

1                                   A bill to be entitled  
 2           An act relating to dentistry and dental hygiene  
 3           examinations; amending ss. 466.006 and 466.007, F.S.;  
 4           authorizing the use of certain examinations produced  
 5           by the Western Regional Examining Board to measure an  
 6           applicant's ability to practice the profession of  
 7           dentistry or dental hygiene; providing an effective  
 8           date.

9  
 10 Be It Enacted by the Legislature of the State of Florida:

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 12           Section 1. Subsection (1), paragraph (b) of subsection  
 13           (4), paragraph (a) of subsection (5), and paragraph (a) of  
 14           subsection (6) of section 466.006, Florida Statutes, are amended  
 15           to read:

16           466.006 Examination of dentists.—

17           (1)(a) It is the intent of the Legislature to reduce the  
 18           costs associated with an independent state-developed practical  
 19           or clinical examination to measure an applicant's ability to  
 20           practice the profession of dentistry and to use the American  
 21           Dental Licensing Examination developed by the American Board of  
 22           Dental Examiners, Inc., or the Western Regional Examining Board  
 23           (WREB) Dental Examination in lieu of an independent state-  
 24           developed practical or clinical examination. The Legislature  
 25           finds that the American Dental Licensing Examination and the

26 | WREB Dental Examination, in both their ~~its~~ structure and  
27 | function, consistently meet ~~meets~~ generally accepted testing  
28 | standards and have ~~has~~ been found, as they are ~~it is~~ currently  
29 | organized and operating, to adequately and reliably measure an  
30 | applicant's ability to practice the profession of dentistry.

31 | (b) Any person desiring to be licensed as a dentist shall  
32 | apply to the department to take the licensure examinations and  
33 | shall verify the information required on the application by  
34 | oath. The application shall include two recent photographs.  
35 | There shall be an application fee set by the board not to exceed  
36 | \$100 which shall be nonrefundable. There shall also be an  
37 | examination fee set by the board, which shall not exceed \$425  
38 | plus the actual per-applicant ~~per-applicant~~ cost to the  
39 | department for purchase of some or all of the examination from  
40 | the American Board of Dental Examiners, the WREB, or a ~~its~~  
41 | successor entity, if any, provided the board finds the successor  
42 | entity's clinical examination complies with ~~the provisions of~~  
43 | this section. The examination fee may be refundable if the  
44 | applicant is found ineligible to take the examinations.

45 | (4) Notwithstanding any other provision of law in chapter  
46 | 456 pertaining to the clinical dental licensure examination or  
47 | national examinations, to be licensed as a dentist in this  
48 | state, an applicant must successfully complete both of the  
49 | following:

50 | (b) A practical or clinical examination, which must be the

51 American Dental Licensing Examination produced by the American  
52 Board of Dental Examiners, Inc., the WREB Dental Examination, or  
53 an examination produced by a ~~its~~ successor entity, if any, that  
54 is administered in this state, provided that the board has  
55 attained, and continues to maintain thereafter, representation  
56 on the board of directors of the American Board of Dental  
57 Examiners, the examination development committee of the American  
58 Board of Dental Examiners, and such other committees of the  
59 American Board of Dental Examiners or the Western Regional  
60 Examining Board as the board deems appropriate by rule to ensure  
61 ~~assure~~ that the standards established herein are maintained  
62 organizationally. A passing score on the American Dental  
63 Licensing Examination or the WREB Dental Examination  
64 administered in this state is valid for 365 days after the date  
65 the official examination results are published.

66 1. As an alternative to such practical or clinical  
67 examination, an applicant may submit scores from an American  
68 Dental Licensing Examination or a WREB Dental Examination  
69 previously administered in a jurisdiction other than this state  
70 after October 1, 2011, and such examination results shall be  
71 recognized as valid for the purpose of licensure in this state.  
72 A passing score on the American Dental Licensing Examination or  
73 the WREB Dental Examination administered out of state shall be  
74 the same as the passing score for the American Dental Licensing  
75 Examination or the WREB Dental Examination administered in this

76 | state. The examination results are valid for 365 days after the  
77 | date the official examination results are published. The  
78 | applicant must have completed the examination after October 1,  
79 | 2011. This subparagraph may not be given retroactive  
80 | application.

81 |         2. If the date of an applicant's passing American Dental  
82 | Licensing Examination or passing WREB Dental Examination scores  
83 | from an examination previously administered in a jurisdiction  
84 | other than this state under subparagraph 1. is older than 365  
85 | days, such scores are nevertheless valid for the purpose of  
86 | licensure in this state, but only if the applicant demonstrates  
87 | that all of the following additional standards have been met:

88 |             a. The applicant completed the American Dental Licensing  
89 | Examination or the WREB Dental Examination after October 1,  
90 | 2011. This sub-subparagraph may not be given retroactive  
91 | application.~~†~~

92 |             b. The applicant graduated from a dental school accredited  
93 | by the American Dental Association Commission on Dental  
94 | Accreditation or its successor entity, if any, or any other  
95 | dental accrediting organization recognized by the United States  
96 | Department of Education. ~~Provided,~~ However, if the applicant did  
97 | not graduate from such a dental school, the applicant may submit  
98 | proof of having successfully completed a full-time supplemental  
99 | general dentistry program accredited by the American Dental  
100 | Association Commission on Dental Accreditation of at least 2

101 consecutive academic years at such accredited sponsoring  
102 institution. Such program must provide didactic and clinical  
103 education at the level of a D.D.S. or D.M.D. program accredited  
104 by the American Dental Association Commission on Dental  
105 Accreditation. For purposes of this sub-subparagraph, a  
106 supplemental general dentistry program does not include an  
107 advanced education program in a dental specialty.†

108 c. The applicant currently possesses a valid and active  
109 dental license in good standing, with no restriction, which has  
110 never been revoked, suspended, restricted, or otherwise  
111 disciplined, from another state or territory of the United  
112 States, the District of Columbia, or the Commonwealth of Puerto  
113 Rico.†

114 d. The applicant submits proof that he or she has never  
115 been reported to the National Practitioner Data Bank, the  
116 Healthcare Integrity and Protection Data Bank, or the American  
117 Association of Dental Boards Clearinghouse. This sub-  
118 subparagraph does not apply if the applicant successfully  
119 appealed to have his or her name removed from the data banks of  
120 these agencies.†

121 e. (I) (A) The applicant submits proof of having been  
122 consecutively engaged in the full-time practice of dentistry in  
123 another state or territory of the United States, the District of  
124 Columbia, or the Commonwealth of Puerto Rico in the 5 years  
125 immediately preceding the date of application for licensure in

126 | this state; or

127 |       (B) If the applicant has been licensed in another state or  
 128 | territory of the United States, the District of Columbia, or the  
 129 | Commonwealth of Puerto Rico for less than 5 years, the applicant  
 130 | submits proof of having been engaged in the full-time practice  
 131 | of dentistry since the date of his or her initial licensure.

132 |       (II) As used in this section, "full-time practice" is  
 133 | defined as a minimum of 1,200 hours per year for each and every  
 134 | year in the consecutive 5-year period or, when applicable, the  
 135 | period since initial licensure, and must include any combination  
 136 | of the following:

137 |       (A) Active clinical practice of dentistry providing direct  
 138 | patient care.

139 |       (B) Full-time practice as a faculty member employed by a  
 140 | dental or dental hygiene school approved by the board or  
 141 | accredited by the American Dental Association Commission on  
 142 | Dental Accreditation.

143 |       (C) Full-time practice as a student at a postgraduate  
 144 | dental education program approved by the board or accredited by  
 145 | the American Dental Association Commission on Dental  
 146 | Accreditation.

147 |       (III) The board shall develop rules to determine what type  
 148 | of proof of full-time practice is required and to recoup the  
 149 | cost to the board of verifying full-time practice under this  
 150 | section. Such proof must, at a minimum, be:

151 (A) Admissible as evidence in an administrative  
 152 proceeding;

153 (B) Submitted in writing;

154 (C) Submitted by the applicant under oath with penalties  
 155 of perjury attached;

156 (D) Further documented by an affidavit of someone  
 157 unrelated to the applicant who is familiar with the applicant's  
 158 practice and testifies with particularity that the applicant has  
 159 been engaged in full-time practice; and

160 (E) Specifically found by the board to be both credible  
 161 and admissible.

162 (IV) An affidavit of only the applicant is not acceptable  
 163 proof of full-time practice unless it is further attested to by  
 164 someone unrelated to the applicant who has personal knowledge of  
 165 the applicant's practice. If the board deems it necessary to  
 166 assess credibility or accuracy, the board may require the  
 167 applicant or the applicant's witnesses to appear before the  
 168 board and give oral testimony under oath.†

169 f. The applicant submits documentation that he or she has  
 170 completed, or will complete before he or she is licensed in this  
 171 state, continuing education equivalent to this state's  
 172 requirements for the last full reporting biennium.†

173 g. The applicant proves that he or she has never been  
 174 convicted of, or pled nolo contendere to, regardless of  
 175 adjudication, any felony or misdemeanor related to the practice

176 of a health care profession in any jurisdiction.~~†~~

177 h. The applicant has successfully passed a written  
 178 examination on the laws and rules of this state regulating the  
 179 practice of dentistry and the computer-based diagnostic skills  
 180 examination.~~†~~ and

181 i. The applicant submits documentation that he or she has  
 182 successfully completed the applicable examination administered  
 183 by the Joint Commission on National Dental Examinations or its  
 184 successor organization.

185 (5)(a) The practical examination required under subsection  
 186 (4) shall be the American Dental Licensing Examination developed  
 187 by the American Board of Dental Examiners, Inc., the WREB Dental  
 188 Examination, or an examination developed by a ~~its~~ successor  
 189 entity, if any, provided the board finds that the successor  
 190 entity's clinical examination complies with ~~the provisions of~~  
 191 this section~~†~~ and includes ~~shall include~~, at a minimum, all of  
 192 the following:

193 1. A comprehensive diagnostic skills examination covering  
 194 the full scope of dentistry and an examination on applied  
 195 clinical diagnosis and treatment planning in dentistry for  
 196 dental candidates.~~†~~

197 2. Two restorations on a live patient or patients. The  
 198 board by rule shall determine the class of such restorations.~~†~~

199 3. A demonstration of periodontal skills on a live  
 200 patient.~~†~~



201           4. A demonstration of prosthetics and restorative skills  
 202 in complete and partial dentures and crowns and bridges and the  
 203 utilization of practical methods of evaluation, specifically  
 204 including the evaluation by the candidate of completed  
 205 laboratory products such as, but not limited to, crowns and  
 206 inlays filled to prepared model teeth.†

207           5. A demonstration of restorative skills on a mannequin  
 208 which requires the candidate to complete procedures performed in  
 209 preparation for a cast restoration.†

210           6. A demonstration of endodontic skills.†~~and~~

211           7. A diagnostic skills examination demonstrating ability  
 212 to diagnose conditions within the human oral cavity and its  
 213 adjacent tissues and structures from photographs, slides,  
 214 radiographs, or models pursuant to rules of the board. If an  
 215 applicant fails to pass the diagnostic skills examination in  
 216 three attempts, the applicant is ~~shall~~ not ~~be~~ eligible for  
 217 reexamination unless she or he completes additional educational  
 218 requirements established by the board.

219  
 220 The department shall require a mandatory standardization  
 221 exercise for all examiners before ~~prior to~~ each practical or  
 222 clinical examination and shall retain for employment only those  
 223 dentists who have substantially adhered to the standard of  
 224 grading established at such exercise.

225           (6) (a) It is the finding of the Legislature that absent a

226 | threat to the health, safety, and welfare of the public, the  
 227 | relocation of applicants to practice dentistry within the  
 228 | geographic boundaries of this state, who are lawfully and  
 229 | currently practicing dentistry in another state or territory of  
 230 | the United States, the District of Columbia, or the Commonwealth  
 231 | of Puerto Rico, based on their scores from the American Dental  
 232 | Licensing Examination or the WREB Dental Examination  
 233 | administered in a state other than this state, is substantially  
 234 | related to achieving the important state interest of improving  
 235 | access to dental care for underserved citizens of this state and  
 236 | furthering the economic development goals of the state.  
 237 | Therefore, in order to maintain valid active licensure in this  
 238 | state, all applicants for licensure who are relocating to this  
 239 | state based on scores from the American Dental Licensing  
 240 | Examination or the WREB Dental Examination administered in a  
 241 | state other than this state must actually engage in the full-  
 242 | time practice of dentistry inside the geographic boundaries of  
 243 | this state within 1 year after ~~of~~ receiving such licensure in  
 244 | this state. The Legislature finds that, if such applicants do  
 245 | not actually engage in the full-time practice of dentistry  
 246 | within the geographic boundaries of this state within 1 year  
 247 | after ~~of~~ receiving such a license in this state, access to  
 248 | dental care for the public will not significantly increase,  
 249 | patients' continuity of care will not be attained, and the  
 250 | economic development goals of the state will not be

251 significantly met.

252 Section 2. Paragraph (b) of subsection (4) and subsections  
253 (5) and (6) of section 466.007, Florida Statutes, are amended to  
254 read:

255 466.007 Examination of dental hygienists.—

256 (4) Effective July 1, 2012, to be licensed as a dental  
257 hygienist in this state, an applicant must successfully complete  
258 the following:

259 (b) A practical or clinical examination approved by the  
260 board. The examination shall be the Dental Hygiene Examination  
261 produced by the American Board of Dental Examiners, Inc.,  
262 (ADEX), the Western Regional Examining Board (WREB) Dental  
263 Hygiene Examination, or an examination produced by a ~~its~~  
264 successor entity, if any, if the board finds that the successor  
265 entity's clinical examination meets or exceeds the provisions of  
266 this section. The board shall approve the ADEX Dental Hygiene  
267 Examination or the WREB Dental Hygiene Examination if the board  
268 has attained and continues to maintain representation on the  
269 ADEX House of Representatives, the ADEX Dental Hygiene  
270 Examination Development Committee, and such other ADEX Dental  
271 Hygiene or WREB Dental Hygiene committees as the board deems  
272 appropriate through rulemaking to ensure that the standards  
273 established in this section are maintained organizationally. The  
274 ADEX Dental Hygiene Examination, the WREB Dental Hygiene  
275 Examination, or an ~~the~~ examination produced by a ~~its~~ successor

276 entity is a comprehensive examination in which an applicant must  
277 demonstrate skills within the dental hygiene scope of practice  
278 on a live patient and any other components that the board deems  
279 necessary for the applicant to successfully demonstrate  
280 competency for the purpose of licensure.

281 (5) Effective July 1, 2012, an applicant who has completed  
282 the ADEX Dental Hygiene Examination or the WREB Dental Hygiene  
283 Examination in a jurisdiction other than this state and who has  
284 obtained a passing score may practice dental hygiene in this  
285 state if the applicant:

286 (a) Has successfully completed the National Board Dental  
287 Hygiene Examination at any time before the date of application;

288 (b) Has been certified by the American Dental Association  
289 Joint Commission on National Dental Examinations at any time  
290 before the date of application, as specified by state law;

291 (c) Has successfully completed a written examination on  
292 the laws and rules of this state regulating the practice of  
293 dental hygiene;

294 (d) Has not been disciplined by a board, except for  
295 citation offenses or minor violations; and

296 (e) Has not been convicted of or pled nolo contendere to,  
297 regardless of adjudication, any felony or misdemeanor related to  
298 the practice of a health care profession.

299 (6) (a) A passing score on the ADEX Dental Hygiene  
300 Examination or the WREB Dental Hygiene Examination administered

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301 out of state must be considered the same as a passing score for  
302 the ADEX Dental Hygiene Examination or the WREB Dental Hygiene  
303 Examination administered in this state.

304 (b) If an applicant fails to pass the ADEX Dental Hygiene  
305 Examination or the WREB Dental Hygiene Examination in three  
306 attempts, the applicant is not eligible to retake the  
307 examination unless the applicant completes additional education  
308 requirements as specified by the board.

309 Section 3. This act shall take effect July 1, 2021.