

By the Committee on Health Care; and Senator Atwater

587-2302-05

1   A bill to be entitled

2            An act relating to dentistry; amending s.

3            466.002, F.S.; exempting certain dental

4            instructors from the requirements of ch. 466,

5            F.S., relating to dentistry, dental hygiene,

6            and dental laboratories; amending s. 466.004,

7            F.S.; limiting the time a member may serve on

8            the Board of Dentistry; revising requirements

9            for appointment to the Council on Dental

10           Hygiene; revising meeting times for the

11           council; revising requirements for the

12           council's rule and policy recommendations;

13           providing an effective date.

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15 Be It Enacted by the Legislature of the State of Florida:

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17           Section 1. Subsection (6) of section 466.002, Florida

18 Statutes, is amended to read:

19           466.002 Persons exempt from operation of

20 chapter.--Nothing in this chapter shall apply to the following

21 practices, acts, and operations:

22           (6) Instructors in Florida schools of dentistry,

23 instructors in dental programs that prepare persons holding

24 D.M.D. or D.D.S. degrees for speciality board certification

25 wherein such programs have U.S. accreditation by January 1,

26 2005, in the same manner as the board recognizes accreditation

27 for Florida schools of dentistry but that are not otherwise

28 affiliated with a Florida school of dentistry, or instructors

29 in Florida schools of dental hygiene or dental assistant

30 educational programs, while performing regularly assigned

31 instructional duties under the curriculum of such schools. A

1 full-time dental instructor at a dental school or dental  
2 program approved by the board may be allowed to practice  
3 dentistry at the teaching facilities of such school or  
4 program, upon receiving a teaching permit issued by the board,  
5 in strict compliance with such rules as are adopted by the  
6 board pertaining to the teaching permit and with the  
7 established rules and procedures of the dental school or  
8 program as recognized in this subsection.

9 Section 2. Subsection (1) and paragraph (a) of  
10 subsection (2) of section 466.004, Florida Statutes, are  
11 amended to read:

12 466.004 Board of Dentistry.--

13 (1) To carry out the provisions of this chapter, there  
14 is created within the department the Board of Dentistry  
15 consisting of 11 members who shall be appointed by the  
16 Governor and subject to confirmation by the Senate. Seven  
17 members of the board must be licensed dentists actively  
18 engaged in the clinical practice of dentistry in this state;  
19 two members must be licensed dental hygienists actively  
20 engaged in the practice of dental hygiene in this state; and  
21 the remaining two members must be laypersons who are not, and  
22 have never been, dentists, dental hygienists, or members of  
23 any closely related profession or occupation. Each member of  
24 the board who is a licensed dentist must have been actively  
25 engaged in the practice of dentistry primarily as a clinical  
26 practitioner for at least 5 years immediately preceding the  
27 date of her or his appointment to the board and must remain  
28 primarily in clinical practice during all subsequent periods  
29 of appointment to the board. Each member of the board who is  
30 connected in any way with any dental college or community  
31 college must be in compliance with s. 456.007. At least one

1 member of the board must be 60 years of age or older. Members  
2 shall be appointed for 4-year terms, but may serve no more  
3 than a total of 10 years.

4 (2) To advise the board, it is the intent of the  
5 Legislature that councils be appointed as specified in  
6 paragraphs (a), (b), and (c). The department shall provide  
7 administrative support to the councils and shall provide  
8 public notice of meetings and agenda of the councils. Councils  
9 shall include at least one board member who shall chair the  
10 council and shall include nonboard members. All council  
11 members shall be appointed by the board chair. Council  
12 members shall be appointed for 4-year terms, and all members  
13 shall be eligible for reimbursement of expenses in the manner  
14 of board members.

15 (a) A Council on Dental Hygiene shall be appointed by  
16 the board chair and shall include one dental hygienist member  
17 of the board, who shall chair the council, one dental member  
18 of the board, and three dental hygienists who are actively  
19 engaged in the practice of dental hygiene in this state. In  
20 making the appointments, the chair shall consider  
21 recommendations from the Florida Dental Hygienists  
22 Association. The council shall meet at the request of the  
23 board chair, a majority of the members of the board, or the  
24 council chair; however, the council must meet at least three  
25 times a year. The council is charged with the responsibility  
26 of and shall meet for the purpose of developing rules and  
27 policies for recommendation to the board, which the board  
28 shall consider, on matters pertaining to that part of  
29 dentistry consisting of educational, preventive, or  
30 therapeutic dental hygiene services; dental hygiene licensure,  
31 discipline, or regulation; and dental hygiene education. Rule

1 and policy recommendations of the council shall be considered  
2 by the board at its next regularly scheduled meeting in the  
3 same manner in which it considers rule and policy  
4 recommendations from designated subcommittees of the board.  
5 Any rule or policy proposed by the board pertaining to the  
6 specified part of dentistry defined by this subsection shall  
7 be referred to the council for a recommendation before final  
8 action by the board. The board may take final action on rules  
9 pertaining to the specified part of dentistry defined by this  
10 subsection without a council recommendation if the council  
11 fails to submit a recommendation in a timely fashion as  
12 prescribed by the board.

13           Section 3. This act shall take effect July 1, 2005.

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15                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
16                                COMMITTEE SUBSTITUTE FOR  
17                                Senate Bill 2230

18 The committee substitute exempts certain dental instructors  
19 from the requirements of the dental practice act. The bill  
20 limits the number of years that a member of the Board of  
21 Dentistry may serve on the board to a total of 10 years and  
22 revises the manner in which dental hygienist members are  
23 appointed to the board. The bill no longer revises the scope  
24 and area of practice of dental hygiene.  
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