

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Health Regulation Committee

BILL: SB 1608

INTRODUCER: Senator Ring

SUBJECT: Dentistry

DATE: April 1, 2011

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	O'Callaghan	Stovall	HR	Pre-meeting
2.	_____	_____	BC	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill provides that an applicant, who has maintained his or her dental license in good standing in another state for 3 years immediately before applying to take the licensing examinations to practice dentistry in Florida, is entitled to take those examinations. This provision exempts such applicants, who have not graduated from an accredited dental college or from a school approved by the Board of Dentistry, from having to complete a program of study at an accredited American dental school and receive a D.D.S. or D.M.D. from such school or complete a 2-year supplemental dental education program at an accredited dental school and receive a dental diploma, degree, or certificate in order to take the examinations.

This bill substantially amends s. 466.006, F.S.

II. Present Situation:

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 to accredit dental and dental-related education programs conducted at the post-secondary level. The CODA 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

¹ America Dental Association, *Dental Education: Schools & Programs*, available at: <http://www.ada.org/103.aspx> (last viewed March 31, 2011).

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 College of Dentistry (UFCD) and Nova Southeastern University College of Dental Medicine (Nova).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

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 a CODA accredited dental school before they can sit for the Florida dental licensure examinations.⁹

Four states and the U.S. Virgin Islands do not grant an unrestricted dental license by credentials (grant reciprocity): Delaware, Florida, Hawaii, and Nevada.¹⁰

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 31, 2011).

⁴ America Dental Association, Dental Education Program Search, available at: <http://www.ada.org/267.aspx> (last viewed March 31, 2011).

⁵ Lake Erie College of Osteopathic Medicine, School of Dental Medicine, available at: <http://lecom.edu/school-dental-medicine.php> (last viewed March 31, 2011)

⁶ *Supra* fn. 3.

⁷ *Id.*

⁸ Section 466.008(4), F.S.

⁹ Section 466.006(3), F.S. and ch. 64B5-2.0146, F.A.C.

¹⁰ American Dental Association, Department of State Government Affairs, April 6, 2009, available at: http://www.ada.org/sections/advocacy/pdfs/licensure_recognition.pdf (last viewed on March 31, 2011).

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 with 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 2-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 5-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 have taken and successfully completed the National Board of Dental

¹¹ *Supra* fn. 3.

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 31, 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 31, 2011).

¹⁶ Florida Department of Health, Division of Medical Quality Assurance, Board of Dentistry, *Applications and Forms*, available at: http://www.doh.state.fl.us/mqa/dentistry/dn_applications.html (last viewed March 31, 2011).

Examiner's dental examination and received a National Board Certificate within the past 10 years.¹⁷

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

- A written examination;¹⁸
- A practical or clinical examination;¹⁹ and
- 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 patient,²³ 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 percent 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 percent or better on each of the 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—\$1,700 to the Board of Dental Examiners for administration of the licensure examination and \$760 to the Department of Health for the 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

¹⁷ Rule 64B5-2.013, F.A.C.

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

²⁰ Rule 64B5-2.013, F.A.C..

²¹ *Id.*

²² *Id.*

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

²⁴ *Supra* fn. 20.

²⁵ *Id.*

²⁶ *Supra* fn. 16.

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.

Shortage of Dentists

The pool of dentists to serve a growing population of Americans is shrinking. The American Dental Association found that 6,000 dentists retire each year in the U.S., while there are only 4,000 dental school graduates each year to replace them. The projected shortage of dentists is even greater in rural America. Of the approximately 150,000 general dentists in practice in the U.S., only 14 percent practice in rural areas, 7.7 percent in large rural areas, 3.7 percent in small rural areas, and 2.2 percent in isolated rural areas. In 2003, there were 2,235 federally designated dental supply shortage areas, 74 percent of which were located in non-metropolitan areas. In contrast, dental hygiene is predicted to be one of the top ten fastest growing health care professions over the next decade, growing by a projected 43 percent between 2006 and 2020.²⁷

In 2010, there were 9,373 practicing dentists in Florida, meaning the ratio of dentists to the population in Florida is approximately 1 dentist for every 2,016 residents.²⁸ The estimated underserved population in 2008, in Florida, was 2.9 million people or 15.8 percent of the population.²⁹

III. Effect of Proposed Changes:

This bill provides that an applicant, who has maintained his or her dental license in good standing in another state for 3 years immediately before applying to take the licensing examinations to practice dentistry in Florida, is entitled to take those examinations. This provision exempts such applicants, who have not graduated from an accredited dental college or from a school approved by the Board, from having to complete a program of study at an accredited American dental school and receive a D.D.S. or D.M.D., from such school or complete a 2-year supplemental dental education program at an accredited dental school and receive a dental diploma, degree, or certificate in order to take the examinations.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The provisions of this bill have no impact on municipalities and the counties under the requirements of Article VII, Section 18 of the Florida Constitution.

²⁷ National Rural Health Association, *Issue Paper: Recruitment and Retention of a Quality Health Workforce in Rural Areas*, November 2006. A copy of this report is on file with the Senate Health Regulation Committee.

²⁸ Professional staff of the Senate Health Regulation Committee received this information via email from the Department of Health on March 11, 2011. A copy of the email is on file with the committee.

²⁹ The Henry J. Kaiser Family Foundation, *Florida: Estimated Underserved Population Living in Dental Health Professional Shortage Areas (HPSAs) as of September, 2008*, available at: <http://www.statehealthfacts.org/profileind.jsp?ind=681&cat=8&rgn=11> (Last visited on March 31, 2011).

B. Public Records/Open Meetings Issues:

The provisions of this bill have no impact on public records or open meetings issues under the requirements of Article I, Section 24(a) and (b) of the Florida Constitution.

C. Trust Funds Restrictions:

The provisions of this bill have no impact on the trust fund restrictions under the requirements of Article III, Subsection 19(f) of the Florida Constitution.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

See below in “Private Sector Impact.”

B. Private Sector Impact:

Applicants who apply for the licensure examination to practice dentistry in Florida will be subject to the examination fees (\$1,700 to the Board of Dental Examiners for administration of the licensure examination and \$760 to the Department of Health for the application fee, exam development, and licensure). However, the applicant will save any costs that he or she would have incurred if the applicant had to complete the additional education requirements to sit for the examinations.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.