

1                   A bill to be entitled  
2           An act relating to the practice of dentistry; requiring  
3           persons who apply for licensure renewal as dentists or  
4           dental hygienists to furnish certain information to the  
5           Department of Health in a dental workforce survey;  
6           requiring the Board of Dentistry to issue a  
7           nondisciplinary citation and a notice for failure to  
8           complete the survey within a specified time; providing  
9           notification requirements for the citation; requiring the  
10          department to serve as the coordinating body for the  
11          purpose of collecting, disseminating, and updating dental  
12          workforce data; requiring the department to maintain a  
13          database regarding the state's dental workforce; requiring  
14          the department to develop strategies to maximize federal  
15          and state programs and to work with an advisory body to  
16          address matters relating to the state's dental workforce;  
17          providing membership of the advisory body; requiring the  
18          department to act as a clearinghouse for collecting and  
19          disseminating information regarding the dental workforce;  
20          requiring the department and the board to adopt rules;  
21          providing legislative intent regarding implementation of  
22          the act within existing resources; amending s. 499.01,  
23          F.S.; authorizing certain business entities to pay for  
24          prescription drugs obtained by practitioners licensed  
25          under ch. 466, F.S.; providing an effective date.

26  
27   Be It Enacted by the Legislature of the State of Florida:  
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29           Section 1. Dental workforce survey.—  
 30           (1) Beginning in 2012, each person who applies for  
 31 licensure renewal as a dentist or dental hygienist under chapter  
 32 466, Florida Statutes, must, in conjunction with the renewal of  
 33 such license under procedures and forms adopted by the Board of  
 34 Dentistry and in addition to any other information that may be  
 35 required from the applicant, furnish the following information  
 36 to the Department of Health, working in conjunction with the  
 37 board, in a dental workforce survey:  
 38           (a) Licensee information, including, but not limited to:  
 39           1. The name of the dental school or dental hygiene program  
 40 that the dentist or dental hygienist graduated from and the year  
 41 of graduation.  
 42           2. The year that the dentist or dental hygienist began  
 43 practicing or working in this state.  
 44           3. The geographic location of the dentist's or dental  
 45 hygienist's practice or address within the state.  
 46           4. For a dentist in private practice:  
 47           a. The number of full-time dental hygienists employed by  
 48 the dentist during the reporting period.  
 49           b. The number of full-time dental assistants employed by  
 50 the dentist during the reporting period.  
 51           c. The average number of patients treated per week by the  
 52 dentist during the reporting period.  
 53           d. The settings where the dental care was provided.  
 54           5. Anticipated plans of the dentist to change the status  
 55 of his or her license or practice.  
 56           6. The dentist's areas of specialty or certification.

57           7. The year that the dentist completed a specialty program  
 58 recognized by the American Dental Association.

59           8. For a hygienist:

60           a. The average number of patients treated per week by the  
 61 hygienist during the reporting period.

62           b. The settings where the dental care was provided.

63           9. The dentist's or dental hygienist's memberships in  
 64 professional organizations.

65           10. The number of pro bono hours provided by the dentist  
 66 or dental hygienist during the last biennium.

67           (b) Information concerning the availability and trends  
 68 relating to critically needed services, including, but not  
 69 limited to, the following types of care provided by the dentist  
 70 or dental hygienist:

71           1. Dental care for children having special needs.

72           2. Geriatric dental care.

73           3. Dental care in emergency departments.

74           4. Medicaid services.

75           5. Other critically needed specialty areas, as determined  
 76 by the advisory body.

77           (2) The information furnished must include a statement  
 78 submitted by the dentist or dental hygienist that the  
 79 information provided is true and accurate to the best of his or  
 80 her knowledge and he or she did not knowingly provide false  
 81 information.

82           (3) Beginning in 2012, renewal of a license by a dentist  
 83 or dental hygienist licensed under chapter 466, Florida  
 84 Statutes, is not contingent upon the completion and submission

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85 of the survey; however, for any subsequent license renewal, the  
86 board may not renew the license of any dentist or dental  
87 hygienist until the survey required under this section is  
88 completed and submitted by the licensee.

89 (4) (a) Beginning in 2012, the Board of Dentistry shall  
90 issue a nondisciplinary citation to any dentist or dental  
91 hygienist licensed under chapter 466, Florida Statutes, who  
92 fails to complete the survey within 90 days after the renewal of  
93 his or her license to practice as a dentist or dental hygienist.

94 (b) The citation must notify a dentist or dental hygienist  
95 who fails to complete the survey required by this section that  
96 his or her license will not be renewed unless the dentist or  
97 dental hygienist completes the survey.

98 (c) In conjunction with issuing the license renewal notice  
99 required by s. 456.038, Florida Statutes, the board shall notify  
100 each licensed dentist or dental hygienist who has failed to  
101 complete the survey at the licensee's last known address of the  
102 requirement that the survey be completed before the subsequent  
103 license renewal.

104 Section 2. (1) The Department of Health shall serve as  
105 the coordinating body for the purpose of collecting and  
106 regularly updating and disseminating dental workforce data. The  
107 department shall work with multiple stakeholders, including the  
108 Florida Dental Association and the Florida Dental Hygiene  
109 Association, to assess and share with all communities of  
110 interest all data collected in a timely fashion.

111 (2) The Department of Health shall maintain a current  
112 database to serve as a statewide source of data concerning the

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113 dental workforce. The department, in conjunction with the board,  
114 shall also:

115 (a) Develop strategies to maximize federal and state  
116 programs that provide incentives for dentists to practice in the  
117 underserved areas of the state which are federally designated  
118 shortage areas. The strategies shall include programs such as  
119 the Florida Health Services Corps established under s. 381.0302,  
120 Florida Statutes.

121 (b) Work in conjunction with an advisory body to address  
122 matters relating to the state's dental workforce. The advisory  
123 body shall provide input on developing questions for the dental  
124 workforce survey required in section 1. An advisory body shall  
125 include, but need not be limited to, the State Surgeon General  
126 or his or her designee, the dean of each accredited dental  
127 school based in this state or his or her designee, a  
128 representative from the Florida Dental Association, a  
129 representative from the Florida Dental Hygiene Association, a  
130 representative from the Florida Board of Dentistry, and a  
131 dentist from each of the dental specialties recognized by the  
132 Commission on Dental Accreditation of the American Dental  
133 Association.

134 (c) Act as a clearinghouse for collecting and  
135 disseminating information concerning the dental workforce.

136 (3) The Department of Health and the Board of Dentistry  
137 shall adopt rules necessary to administer this section.

138 Section 3. It is the intent of the Legislature that the  
139 Department of Health and the Board of Dentistry implement the  
140 provisions of this act within existing resources.

141 Section 4. Paragraph (t) of subsection (2) of section  
142 499.01, Florida Statutes, is amended to read:

143 499.01 Permits.—

144 (2) The following permits are established:

145 (t) Health care clinic establishment permit.—Effective  
146 January 1, 2009, a health care clinic establishment permit is  
147 required for the purchase of a prescription drug by a place of  
148 business at one general physical location that provides health  
149 care or veterinary services, which is owned and operated by a  
150 business entity that has been issued a federal employer tax  
151 identification number. For the purpose of this paragraph, the  
152 term "qualifying practitioner" means a licensed health care  
153 practitioner defined in s. 456.001, or a veterinarian licensed  
154 under chapter 474, who is authorized under the appropriate  
155 practice act to prescribe and administer a prescription drug.

156 1. An establishment must provide, as part of the  
157 application required under s. 499.012, designation of a  
158 qualifying practitioner who will be responsible for complying  
159 with all legal and regulatory requirements related to the  
160 purchase, recordkeeping, storage, and handling of the  
161 prescription drugs. In addition, the designated qualifying  
162 practitioner shall be the practitioner whose name, establishment  
163 address, and license number is used on all distribution  
164 documents for prescription drugs purchased or returned by the  
165 health care clinic establishment. Upon initial appointment of a  
166 qualifying practitioner, the qualifying practitioner and the  
167 health care clinic establishment shall notify the department on  
168 a form furnished by the department within 10 days after such

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169 employment. In addition, the qualifying practitioner and health  
170 care clinic establishment shall notify the department within 10  
171 days after any subsequent change.

172 2. The health care clinic establishment must employ a  
173 qualifying practitioner at each establishment.

174 3. In addition to the remedies and penalties provided in  
175 this part, a violation of this chapter by the health care clinic  
176 establishment or qualifying practitioner constitutes grounds for  
177 discipline of the qualifying practitioner by the appropriate  
178 regulatory board.

179 4. The purchase of prescription drugs by the health care  
180 clinic establishment is prohibited during any period of time  
181 when the establishment does not comply with this paragraph.

182 5. A health care clinic establishment permit is not a  
183 pharmacy permit or otherwise subject to chapter 465. A health  
184 care clinic establishment that meets the criteria of a modified  
185 Class II institutional pharmacy under s. 465.019 is not eligible  
186 to be permitted under this paragraph.

187 6. This paragraph does not apply to the purchase of a  
188 prescription drug by a licensed practitioner under his or her  
189 license. A professional corporation or limited liability company  
190 composed of dentists and operating as authorized in s. 466.0285  
191 may pay for prescription drugs obtained by a practitioner  
192 licensed under chapter 466, and the licensed practitioner is  
193 deemed the purchaser and owner of the prescription drugs.

194 Section 5. This act shall take effect July 1, 2010.