

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 1273 Dentistry and Dental Hygiene

**SPONSOR(S):** Buchanan

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

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Health Quality Subcommittee	15 Y, 0 N	Siples	McElroy
2) Health Care Appropriations Subcommittee	12 Y, 0 N	Mielke	Clark
3) Health & Human Services Committee	17 Y, 0 N	Siples	Calamas

### SUMMARY ANALYSIS

The Board of Dentistry, within the Department of Health (DOH), regulates dental practice in Florida, including dentists, dental hygienists, and dental assistants under the Dental Practice Act. A dentist is licensed to examine, diagnose, treat, and care for conditions within the human oral cavity and its adjacent tissues and structures. A dental hygienist provides education and preventive and delegated therapeutic dental services.

Currently, all applicants for licensure as a dentist or dental hygienist must pass a practical examination developed by the American Board of Dental Examiners, Inc. (ADEX), in addition to meeting other qualifications. The ADEX examination must be graded by Florida-licensed practitioners.

HB 1273 authorizes the Board of Dentistry to accept passing scores on the examinations produced by the Western Regional Examining Board (WREB) for licensure as a dentist or dental hygienist, in addition to the ADEX examinations it currently accepts. The bill requires the WREB examination to be graded by Florida-licensed practitioners.

The bill has an insignificant, negative fiscal impact on DOH, which current resources are adequate to absorb. The bill has no fiscal impact on local governments.

The bill provides an effective date of July 1, 2020.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### **Present Situation**

##### Dentistry

The Board of Dentistry, within the Department of Health (DOH), regulates dental practice in Florida, including dentists, dental hygienists, and dental assistants under the Dental Practice Act.<sup>1</sup> A dentist is licensed to examine, diagnose, treat, and care for conditions within the human oral cavity and its adjacent tissues and structures.<sup>2</sup> A dental hygienist provides education, preventive and delegated therapeutic dental services.<sup>3</sup>

##### *Dental Licensure*

Any person wishing to practice dentistry in this state must apply to DOH and meet specified requirements. Section 466.006, F.S., requires dentistry licensure applicants to sit for and pass the following licensure examinations:

- The National Board of Dental Examiners dental examiner (NBDE);
- A written examination on Florida laws and rules regulating the practice of dentistry; and
- A practical examination, which is the American Dental Licensing Examination developed by the American Board of Dental Examiners, Inc., and graded by a Florida-licensed dentist employed by DOH for such purpose.<sup>4</sup>

To qualify to take the Florida dental licensure examination, an applicant must be 18 years of age or older, be a graduate of a dental school accredited by the American Dental Association or be a student in the final year of a program at an accredited institution, and have successfully completed the NBDE dental examination.

##### *Dental Hygiene Licensure*

Any person wishing to be licensed as a dental hygienist must apply to DOH and meet the following qualifications:<sup>5</sup>

- Be 18 years of age or older;
- Be a graduate of an accredited dental hygiene college or school;<sup>6</sup> and
- Obtain a passing score on the:
  - Dental Hygiene National Board Examination;
  - Dental Hygiene Licensing Examination developed by the American Board of Dental Examiners, Inc., which is graded by a Florida-licensed dentist or dental hygienist employed by DOH for such purpose; and
  - A written examination on Florida laws and rules regulating the practice of dental hygiene.

A dental hygienist may also apply to be certified to administer local anesthesia under the direct supervision of a non-sedated, adult patient if the dental hygienist completes an accredited course of 30

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<sup>1</sup> Section 466.004, F.S.

<sup>2</sup> Section 466.003(3), F.S.

<sup>3</sup> Section 466.003(4)-(5), F.S.

<sup>4</sup> A passing score is valid for 365 days after the date the official examination results are published. A passing score on an examination obtained in another jurisdiction must be completed on or after October 1, 2011.

<sup>5</sup> Section 466.007, F.S.

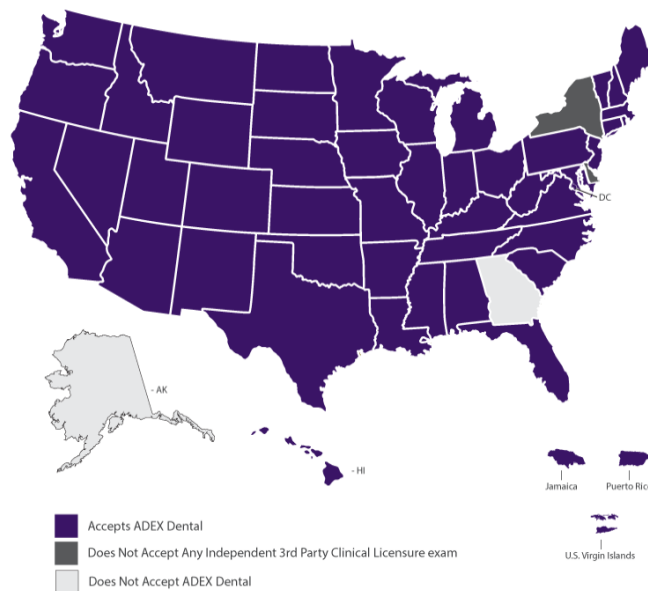
<sup>6</sup> If the school is not accredited, the applicant must have completed a minimum of 4 years of postsecondary dental education and received a dental school diploma, which must be reviewed and approved by the Board of Dentistry.

hours of didactic training and 30 hours of clinical training and is certified in basic or advanced cardiac life support.<sup>7</sup>

### American Board of Dental Examiners

The American Board of Dental Examiners (ADEX) is a consortium of state and regional dental boards that provides for the ongoing development of uniform national dental and dental hygiene licensure examinations.<sup>8</sup> ADEX was created in 2003, with representatives from four regional testing agencies and 12 states. At the time ADEX was created, there were 16 different dental and dental hygiene examinations.<sup>9</sup>

The Commission on Dental Competency Assessment (CDCA), formerly known as the Northeast Regional Board, and the Council of Interstate Testing Agencies (CITA) administers the ADEX dental licensure examination to graduates of accredited dental schools and students about to enter their senior year at an accredited dental school.<sup>10</sup> The ADEX dental examination consists of three portions: a computer-based examination, simulated clinical examinations, and clinical examinations on live patients.<sup>11</sup> Florida law requires a Florida-licensed dentist to grade the examination.<sup>12</sup> The ADEX examination is widely accepted for dental licensure.<sup>13</sup>



As with the dental examination, CDCA and CITA administer the ADEX dental hygiene examination.<sup>14</sup> The ADEX dental hygiene examination consists of two portions: a computer-simulated examination and

<sup>7</sup> Section 466.017(5), F.S.

<sup>8</sup> American Board of Dental Examiners, Inc., *About ADEX*, available at <https://adexexams.org/about-adex/> (last visited January 23, 2020).

<sup>9</sup> *Id.*

<sup>10</sup> Commission on Dental Competency Assessments, *Registration and DSE OSCE Manual: 2020 ADEX Dental Examination Series*, available at [https://www.cdcaexams.org/documents/manuals/Dental\\_DSE\\_OSCE2020.pdf](https://www.cdcaexams.org/documents/manuals/Dental_DSE_OSCE2020.pdf) (last visited January 23, 2020). The cost of the ADEX dental examinations is \$2,295; however, additional fees may be assessed, such as a facility or score report fee. The fee is reduced for partial exams and retakes. See Commission on Dental Competency Assessments, *Dental (ADEX) Exam*, available at <https://www.cdcaexams.org/dental-exams/> (last visited January 23, 2020).

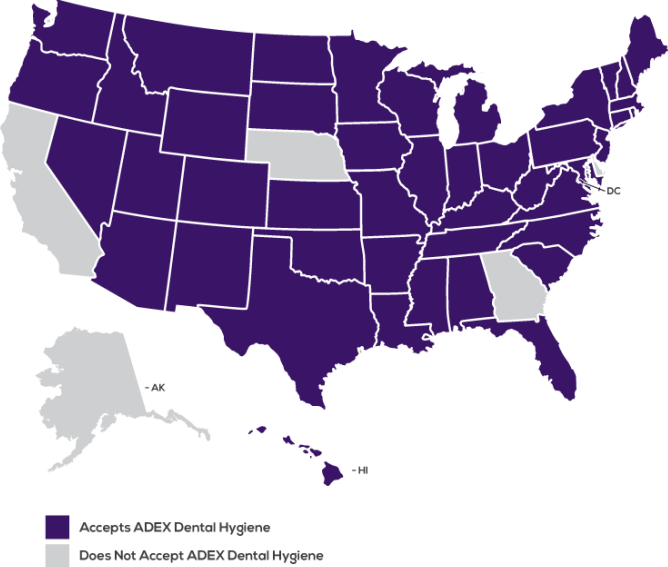
<sup>11</sup> *Id.* at p. 4. The simulated clinical examinations assesses skills related to endodontics and fixed prosthodontics. The clinical examinations on live patients assesses skills related to restorative and periodontal procedures.

<sup>12</sup> Section 466.006(4), F.S.

<sup>13</sup> Commission on Dental Competency Assessments, *ADEX Acceptance Map*, available at <https://www.cdcaexams.org/adex-acceptance-map/> (last visited January 23, 2020).

<sup>14</sup> Commission on Dental Competency Assessments, *Candidate Registration and CSCE OSCE Manual: 2020 ADEX Dental Hygiene Examination*, available at [https://www.cdcaexams.org/documents/manuals/Dental\\_Hygiene\\_Candidate\\_Registration2020.pdf](https://www.cdcaexams.org/documents/manuals/Dental_Hygiene_Candidate_Registration2020.pdf) (last visited January 23, 2020). The cost of the ADEX dental hygiene examinations is \$995; however, additional fees may be assessed, such as a facility or score report fee.

a clinical examination on live patients.<sup>15</sup> Florida law requires a Florida-licensed dentist or dental hygienist to grade the examination.<sup>16</sup> The ADEX examination is widely accepted for dental hygiene licensure.<sup>17</sup>



Florida only accepts the ADEX examinations and the Legislature found, when specifying the ADEX examination for use in dental licensure, that the ADEX examinations, in both structure and functions, consistently meet generally accepted testing standards and that it adequately and reliably measures an applicant's ability to practice dentistry.<sup>18</sup> DOH contracts with the CDCA to administer the ADEX examinations, as well as the jurisprudence examinations.<sup>19</sup> In Fiscal Year 2018-2019, 840 dentists and 812 dental hygienists applied to take the ADEX examinations.<sup>20</sup>

Western Regional Examining Board

The Western Regional Examining Board (WREB) was created in 1976 when Utah and Oregon made an arrangement to have a simultaneous dental licensure examination.<sup>21</sup> WREB offered its first dental hygiene examination in 1979.<sup>22</sup>

The WREB dental examination consists of three sections: operative, endodontics, and comprehensive treatment planning.<sup>23</sup> The operative section is performed on a live patient and the candidate must complete up to two restorative procedures. The endodontics section is simulated and the comprehensive treatment planning section is a computer-based written examination. A periodontal examination, which is performed on a live patient, and a prosthodontics examination, which is a simulated examination, are available for candidates in those states that require the examinations.<sup>24</sup>

<sup>15</sup> Id.

<sup>16</sup> Section 466.007(4), F.S.

<sup>17</sup> *Supra* note 13.

<sup>18</sup> Section 466.006(1)(a), F.S.

<sup>19</sup> Department of Health, *2020 Agency Legislative Bill Analysis for HB 1273*, (Jan. 21, 2020), on file with the Health Quality Subcommittee.

<sup>20</sup> Id.

<sup>21</sup> Western Regional Examining Board, *About Us*, available at <https://wreb.org/about-us/> (last visited January 23, 2020). The members of the Western Regional Examining Board include Utah, Oregon, Arizona, Idaho, Alaska, New Mexico, Texas, Oklahoma, Washington, Wyoming, California, Missouri, Kansas, North Dakota, Illinois, Nevada, and Kentucky. West Virginia is an affiliate.

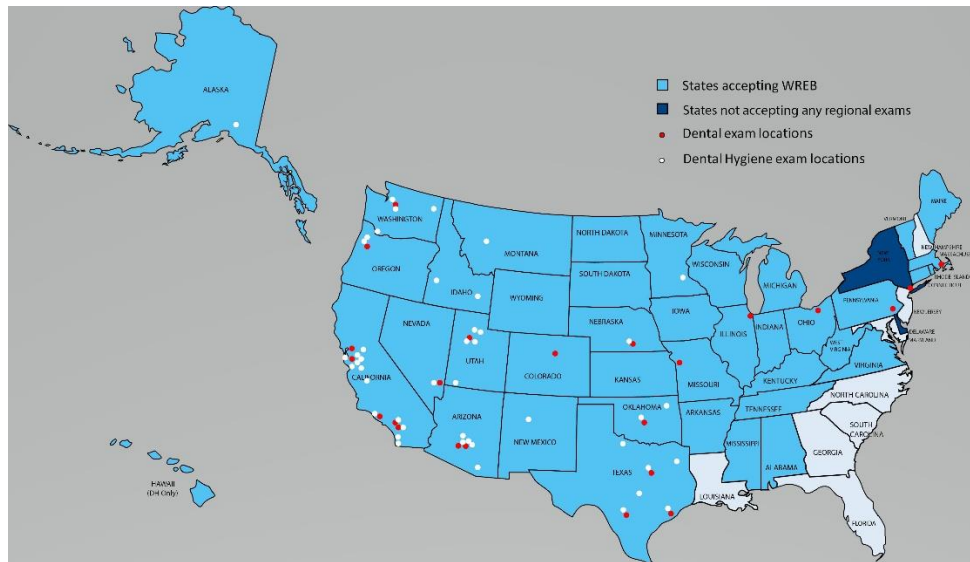
<sup>22</sup> Id.

<sup>23</sup> Western Regional Examining Board, *2020 WREB Exam Procedures*, available at [https://wreb.org/Candidates/Dental/dentalPDFs/1\\_2020\\_WREB\\_Exam\\_Procedures.pdf](https://wreb.org/Candidates/Dental/dentalPDFs/1_2020_WREB_Exam_Procedures.pdf) (last visited January 23, 2020). The WREB dental examination costs \$2,560 plus an additional school use fee that varies by site. See Western Regional Examining Board, *2020 Dental Exam Fees*, available at <https://wreb.org/dental-candidates/2019-dental-exam-fees/> (last visited January 23, 2020).

<sup>24</sup> Id. Florida requires a prosthodontics examination for licensure.

The WREB dental hygiene examination assesses the candidates on patient qualification, extraoral and intraoral evaluation, calculus detection and removal, tissue management, periodontal assessment, and professional judgment.<sup>25</sup>

The Western Regional Examining Board's licensure examinations are widely accepted for licensure.<sup>26</sup>



The WREB does not administer a state-specific jurisprudence examination. Florida does not accept the WREB dentist or dental hygiene examinations for licensure.

### **Effect of Proposed Changes**

HB 1273 authorizes the Board of Dentistry to accept passing scores on the examinations produced by the Western Regional Examining Board for licensure as a dentist or dental hygienist, in addition to the ADEX examinations it currently accepts. The bill requires the WREB examination to be graded by Florida-licensed practitioners.

The bill provides an effective date of July 1, 2020.

#### **B. SECTION DIRECTORY:**

**Section 1:** Amends s. 466.006, F.S., relating to examination of dentists.

**Section 2:** Amends s. 466.007, F.S., relating to examination of dental hygienists.

**Section 3:** Provides an effective date of July 1, 2020.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

#### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

##### **1. Revenues:**

None.

##### **2. Expenditures:**

<sup>25</sup> Western Regional Examining Board, *2020 Dental Hygiene Examination Candidate Guide*, available at [https://wreb.org/Candidates/Hygiene/hygienePDFs/2020\\_DH\\_Forms/2020\\_WREB\\_Candidate\\_Guide\\_HYG\\_v11012019.pdf](https://wreb.org/Candidates/Hygiene/hygienePDFs/2020_DH_Forms/2020_WREB_Candidate_Guide_HYG_v11012019.pdf) (last visited January 23, 2020). The WREB dental hygiene examination costs \$1,175 plus a school use fee, which varies by site. See Western Regional Examining Board, *Dental Hygiene, Local Anesthesia, and Restorative Exam Fees*, available at <https://wreb.org/hygiene-candidates/2018-hygiene-exam-fees/> (last visited January 23, 2020).

<sup>26</sup> *Supra* note 21.

DOH will experience an insignificant increase in workload associated with providing input into the test development and administration process for the WREB examinations, which current resources can absorb.<sup>27</sup> DOH will incur insignificant costs related to modifying applications, rulemaking, updating Board websites, facilitating electronic submission of WREB examination scores, and updating the LEIDS licensure system, which current resources can absorb.<sup>28</sup>

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

Dentists and dental hygienists who have received acceptable scores on the WREB examinations graded by Florida-licensed practitioners will not incur additional expense to take the ADEX examinations when applying for Florida licensure.

**D. FISCAL COMMENTS:**

None.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to affect county or municipal governments.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

The Board of Dentistry has sufficient rulemaking authority to implement the bill.

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<sup>27</sup> *Supra* note 19.

<sup>28</sup> None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**