

By the Committee on Health Policy; and Senator Berman

588-02263-20

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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.

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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

588-02263-20

20201296c1

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.

588-02263-20

20201296c1

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,

588-02263-20

20201296c1

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.

588-02263-20

20201296c1

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 upon becoming a law.