

IN THE SENATE

SENATE BILL NO. 1037

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO DENTISTS; AMENDING SECTION 54-920, IDAHO CODE, TO REVISE PROVISIONS REGARDING LICENSING.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 54-920, Idaho Code, be, and the same is hereby amended to read as follows:

54-920. LICENSING -- LICENSE FEES -- BIENNIAL RENEWAL OF LICENSES -- LATE FEES AND RETURNED CHECKS -- CLASSIFICATIONS OF LICENSES -- RIGHTS OF LICENSEES -- NOTIFICATION OF CHANGE OF ADDRESS. (1) Each person determined by the board as qualified for licensure under this chapter shall pay the prescribed biennial license fee to the board prior to issuance of a license. Unless otherwise specified on a license, licenses issued by the board shall be effective for the biennial licensing period specified in this section. The biennial licensing period for dental licenses shall be a two (2) year period from October 1 of each even-numbered calendar year to September 30 of the next successive even-numbered calendar year. The biennial licensing period for dental hygiene licenses shall be a two (2) year period from April 1 of each odd-numbered calendar year to March 31 of the next successive odd-numbered calendar year. Unless otherwise specified on a license, any license issued during a biennial licensing period shall be effective until the beginning date of the next successive biennial licensing period and the board may prorate the amount of the license fee from the date of issuance of the license until the beginning date of the next applicable biennial licensing period at the discretion of the board. A license issued by the board shall expire unless renewed in the manner specified in this section.

(2) The nonrefundable biennial license fees shall be fixed by the board, but shall not exceed the following amounts:

(a) Four hundred dollars (\$400) for a dentist with an active status;

(b) Two hundred dollars (\$200) for a dentist with an inactive status;

(c) Two hundred twenty dollars (\$220) for a dental hygienist with an active status;

(d) One hundred twelve dollars (\$112) for a dental hygienist with an inactive status; or

(e) Four hundred dollars (\$400) for a dentist with a specialist status; ~~or~~

~~(f) Twenty dollars (\$20.00) for a dentist or dental hygienist with a retirement status.~~

(3) A license issued by the board shall be renewed as prescribed in this section. Prior to the expiration of the effective period of a license, the board shall provide notice of renewal to the licensee's address of record on file with the board. To renew a dental license, each licensee shall submit a properly completed renewal application and the appropriate biennial license

1 fee to the board prior to September 30 of every even-numbered calendar year.
2 To renew a dental hygiene license, each licensee shall submit a properly com-
3 pleted renewal application and the appropriate biennial license fee to the
4 board prior to March 31 of each odd-numbered calendar year. Each licensee
5 determined by the board as qualified for renewal of a license shall be issued
6 a license for the applicable biennial licensing period.

7 (4) Failure to timely submit a complete renewal application and li-
8 cense fee shall result in expiration of the license and termination of the
9 licensee's right to practice. Failure to submit a complete renewal applica-
10 tion, license fee and fifty dollar (\$50.00) late fee within thirty (30) days
11 of expiration of the license shall result in cancellation of the license.

12 (5) Any person who delivers a check or other payment to the board that is
13 returned to the board unpaid by the financial institution upon which it was
14 drawn shall pay to the board as an administrative cost, in addition to any
15 other amount owing, the amount of fifty dollars (\$50.00). Following notifi-
16 cation by the board of the returned check or other payment, the person shall
17 make payment of all moneys owing to the board by certified check or money or-
18 der within thirty (30) days of the date of notification. A failure to submit
19 the necessary remittance within the thirty (30) day period may result in the
20 expiration of a license or constitute grounds for the board to deny, cancel,
21 suspend or revoke a license.

22 (6) The board of dentistry may issue different classes of licenses as
23 defined in this subsection.

24 (a) The term "license with active status" means a license issued by the
25 board to a qualified person who is authorized to be an active practi-
26 tioner of practice dentistry or dental hygiene in the state of Idaho. A
27 person's right to be issued and maintain a license with active status
28 shall not be affected by any absence, not exceeding two (2) years, from
29 active practice in Idaho by reason of illness or vacation. A person's
30 right to be issued and maintain a license with active status shall not
31 be affected by any absence from active practice in Idaho for any period
32 while serving on active duty in the armed forces of the United States,
33 while employed in the United States public health service or United
34 States veterans administration, or while enrolled in board-approved
35 postgraduate educational courses, either within or without the state of
36 Idaho. Each applicant or licensee requesting an active status license
37 must state that he intends to fulfill the requirements for that status.

38 (b) The term "license with an inactive status" means a license issued
39 by the board to a qualified person who is not authorized to be an active
40 practitioner of dentistry or dental hygiene in the state of Idaho. A
41 person issued a license with an inactive status is not entitled to prac-
42 tice dentistry or dental hygiene in the state of Idaho.

43 (c) The terms "license with special status" and "license with provi-
44 sional status" mean licenses issued by the board to a qualified person
45 on a provisional, conditional, restricted or limited basis under the
46 terms of which the licensee is authorized to practice dentistry or den-
47 tal hygiene in the state of Idaho subject to conditions, limitations and
48 requirements imposed by the board. The conditions, limitations and re-
49 quirements imposed by the board may include, but are not limited to, a
50 limitation on the effective period of the license, a requirement that

1 specific conditions must be fulfilled in order for the license to re-
2 main effective, a requirement that specified education, examinations
3 and skills testing be successfully completed during the effective pe-
4 riod of the license, a restriction on the scope of permissible services
5 that the licensee is authorized to perform, a restriction on the type of
6 patients for whom treatment may be rendered and a restriction on the lo-
7 cations at which the licensee can perform authorized services.

8 ~~(d) The term "license with retirement status" means a license issued to~~
9 ~~a person who was previously licensed as a dentist or dental hygienist in~~
10 ~~Idaho who no longer intends to practice dentistry or dental hygiene. A~~
11 ~~license with retirement status does not permit the holder to practice~~
12 ~~dentistry or dental hygiene in the state of Idaho. A license with re-~~
13 ~~irement status cannot be converted to a license with active or inactive~~
14 ~~status other than by filing an application for licensure and qualifying~~
15 ~~as required of a first-time applicant.~~

16 (7) (a) The board may issue a license with active status to any qual-
17 ified applicant or qualified licensee who is ~~an active practitioner of~~
18 authorized to practice dentistry or dental hygiene in the state of Idaho
19 ~~or who signifies to the board in writing that, upon issuance of an ini-~~
20 ~~tial license or renewal of a biennial license, he intends to be an active~~
21 ~~practitioner in this state within two (2) years. Renewal of a license~~
22 ~~with active status requires compliance with requirements as determined~~
23 ~~by the board specified in rule.~~

24 (b) The board may issue a license with inactive status to any qualified
25 person applicant or qualified licensee who fulfilled the licensure re-
26 quirements but, ~~for any reason, is~~ does not eligible for a license with
27 active status practice in the state of Idaho. Renewal of a license with
28 inactive status requires compliance with requirements ~~as determined by~~
29 the board specified in rule.

30 (c) The board may issue a license with provisional status or special
31 status to any person who fulfills, or substantially fulfills, the
32 applicable licensure requirements when the board, acting in its dis-
33 cretion, determined that special circumstances existed which, for the
34 protection of the public health, safety and welfare, required that
35 specific conditions, restrictions or limitations be imposed on the li-
36 cense. A license with special status or provisional status entitles the
37 holder thereof to practice dentistry or dental hygiene in the state of
38 Idaho subject to the conditions, restrictions and limitations specif-
39 ically determined by the board and for the period of time prescribed.
40 A provisional license is effective for the period specified by the
41 board and may not be renewed. The board shall develop rules to include
42 definitions, application and renewal requirements, limitations of
43 practice and other conditions regarding provisional and special status
44 licenses.

45 (d) The board may convert a license with inactive status to a li-
46 cense with active status in the event the holder pays the license fee
47 prescribed for licenses with active status and submits to the board sat-
48 isfactory evidence of:

- 49 (i) Compliance with the requirements of this chapter and all
50 rules promulgated under the provisions of this chapter;

1 (ii) Good moral character and good professional conduct; and
2 (iii) ~~A minimum of one thousand (1,000) hours of clinical den-~~
3 ~~tistry or dental hygiene practiced within the previous two (2)~~
4 ~~years or employment full time as a dental or dental hygiene in-~~
5 ~~structor at an American dental association accredited dental or~~
6 ~~dental hygiene school or enrollment in a board-approved postgrad-~~
7 ~~uate educational program~~ Completion of accumulated continuing ed-
8 ucation as required of a license with uninterrupted active status.

9 (e) Persons unable to otherwise fully meet the requirements for conver-
10 sion of an inactive status license to an active status license ~~may con-~~
11 ~~vert their license upon board approval~~ must apply as a first-time appli-
12 cant.

13 (8) Each person licensed under this chapter shall notify the board in
14 writing of any change in the person's name or address of record within thirty
15 (30) days after the change has taken place.