

By Senator Berman

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1                   A bill to be entitled  
2       An act relating to health access dental licenses;  
3       reviving, reenacting, and amending s. 466.0067, F.S.,  
4       relating to the application for a health access dental  
5       license; reviving, reenacting, and amending s.  
6       466.00671, F.S., relating to the renewal of such  
7       license; reviving and reenacting s. 466.00672, F.S.,  
8       relating to the revocation of such license; providing  
9       an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

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13       Section 1. Notwithstanding the January 1, 2020, repeal of  
14       section 466.0067, Florida Statutes, that section is revived,  
15       reenacted, and amended to read:

16       466.0067 Application for health access dental license.—The  
17       Legislature finds that there is an important state interest in  
18       attracting dentists to practice in underserved health access  
19       settings in this state and further, that allowing out-of-state  
20       dentists who meet certain criteria to practice in health access  
21       settings without the supervision of a dentist licensed in this  
22       state is substantially related to achieving this important state  
23       interest. Therefore, notwithstanding the requirements of s.  
24       466.006, the board shall grant a health access dental license to  
25       practice dentistry in this state in health access settings as  
26       defined in s. 466.003 to an applicant who ~~that~~:

27       (1) Files an appropriate application approved by the board;  
28       (2) Pays an application license fee for a health access  
29       dental license, laws-and-rule exam fee, and an initial licensure

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30 fee. The fees specified in this subsection may not differ from  
31 an applicant seeking licensure pursuant to s. 466.006;

32 (3) Has not been convicted of or pled nolo contendere to,  
33 regardless of adjudication, any felony or misdemeanor related to  
34 the practice of a health care profession;

35 (4) Submits proof of graduation from a dental school  
36 accredited by the Commission on Dental Accreditation of the  
37 American Dental Association or its successor agency;

38 (5) Submits documentation that she or he has completed, or  
39 will obtain before ~~prior to~~ licensure, continuing education  
40 equivalent to this state's requirement for dentists licensed  
41 under s. 466.006 for the last full reporting biennium before  
42 applying for a health access dental license;

43 (6) Submits proof of her or his successful completion of  
44 parts I and II of the dental examination by the National Board  
45 of Dental Examiners and a state or regional clinical dental  
46 licensing examination that the board has determined effectively  
47 measures the applicant's ability to practice safely;

48 (7) Currently holds a valid, active, dental license in good  
49 standing from another of the United States, the District of  
50 Columbia, or a United States territory which has not been  
51 revoked, suspended, restricted, or otherwise disciplined ~~from~~  
52 ~~another of the United States, the District of Columbia, or a~~  
53 ~~United States territory~~;

54 (8) Has never had a license revoked from another of the  
55 United States, the District of Columbia, or a United States  
56 territory;

57 (9) Has never failed the examination specified in s.  
58 466.006, unless the applicant was reexamined pursuant to s.

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59 466.006 and received a license to practice dentistry in this  
60 state;

61 (10) Has not been reported to the National Practitioner  
62 Data Bank, unless the applicant successfully appealed to have  
63 his or her name removed from the data bank;

64 (11) Submits proof that he or she has been engaged in the  
65 active, clinical practice of dentistry providing direct patient  
66 care for 5 years immediately preceding the date of application,  
67 or in instances when the applicant has graduated from an  
68 accredited dental school within the preceding 5 years, submits  
69 proof of continuous clinical practice providing direct patient  
70 care since graduation; and

71 (12) Has passed an examination covering the laws and rules  
72 of the practice of dentistry in this state as described in s.  
73 466.006(4)(a).

74 Section 2. Notwithstanding the January 1, 2020, repeal of  
75 section 466.00671, Florida Statutes, that section is revived,  
76 reenacted, and amended to read:

77 466.00671 Renewal of the health access dental license.—

78 (1) A health access dental licensee shall apply for renewal  
79 each biennium. At the time of renewal, the licensee shall sign a  
80 statement that she or he has complied with all continuing  
81 education requirements of an active dentist licensee. The board  
82 shall renew a health access dental license for an applicant who  
83 ~~that~~:

84 (a) Submits documentation, as approved by the board, from  
85 the employer in the health access setting that the licensee has  
86 at all times pertinent remained an employee;

87 (b) Has not been convicted of or pled nolo contendere to,

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88 regardless of adjudication, any felony or misdemeanor related to  
89 the practice of a health care profession;

90 (c) Has paid a renewal fee set by the board. The fee  
91 specified herein may not differ from the renewal fee adopted by  
92 the board pursuant to s. 466.013. The department may provide  
93 payment for these fees through the dentist's salary, benefits,  
94 or other department funds;

95 (d) Has not failed the examination specified in s. 466.006  
96 since initially receiving a health access dental license or  
97 since the last renewal; and

98 (e) Has not been reported to the National Practitioner Data  
99 Bank, unless the applicant successfully appealed to have his or  
100 her name removed from the data bank.

101 (2) The board may undertake measures to independently  
102 verify the health access dental licensee's ongoing employment  
103 status in the health access setting.

104 Section 3. Notwithstanding the January 1, 2020, repeal of  
105 section 466.00672, Florida Statutes, that section is revived and  
106 reenacted to read:

107 466.00672 Revocation of health access dental license.—

108 (1) The board shall revoke a health access dental license  
109 upon:

110 (a) The licensee's termination from employment from a  
111 qualifying health access setting;

112 (b) Final agency action determining that the licensee has  
113 violated any provision of s. 466.027 or s. 466.028, other than  
114 infractions constituting citation offenses or minor violations;  
115 or

116 (c) Failure of the Florida dental licensure examination.

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117 (2) Failure of an individual licensed pursuant to s.  
118 466.0067 to limit the practice of dentistry to health access  
119 settings as defined in s. 466.003 constitutes the unlicensed  
120 practice of dentistry.

121 Section 4. This act shall take effect July 1, 2020.