~
22 ~~h. Indirect and direct pulp capping on primary and permanent teeth;~~
23 ~~i. Stabilization of reimplanted teeth;~~
24 ~~j. Extractions of primary teeth;~~
25 ~~k. Suture removal;~~
26 ~~l. Brush biopsies;~~
27 ~~m. Repair of defective prosthetic devices; and~~
28 ~~n. Recementing of permanent crowns.~~
29 ~~**43-20.1-11. Advanced dental therapist - Scope of practice.**~~
30 ~~1. An advanced dental therapist may perform the following services and procedures~~
31 ~~pursuant to the written collaborative management agreement:~~

1 ~~a. An oral evaluation and assessment of dental disease and the formulation of an~~
2 ~~individualized treatment plan authorized by the collaborating dentist;~~
3 ~~b. The services and procedures described under subsections 3 and 4 of section~~
4 ~~43-20.1-10; and~~
5 ~~c. Nonsurgical extractions of permanent teeth as limited in subsection 4.~~
6 ~~2. The services and procedures described under subsection 1 may be performed under~~
7 ~~general supervision.~~
8 ~~3. An advanced practice dental therapist may not perform any service or procedure~~
9 ~~described in subsection 1 except as authorized by the collaborating dentist.~~
10 ~~4. An advanced dental therapist may perform nonsurgical extractions of periodontally~~
11 ~~diseased permanent teeth with tooth mobility of +3 to +4 under general supervision if~~
12 ~~authorized in advance by the collaborating dentist. The advanced dental therapist may~~
13 ~~not extract a tooth of any patient if the tooth is unerupted, impacted, fractured, or~~
14 ~~needs to be sectioned for removal.~~
15 ~~5. The collaborating dentist is responsible for directly providing or arranging for another~~
16 ~~dentist or specialist to provide any necessary advanced services needed by the~~
17 ~~patient.~~
18 ~~6. An advanced dental therapist in accordance with the collaborative management~~
19 ~~agreement shall refer patients to another qualified dental or health care professional to~~
20 ~~receive any needed services that exceed the scope of practice of the advanced dental~~
21 ~~therapist.~~
22 ~~7. In addition to the collaborative management agreement requirements described in~~
23 ~~section 43-20.1-09, a collaborative management agreement entered with an advanced~~
24 ~~dental therapist must include specific written protocols to govern situations in which~~
25 ~~the advanced dental therapist encounters a patient who requires treatment that~~
26 ~~exceeds the authorized scope of practice of the advanced dental therapist. The~~
27 ~~collaborating dentist shall ensure that a dentist is available to the advanced dental~~
28 ~~therapist for timely consultation during treatment if needed and shall provide or~~
29 ~~arrange with another dentist or specialist to provide the necessary treatment to any~~
30 ~~patient who requires more treatment than the advanced dental therapist is authorized~~
31 ~~to provide.~~

1 ~~**43-20.1-12. Dispensing authority.**~~
2 ~~1. A dental therapist may dispense and administer analgesics, anti-inflammatories, and~~
3 ~~antibiotics within the parameters of the collaborative management agreement and~~
4 ~~within the scope of practice of the dental therapist. The authority to dispense and~~
5 ~~administer is limited to the categories of drugs identified in this subsection, and may~~
6 ~~be further limited by the collaborative management agreement. The authority to~~
7 ~~dispense includes the authority to dispense sample drugs within the categories~~
8 ~~identified in this subsection if dispensing is permitted by the collaborative management~~
9 ~~agreement. A dental therapist may not dispense or administer a narcotic drug.~~
10 ~~2. An advanced dental therapist may provide, dispense, and administer analgesics,~~
11 ~~anti-inflammatories,and antibiotics within the parameters of the collaborative~~
12 ~~management agreement, within the scope of practice of the advanced dental therapist~~
13 ~~practitioner, and with the authorization of the collaborating dentist. The authority to~~
14 ~~provide, dispense, and administer is limited to the categories of drugs identified in this~~
15 ~~subsection and may be further limited by the collaborative management agreement.~~
16 ~~The authority to dispense includes the authority to dispense sample drugs within the~~
17 ~~categories identified in this subsection if dispensing is permitted by the collaborative~~
18 ~~management agreement. Notwithstanding this subsection, an advanced dental~~
19 ~~therapist may not provide, dispense, or administer a narcotic drug.~~
20 ~~**43-20.1-13. Application of other laws.**~~
21 ~~A dental therapist authorized to practice under this chapter is not in violation of chapter~~
22 ~~43-28 as it relates to the unauthorized practice of dentistry if the practice is authorized under~~
23 ~~this chapter and is within the parameters of the collaborative management agreement.~~
24 ~~**43-20.1-14. Use of dental assistants.**~~
25 ~~1. A dental therapist may supervise dental assistants to the extent permitted in the~~
26 ~~collaborative management agreement and according to section 43-20.1-13.~~
27 ~~2. Notwithstanding subsection 1, a dental therapist may supervise no more than four~~
28 ~~dental assistants at any one practice setting.~~
29 ~~**43-20.1-15. Advance practice dental therapists.**~~
30 ~~In order to be certified by the board to practice as an advanced dental therapist, an~~
31 ~~applicant must:~~

1. Complete a board-approved dental therapy education program;
2. Pass a board-approved examination to demonstrate competency under the dental therapy scope of practice;
3. Be a dental therapist;
4. Complete two thousand hours of dental therapy clinical practice under direct or indirect supervision;
5. Graduate from a board-approved master's advanced dental therapy education program;
6. Pass a board-approved certification examination to demonstrate competency under the advanced scope of practice; and
7. Submit an application and fee for certification as prescribed by the board.

43-20.1-16. Penalty.

It is a class B misdemeanor for any person to knowingly:

1. Falsely claim or pretend to be a graduate from any dental therapist education program or the holder of any diploma or degree from such program;
2. Practice any fraud and deceit in obtaining a license or certificate;
3. Falsely claim or pretend to have or hold a license or certificate from the board to practice dental therapy; or
4. Practice dental therapy in this state without a license or certificate.

SECTION 4. AMENDMENT. Section 43-28-02 of the North Dakota Century Code is amended and reenacted as follows:

43-28-02. Exceptions.

The provisions of this chapter do not apply:

1. To the filling of written prescriptions of a licensed and registered dentist by any person for the construction, reproduction, or repair of prosthetic dentures, bridges, plates, or appliances, to be used or worn as substitutes for natural teeth, provided, that such person or legal entity may not solicit or advertise, directly or indirectly, by mail, card, newspaper, pamphlet, radio, television, or otherwise to the general public to construct, reproduce, repair prosthetic dentures, bridges, plates, or other appliances to be used or worn as substitutes for natural teeth.

~~2. To a student enrolled in and regularly attending any dental college, dental hygiene, or dental assisting, or dental therapy education program recognized as such by the board, if the student's acts are done in the dental college, dental hygiene, or dental assisting, or dental therapy program and under the direct supervision of the student's instructor; or to a student who is in training in any dental program recognized as such by the board and who is continuing the student's training and performing the duties of an extern or resident under the supervision of a dentist who has received approval to supervise an externship or residency by the appropriate accrediting committee, including the board.~~

~~3. To a legally qualified and licensed physician, surgeon, or other practitioner authorized by law, who in emergency cases performs any act within the scope of the practice of dentistry.~~

~~4. To a duly licensed and registered dentist of another state temporarily operating in this state as a clinician, lecturer, or attendant of an educational program under the auspices of a dental college, a reputable dental society, dental hygienist society, or dental assistant society.~~

~~5. To the practice of dentistry in the discharge of their official duties by graduate dentists or dental surgeons in the United States army, navy, air force, public health service, coast guard, veterans' bureau, or director of the dental division of the state department of health.~~

~~6. To a registered nurse, licensed practical nurse, registered dental hygienist, or registered dental assistant who is applying topical fluoride varnish to an individual and is acting under the direct or general supervision of a physician or licensed dentist if the registered nurse, licensed practical nurse, registered dental hygienist, or registered dental assistant has successfully completed a training program approved by the board.~~

~~7. To an advanced practice registered nurse licensed under chapter 43-12.1 who is applying topical fluoride varnish to an individual and is acting within the scope of practice of the advanced practice registered nurse and has successfully completed a training program approved by the board.~~

8. To registered dental hygienists, registered dental assistants, qualified dental assistants, and dental assistants practicing within the scope of practice and under supervision as required by chapter 43-20 and by rule.

SECTION 5. AMENDMENT. Section 43-28-06 of the North Dakota Century Code is amended and reenacted as follows:

43-28-06. Powers of board.

The board may:

1. Adopt and enforce reasonable rules to govern its proceedings and to carry out this chapter.
2. Examine applicants for licenses or registration to practice dentistry, dental hygiene, or dental assisting, or dental therapy in this state, either by direct examination or by accepting the results of national or regional dental testing services in which the board participates or which the board recognizes.
3. Issue, suspend, revoke, limit, cancel, restrict, and reinstate licenses to practice dentistry, dental therapy, or dental hygiene and the biennial certificates of registration upon any grounds authorized by this chapter.
4. Issue subpoenas to require the attendance of witnesses and the production of documentary evidence and may administer oaths. Any member or executive officer of the board may administer oaths to witnesses, or issue subpoenas, but all subpoenas so issued must be attested by the secretary who shall affix the seal of the board thereto.
5. Employ and compensate an executive director, attorneys, investigative staff, and clerical assistants and may perform any other duties imposed upon the board by this chapter.
6. Establish minimum continuing professional education requirements for dentists, dental therapists, dental hygienists, and dental assistants.

SECTION 6. AMENDMENT. Section 43-28-18 of the North Dakota Century Code is amended and reenacted as follows:

43-28-18. Grounds for denial of or disciplinary action against license and certificate.

The board may deny an application or take disciplinary action against the license and the certificate of registration of any applicant or dentist who has:

1. Engaged in dishonorable, unprofessional, or immoral conduct.
2. Been convicted of an offense determined by the board to have a direct bearing upon the individual's ability to serve the public as a dentist, or the board determines, following conviction for any offense, that the individual is not sufficiently rehabilitated under section 12.1-33-02.1.
3. Been adjudged mentally ill and not judicially restored by the regularly constituted authorities.
4. Abused, is dependent on, or addicted to the use of alcohol or drugs.
5. Employed or permitted an unlicensed individual to practice dentistry in the office under the dentist's control.
6. Been grossly negligent in the practice of dentistry.
7. Engaged in fraud or deceit in obtaining the license or in the practice of dentistry.
8. Disclosed confidential information.
9. Shared any professional fee with anyone or paid anyone for sending or referring patients to the dentist. However, this does not prohibit dentists from practicing in a partnership and sharing one another's professional fees, nor prohibit a dentist from employing any other dentist, dental therapist, or dental hygienist.
10. Used any advertising of any character tending to mislead and deceive the public, including advertising the public could reasonably interpret as indicating the dentist is qualified to practice a dental specialty, if the practice of that dental specialty would be outside the scope of practice for which the dentist is qualified to practice.
11. Failed to meet minimum standards of professional competence.
12. Prescribed, administered, or dispensed medications for reasons or conditions outside the scope of dental practice.
13. Fraudulently, carelessly, negligently, or inappropriately prescribed drugs or medications.
14. Directed others to perform acts or provide dental services for which they were not licensed or qualified or were prohibited by law or rule from performing or providing.
15. Submitted fraudulent insurance claims.
16. Made any false or untrue statements in an application for an examination to obtain a license to practice dentistry.

1 ~~17. Made any false representations that the individual is the holder of a license or~~
2 ~~certificate of registration to practice dentistry.~~
3 ~~18. Made any false claims that the individual is a graduate of a dental college or the holder~~
4 ~~of any diploma or degree from a dental college.~~
5 ~~19. Failed to comply with commonly accepted national infection control guidelines and~~
6 ~~standards.~~
7 ~~20. Abandoned the dentist's practice in violation of rules adopted by the board.~~
8 ~~21. Failed to report to the board as required under section 43-28-18.1.~~
9 ~~22. Failed to practice within the scope of that dentist's education or advanced training as~~
10 ~~recognized by the board, the American dental association, or other professional entity~~
11 ~~recognized by the board.~~
12 ~~23. Failed to release copies of dental or medical records requested by a patient of record~~
13 ~~or violated section 23-12-14. Dental records may include any document, charting,~~
14 ~~study models, doctor's notations, billing information, insurance document or~~
15 ~~combination of documents that pertains to a patient's medical history, diagnosis,~~
16 ~~prognosis, or medical condition, which is generated and maintained in the process of~~
17 ~~the patient's dental health care treatment.~~
18 ~~24. Advised or directed patients to dental laboratories or dental laboratory technicians for~~
19 ~~any dental service or advised or directed patients to deal directly with laboratories or~~
20 ~~dental laboratory technicians without first having furnished the dental laboratory or~~
21 ~~dental laboratory technician a written prescription.~~
22 ~~25. Worked or cooperated with dental laboratories that advertise for public patronage by~~
23 ~~delegating work to such laboratories in return for the referral of laboratory patrons for~~
24 ~~professional services.~~
25 ~~26. Used the services of a person or entity not licensed to practice dentistry in this state,~~
26 ~~or constructed, altered, repaired, or duplicated a denture, plate, partial plate, bridge,~~
27 ~~splint, or orthodontic or prosthetic appliance, except as provided by rule adopted by~~
28 ~~the board.~~
29 ~~27. Violated the code of ethics adopted by the board by rule.~~
30 ~~28. Violated this chapter or rules adopted by the board.~~

1 ~~29. Had the applicant's or dentist's license suspended, revoked, or disciplined in another~~
2 ~~jurisdiction.~~
3 **SECTION 1. LEGISLATIVE MANAGEMENT STUDY - ACCESS TO DENTAL SERVICES.**
4 During the 2013-14 interim, the legislative management shall consider studying how to improve
5 access to dental services and ways to address dental service provider shortages, including the
6 feasibility of utilizing mid-level providers, whether the use of incentives for dental service
7 providers to locate in underserved areas in the state may improve access, and whether the
8 state's medical assistance reimbursement rates impact access to dental services. The
9 legislative management shall report its findings and recommendations, together with any
10 legislation required to implement the recommendations, to the sixty-fourth legislative assembly.