

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 Appropriations Subcommittee on Health and Human Services

BILL: CS/SB 1130

INTRODUCER: Senator Garcia

SUBJECT: Examination of Dentists

DATE: March 18, 2013 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Davlantes</u>	<u>Stovall</u>	<u>HP</u>	Fav/CS
2.	<u>Brown</u>	<u>Pigott</u>	<u>AHS</u>	Favorable
3.	_____	_____	<u>AP</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

Please see Section VIII. for Additional Information:

A. COMMITTEE SUBSTITUTE..... Statement of Substantial Changes

B. AMENDMENTS..... Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

I. Summary:

CS/SB 1130 amends educational requirements for dental licensure concerning graduates of schools not accredited by the Commission on Dental Accreditation (CODA) of the American Dental Association (ADA). The bill clarifies that such graduates who choose to complete at least two consecutive academic years in a full-time supplemental general dentistry program at a CODA-accredited institution to become eligible for licensure must pursue specific types of training. Specialty dental training programs no longer fulfill this requirement; only two-year advanced education in general dentistry programs or two-year general practice residency programs will be accepted.

The bill is expected to have no fiscal impact.

The bill adds that dental licensure applicants who were enrolled in ADA-recognized dental specialty programs as of March 23, 2012, will be eligible for licensure if they have:

- Maintained continuous, full-time enrollment in the specialty program until its completion;
- Participated in a specialty training program accredited by CODA in a specialty area recognized by the ADA; and

- Presented an official transcript and a certificate of completion from the specialty program to the Board of Dentistry.

This provision concerning dental specialty programs expires on January 15, 2015, and all applicants eligible for licensure under this provision must be licensed by that date.

This bill is effective upon becoming a law.

This bill substantially amends section 466.066(3), Florida Statutes.

II. Present Situation:

Licensure of Dentists from Accredited Schools or Colleges

A person seeking licensure as a dentist in Florida must fulfill the following requirements:

- Be 18 years of older;
- Graduate from a school accredited by CODA or its successor agency, or any other dental program accredited by an accrediting agency recognized by the United States Department of Education;
- Pass the American Dental Licensing Examination (ADLEX) produced by the American Board of Dental Examiners, Inc. Special rules apply to those who completed the ADLEX in another state or jurisdiction more than a year ago or before October 1, 2011.
- Pass the National Board of Dental Examiners Written Examination; or possess an active health access dental license in the state, complete a certain number of hours of clinical practice experience, and be free of certain disciplinary actions against him or her;
- Pass a written examination on the laws and rules of Florida regulating the practice of dentistry;
- Submit an application for licensure to the Department of Health (the department);
- Pay appropriate examination and application fees.¹

Licensure of Dentists from Non-Accredited Schools or Colleges

CODA is the nation's premier accrediting agency for dental training programs. It accredits more than 60 programs in the United States and has a reciprocal agreement with the Commission on Dental Accreditation of Canada to recognize their 10 programs.² Applicants who are graduates of schools not accredited by CODA must follow special procedures to be licensed as dentists in Florida.

Such applicants must:

- Complete a general dental program (either D.D.S., Doctor of Dental Surgery, or D.M.D., Doctor of Dental Medicine) at an accredited American dental school. The program may

¹ Section 466.006, F.S., and Rule 64B5-2.014(2), F.A.C.

² ADA, *Search DMS/DMD Programs*, <http://www.ada.org/267.aspx>. Last visited March 12, 2013.

consist of either four years of dental subjects or two years of pre-dental education followed by three years of dental subjects; or

- Complete at least two consecutive academic years at a full-time, CODA-accredited supplementary dental program. The program must provide didactic and clinical education at the level of a D.D.S. or D.M.D. program.³

These applicants must also:

- Submit an Application for Credentials Review for Graduates from Non-Accredited Dental Colleges of Schools to the department;
- Provide transcripts demonstrating completion of coursework requirements for the CODA-accredited dental program and a copy of any dental degrees. Special conditions apply for applicants who are unable to supply all their credentials due to political instability in the country where education was received;
- Pass the ADLEX examination;
- Pass a written examination on the laws and rules of the state regulating the practice of dentistry;
- Submit an application for licensure to the department; and
- Pay appropriate examination and application fees.⁴

Special provisions apply to applicants from non-accredited dental schools who passed the ADEX in a jurisdiction other than Florida more than a year ago. Such applicants must:

- Have taken the ADEX after October 1, 2011;
- Have completed at least two consecutive academic years at a full-time, CODA-accredited supplemental general dentistry program. The program must provide didactic and clinical education at the level of a D.D.S. or D.M.D. program;
- Currently hold a dental license in good standing from another United States jurisdiction;
- Have no history of discipline against the dental license;
- Submit proof of never having been reported to the National Practitioner Data Bank, the Healthcare Integrity and Protection Data Bank, or the American Association of Dental Boards Clearinghouse;
- Submit proof of engagement in full-time practice in another United States jurisdiction for the past five years or since the date of initial licensure;
- Complete continuing education equivalent to Florida's requirements for the previous licensure cycle;
- Pass a written examination on the laws and rules of the state regulating the practice of dentistry;
- Pass a computer-based diagnostic skills examination; and
- Submit proof of passage of the National Board of Dental Examiners' dental examination.⁵

³ While Rule 64B5-2.0146(2)(a), F.A.C., states that applicants may complete a CODA-accredited dental specialty education program for credit towards licensure, s. 466.006(3)(b), F.S., only mentions general dentistry programs as being accepted.

⁴ Section 466.006(3) and (4), F.S., and Rule 64B5-2.0146, F.A.C.

⁵ Section 466.006(4)(b)3., F.S.

Recent Changes in Licensure Requirements for Dentists from Non-Accredited Schools

SB 1040, passed in 2012, deleted the provision allowing graduates of CODA-accredited dental *specialty* education programs to be eligible for licensure if they had not received a D.D.S. or a D.M.D. from a CODA-accredited dental school.⁶ Previously, these graduates could complete two years of training in any of the nine ADA-recognized specialties or two one-year training programs in different specialties.⁷ As the law now reads, only graduates of non-accredited dental schools who have trained in CODA-accredited supplemental *general* dentistry programs will be eligible for licensure. SB 1040 provided no grandfather clause or other redress for students currently enrolled in dental specialty education programs for the purpose of fulfilling licensure requirements.

CODA-Accredited Supplemental Dentistry Programs

CODA accredits hundreds of postgraduate dental education programs in specialties from dental anesthesiology to orthodontics. It accredits 80, one-year advanced education in general dentistry programs, six of which are in Florida, and 184, one-year general practice residency programs, three of which are in Florida.

However, there are only three civilian, two-year advanced education in general dentistry programs and five two-year general practice residency programs. Only one program, the Advanced Education in General Dentistry program at the University of Florida- Hialeah, is located in Florida.⁸

III. Effect of Proposed Changes:

Section 1 amends s. 466.006(3), F.S., to revise educational requirements for licensure of dentists trained at non-CODA accredited schools. The bill clarifies that such graduates who choose to complete at least two consecutive academic years in a full-time supplemental general dentistry program at a CODA-accredited institution to become eligible for licensure must pursue specific types of training. Specialty dental training programs no longer fulfill this requirement; only two-year advanced education in general dentistry programs or two-year general practice residency programs will be accepted, and only if those programs are specifically designed as supplemental general dentistry programs providing didactic and clinical education at the level of a D.D.S. or D.M.D. program.

However, dentists who were enrolled in ADA-recognized dental specialty programs as of March 23, 2012, will be eligible for licensure if they have:

- Maintained continuous, full-time enrollment in the specialty program until its completion;
- Participated in a specialty training program accredited by CODA in a specialty area recognized by the ADA; and
- Presented an official transcript and a certificate of completion from the specialty program to the Board of Dentistry.

⁶ Ch. 2012-14, L.O.F.

⁷ Department of Health, *Bill Analysis for SB 1130*. A copy is on file with the Senate Health Policy Committee.

⁸ ADA, *Search Advanced Programs*, <http://www.ada.org/5502.aspx>. Last accessed March 12, 2013.

This provision concerning dental specialty programs expires on January 15, 2015, and all applicants eligible for licensure under this provision must be licensed by that date.

Section 2 provides that the bill is effective upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Individuals who were enrolled in a dental specialty program when the 2012 statutory changes went into effect will be eligible to sit for the examination for dental licensure. Specialty dental programs may experience some decrease in applications, as completion of a specialty degree will no longer be accepted for licensure of dental graduates from non-accredited schools.

C. Government Sector Impact:

No fiscal impact.⁹

VI. Technical Deficiencies:

Lines 41-48 of the bill are redundant and could be condensed to improve clarity. In particular, it is redundant to refer to training programs recognized both by ADA and CODA, as CODA is the accrediting body of the ADA.

⁹ *Supra* fn. 7

VII. Related Issues:

There is only one supplemental general dentistry program in Florida which fits the requirements of this bill to provide licensure eligibility to graduates of non-CODA accredited dental schools. After expiration of the bill's provision to accept completion of a specialty training program for dental licensure, there are unlikely to be enough positions available in Florida schools to train all the graduates of non-CODA accredited schools who wish to become licensed in the state.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Health Policy on March 14, 2013:

The CS for SB 1130 extends the deadline until which students may use completion of dental specialty programs towards licensure to January 15, 2015. The CS also requires that all students who plan to seek licensure this way must be licensed before that date.

- B. **Amendments:**

None.