

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1271 Dentistry

SPONSOR(S): Campbell and others

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Health & Human Services Access Subcommittee		Holt	Schoolfield
2) Business & Consumer Affairs Subcommittee			
3) Health & Human Services Committee			

SUMMARY ANALYSIS

Currently, any dentist who did not attend a American Dental Association, Commission on Dental Accreditation (CODA) accredited dental program (e.g., foreign trained dentists) are required to complete a 2-year supplemental education program at a CODA accredited dental school before they can sit for the Florida dental licensure examinations.

The bill provides an exemption from July 1, 2011 to July 1, 2012, for dentists who have attended a non-accredited dental school or a school not approved by the Florida Board of Dentistry, enabling them to sit for the dental examination if the dentist possesses a license from another state if their license has been in good standing for at least 3 years.

The bill has no fiscal impact to the state or local governments.

The bill provides for an effective date of July 1, 2011.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background Accredited Dental Schools

The American Dental Association, Commission on Dental Accreditation (CODA), established in 1975, is nationally recognized by the United States Department of Education (USDE) to accredit dental and dental-related education programs conducted at the post-secondary level. The Commission functions independently and autonomously in matters of developing and approving accreditation standards, making accreditation decisions on educational programs and developing and approving procedures that are used in the accreditation process.¹

Dental education, dental assisting, dental hygiene dental laboratory technology and advanced dental education programs including dental specialties, general practice residencies, and advanced education in general dentistry are evaluated in accordance with published accreditation standards by the CODA.²

Dental Schools in Florida

There are currently 56 accredited dental schools, approximately 240 dental hygiene programs, and 250 dental assisting programs in the U.S. Florida currently has 2 accredited dental schools—1 public and 1 private—that produced 182 graduates in 2003, 18 accredited dental hygiene programs and 25 accredited dental assisting programs.³ The schools are the University of Florida and Nova Southeastern University College of Dental Medicine.⁴ The Lake Erie College of Osteopathic Medicine plans on opening a School of Dental Medicine at the Bradenton campus in April of 2012. The program has received initial CODA accreditation.⁵

Additionally, there are 3 accredited pediatric dental residency programs in Florida that produce 14 graduates each year—Nova (6 graduates), UFCD (5 graduates), and Miami Children's Hospital (3 graduates).⁶ Approximately 92 percent of Florida dental school graduates remain in the state after graduation.⁷

Foreign Trained Dentists

Section 466.08, F.S., provides guidelines for certifying foreign dental schools. The foreign schools must prove that their educational program is reasonably comparable to that of similar accredited institutions in the United States and that the program adequately prepares its students for the practice of dentistry.⁸

¹ American Dental Association, Dental Education: Schools & Programs, available at: <http://www.ada.org/103.aspx> (last viewed March 18, 2011).

² *Id.*

³ Florida Department of Health, Health Practitioner Oral Healthcare Workforce Ad Hoc Committee Report (February 2009), available at: <http://www.doh.state.fl.us/Family/dental/OralHealthcareWorkforce/index.html> (last viewed March 16, 2011).

⁴ American Dental Association, Dental Education Program Search, available at: <http://www.ada.org/267.aspx> (last viewed March 18, 2011).

⁵ Lake Erie College of Osteopathic Medicine, School of Dental Medicine, available at: <http://lecom.edu/school-dental-medicine.php> (last viewed March 18, 2011)

⁶ Florida Department of Health, Health Practitioner Oral Healthcare Workforce Ad Hoc Committee Report (February 2009), available at: <http://www.doh.state.fl.us/Family/dental/OralHealthcareWorkforce/index.html> (last viewed March 16, 2011).

⁷ *Id.*

⁸ s. 466.008(4), F.S.

In Florida, any dentist who did not attend a CODA accredited dental program (e.g., foreign trained dentists) are required to complete a 2-year supplemental education program at an CODA accredited dental school before they can sit for the Florida dental licensure examinations.⁹

Florida is one of only two states that do not provide some form of licensure by credentials or reciprocity.¹⁰

Other States Licensing Requirements

State boards of dentistry, licensure statutes, and rules can affect the population of eligible dental providers available in a state and some states have amended licensure regulations to attract dentists. Examples of some of these common practices are: allowing foreign dental school graduates who complete U.S. dental residencies to meet eligibility requirements for licensure; conveying reciprocity or licensure by credentials; granting special licenses, or providing incentives (e.g., limiting liability) for dentists who work in public health/safety net clinics.¹¹

Other states such as Minnesota, Connecticut, Arkansas, Mississippi, and California have developed programs to utilize foreign-trained dentists as dentists and dental hygienists in facilities that care for special needs patients and public health settings.¹²

California enacted a law (Assembly Bill 1116) in 1997 that provided the California dental board the authority to determine whether unaccredited international dental programs are equivalent to similar accredited institutions in the U.S. Enacted in 1998, the law enabled the dental board to approve dental education programs outside the U.S.¹³

With a law on the books giving the California dental board the authority to approve educational programs outside the U.S., the Universidad De La Salle Bajio in the city of Leon, Mexico, applied for approval for its new two-year international program in 2006. The California board of dentistry granted provisional approval to Universidad De La Salle in August 2002 after the first site visit. Following its second site visit, De La Salle's five-year pre-doctoral dental education program received full certification in November 2004. The College of Dental Surgery in Manipal, India, was also evaluated for board approval. Students who are admitted to the De La Salle's California-approved track program are required to sign a disclaimer stating that they know this program is not CODA-approved. They are also informed that they will only qualify to get a license to practice in California once all licensure requirements for the state of California are met.¹⁴ The cost of Universidad De La Salle's International Dental Studies Program that satisfies the educational requirement for California-approved dental licensure track is \$21,000 per semester, which totals \$84,000 in tuition for the two-year program.¹⁵

Florida Dental Exam

The Florida Board of Dentistry (Board) administers the Florida dental licensure exams. The Board sets the number, dates, and locations of exams. Licensure examinations are given at least twice a year depending on the projected candidate population.¹⁶ Applicants for examination or re-examination must

⁹ s. 466.06(3), F.S. and ch. 64B5-2.0146, F.A.C.

¹⁰ Florida Department of Health, Health Practitioner Oral Healthcare Workforce Ad Hoc Committee Report (February 2009), available at: <http://www.doh.state.fl.us/Family/dental/OralHealthcareWorkforce/index.html> (last viewed March 16, 2011).

¹¹ *Id.*

¹² *Id.*

¹³ American Dental Association, ADA News: International dental program in Mexico raises questions, *available at*: <http://www.ada.org/1901.aspx> (last viewed March 18, 2011).

¹⁴ *Id.*

¹⁵ American Dental Association, ADA News: Costs of De La Salle vs. other IDPs in California, *available at*: <http://www.ada.org/1899.aspx> (last viewed March 18, 2011).

¹⁶ Florida Department of Health, Division of Medical Quality Assurance, Board of Dentistry, Applicant s & Forms, *available at*: http://www.doh.state.fl.us/mqa/dentistry/dn_applications.html (last viewed March 19, 2011).

have taken and successfully completed the National Board of Dental Examiner's dental examination and received a National Board Certificate within the past ten (10) years.¹⁷

Each applicant is required to complete the examinations as provided for in Section 466.006, F.S. The examinations for dentistry consist of:

1. A written examination;¹⁸
2. A practical or clinical examination;¹⁹ and
3. A diagnostic skills examination.

The applicant for licensure must successfully complete all three exams within a thirteen month period in order to qualify for licensure.²⁰ If the candidate fails to successfully complete all three examinations within the allotted timeframe, then the candidate must retake all three of the examinations.²¹ Additionally, all examinations are required to be conducted in English.²²

The practical or clinical examination requires the applicant to provide a qualified patient²³, who will participate in the examination as the patient.²⁴ The practical or clinical examination consists of four parts and the applicant must receive a grade of at least 75% on each part:

- Part 1-requires a preparation procedure and a restoration procedure.
- Part 2-requires demonstration of periodontal skills on a patient to include definitive debridement (root planing, deep scaling/removal of subgingival calculus, and removal of plaque, stain and supragingival calculus)
- Part 3-requires demonstration of endodontic skills on specified teeth.
- Part 4-requires demonstration of prosthetics skills to include the preparation for a 3-unit fixed partial denture on a specified model and the preparation of an anterior crown

If an applicant fails to achieve a final grade of 75% or better on each of the four (4) parts of, the Practical or Clinical Examination, the applicant shall be required to retake only that part(s) that the applicant has failed.²⁵

There are two fees associated with the licensure examination—\$1700 to the Board of Dental Examiners for administration of the licensure examination and \$760 to the Department of Health for application fee, exam development and licensure.²⁶ Additionally, the applicant must supply any live patients and assume all associated costs to ensure the patients are present at the exam. For applicants who have not taken the National Boards within the last 10 years (e.g. a licensed dentist from another state who may have been in practice for 10 years or more), he or she must also retake Part II of the National Boards.

Effects of the Bill

The bill provides an exemption from July 1, 2011 to July 1, 2012, for dentists who have attended a non-accredited dental school or a school not approved by the Florida Board of Dentistry, enabling them to sit for the dental examination if the dentist possesses a license from another state if their license has been in good standing for at least 3 years.

¹⁷ ch. 64B5-2.013, F.A.C.

¹⁸ A final grade of 75 or better is required to pass the Written Examination. *See* ch. 64B5-2.013, F.A.C.

¹⁹ The practical or clinical exam requires the applicant to provide a patient who is at least 18 years of age and whose medical history is consistent with that prescribed by the board in order for patients to qualify as a patient for the examination. *See* ch. 64B5-2.013, F.A.C.

²⁰ s. 466.006(4)(b)3., F.S.

²¹ *Id.*

²² ch. 64B5-2.013, F.A.C.

²³ The patient must be at least 18 years of age and have a medical history consistent with the parameters prescribed by the board of dentistry.

²⁴ ch. 64B5-2.013, F.A.C.

²⁵ ch. 64B5-2.013, F.A.C.

²⁶ Florida Department of Health, Division of Medical Quality Assurance, Board of Dentistry, Applicant s & Forms, *available at*: http://www.doh.state.fl.us/mqa/dentistry/dn_applications.html (last viewed March 19, 2011).

B. SECTION DIRECTORY:

Section 1. Amends s. 466.066, F.S., relating to the examination of dentists.

Section 2. Amends s. 466.0067, F.S., relating to the application for health access dental license.

Section 3. Provides an effective date of July 1, 2011.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Dentist would not have to take the two year program of study at an accredited American dental school. The University of Florida, College of Dentistry currently offers a 24 month program that costs \$ 18,004 per semester.²⁷

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to: require counties or municipalities to spend funds or take an action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with counties or municipalities.

2. Other:

None.

²⁷ University of Florida, College of Dentistry, Admissions: Advanced Education in General Dentistry, available at: http://www.dental.ufl.edu/Offices/Admissions/Grad/programs_Advanced_Education_General_Dentistry_Hialeah.php (last viewed March 18, 2011).

B. RULE-MAKING AUTHORITY:

The Department of Health, Board of Dentistry has sufficient rule-making authority to implement the provisions of the bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.