

By Senator Brandes

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1 A bill to be entitled
2 An act relating to dental therapy; amending s.
3 409.906, F.S.; authorizing Medicaid to reimburse for
4 dental services provided in a mobile dental unit that
5 is owned by, operated by, or contracted with a health
6 access setting or a similar setting or program;
7 amending s. 466.001, F.S.; revising legislative
8 purpose and intent; amending s. 466.002, F.S.;
9 providing applicability; reordering and amending s.
10 466.003, F.S.; defining the terms "dental therapist"
11 and "dental therapy"; revising the definition of the
12 term "health access setting" to include certain dental
13 therapy programs; amending s. 466.004, F.S.; requiring
14 the chair of the Board of Dentistry to appoint a
15 Council on Dental Therapy within a specified
16 timeframe; providing for membership, meetings, and the
17 purpose of the council; providing a process for
18 rulemaking; making technical changes; amending s.
19 466.006, F.S.; revising the definitions of the terms
20 "full-time practice" and "full-time practice of
21 dentistry within the geographic boundaries of this
22 state within 1 year" to include full-time faculty
23 members of certain dental therapy schools; amending s.
24 466.0075, F.S.; authorizing the board to require any
25 person who applies to take the examination to practice
26 dental therapy in this state to maintain medical
27 malpractice insurance in a certain amount; amending s.
28 466.009, F.S.; requiring the Department of Health to
29 allow an applicant who fails the dental therapy

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30 examination to retake the examination; providing that
31 an applicant who fails a practical or clinical
32 examination to practice dental therapy because of a
33 failing grade on just one part or procedure tested is
34 required to retake and receive a passing score on only
35 the failed part or procedure to be eligible for
36 licensure; requiring an applicant who fails more than
37 one part or procedure tested to retake the entire
38 examination; making technical changes; amending s.
39 466.011, F.S.; requiring the board to certify certain
40 applicants for licensure as a dental therapist;
41 creating s. 466.0136, F.S.; providing that the board
42 must require each licensed dental therapist to
43 complete a specified number of hours of continuing
44 education; providing requirements for the content of
45 such continuing education; requiring the board to
46 adopt rules and guidelines; authorizing the board to
47 excuse licensees from continuing education
48 requirements in certain circumstances; amending s.
49 466.016, F.S.; requiring a practitioner of dental
50 therapy to post and display her or his license in each
51 office where she or he practices; amending s. 466.017,
52 F.S.; requiring the board to adopt certain rules
53 relating to dental therapists; requiring certain
54 dental therapists to possess a specified
55 certification; authorizing a dental therapist under
56 the general supervision of a dentist to administer
57 local anesthesia and operate an X-ray machine, expose
58 dental X-ray films, and interpret or read such films

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59 if specified requirements are met; requiring certain
60 dental therapists to report to the board within a
61 specified timeframe adverse incidents related to or
62 resulting from the administration of local anesthesia;
63 requiring a complete written report of such incidents
64 to be filed with the board within a specified
65 timeframe; providing for disciplinary action; amending
66 s. 466.018, F.S.; providing that a dentist of record
67 remains primarily responsible for the dental treatment
68 of a patient regardless of whether the treatment is
69 provided by a dental therapist; requiring the name or
70 initials of a dental therapist who renders treatment
71 to a patient to be placed in the record of the
72 patient; creating s. 466.0225, F.S.; providing
73 application requirements and examination and licensure
74 qualifications for dental therapists; creating s.
75 466.0227, F.S.; providing legislative findings and
76 intent; limiting the practice of dental therapy to
77 specified settings or programs; authorizing a dental
78 therapist to perform specified services, including
79 specified state-specific dental therapy services,
80 under the general supervision of a dentist under
81 certain conditions; requiring a collaborative
82 management agreement to be signed by a supervising
83 dentist and a dental therapist and to include certain
84 information; requiring a supervising dentist to
85 determine the number of hours of practice which a
86 dental therapist must complete under direct or
87 indirect supervision before performing certain

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88 authorized services under general supervision;
89 authorizing a supervising dentist to restrict or limit
90 a dental therapist's practice in a collaborative
91 management agreement; authorizing a dental therapist
92 to provide dental therapy services to a patient before
93 the supervising dentist examines or diagnoses the
94 patient under certain conditions; requiring a
95 supervising dentist to be licensed or registered and
96 practicing in this state; specifying that the
97 supervising dentist is responsible for certain
98 services and for providing and arranging certain
99 followup services; amending s. 466.026, F.S.;
100 providing criminal penalties; amending s. 466.028,
101 F.S.; revising grounds for denial of a license or
102 disciplinary action to include the practice of dental
103 therapy; amending s. 921.0022, F.S.; conforming the
104 criminal offense severity chart to changes made by the
105 act; requiring the Department of Health, in
106 consultation with the Board of Dentistry and the
107 Agency for Health Care Administration, to submit
108 certain reports to the Legislature by specified dates;
109 providing requirements for such reports; providing an
110 effective date.

111
112 Be It Enacted by the Legislature of the State of Florida:

113
114 Section 1. Paragraph (c) of subsection (1) and subsection
115 (6) of section 409.906, Florida Statutes, are amended to read:
116 409.906 Optional Medicaid services.—Subject to specific

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117 appropriations, the agency may make payments for services which
118 are optional to the state under Title XIX of the Social Security
119 Act and are furnished by Medicaid providers to recipients who
120 are determined to be eligible on the dates on which the services
121 were provided. Any optional service that is provided shall be
122 provided only when medically necessary and in accordance with
123 state and federal law. Optional services rendered by providers
124 in mobile units to Medicaid recipients may be restricted or
125 prohibited by the agency. Nothing in this section shall be
126 construed to prevent or limit the agency from adjusting fees,
127 reimbursement rates, lengths of stay, number of visits, or
128 number of services, or making any other adjustments necessary to
129 comply with the availability of moneys and any limitations or
130 directions provided for in the General Appropriations Act or
131 chapter 216. If necessary to safeguard the state's systems of
132 providing services to elderly and disabled persons and subject
133 to the notice and review provisions of s. 216.177, the Governor
134 may direct the Agency for Health Care Administration to amend
135 the Medicaid state plan to delete the optional Medicaid service
136 known as "Intermediate Care Facilities for the Developmentally
137 Disabled." Optional services may include:

138 (1) ADULT DENTAL SERVICES.—

139 (c) However, Medicaid will not provide reimbursement for
140 dental services provided in a mobile dental unit, except for a
141 mobile dental unit:

142 1. Owned by, operated by, or having a contractual agreement
143 with the Department of Health and complying with Medicaid's
144 county health department clinic services program specifications
145 as a county health department clinic services provider.

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146 2. Owned by, operated by, or having a contractual
147 arrangement with a federally qualified health center and
148 complying with Medicaid's federally qualified health center
149 specifications as a federally qualified health center provider.

150 3. Rendering dental services to Medicaid recipients, 21
151 years of age and older, at nursing facilities.

152 4. Owned by, operated by, or having a contractual agreement
153 with a state-approved dental educational institution.

154 5. Owned by, operated by, or having a contractual agreement
155 with a health access setting, as defined in s. 466.003, or a
156 similar setting or program that serves underserved or vulnerable
157 populations that face serious barriers to accessing dental
158 services. Such settings or programs include, but are not limited
159 to, homeless shelters, schools, Early Head Start programs, or
160 the Special Supplemental Nutrition Program for Women, Infants,
161 and Children.

162 (6) CHILDREN'S DENTAL SERVICES.—The agency may pay for
163 diagnostic, preventive, or corrective procedures, including
164 orthodontia in severe cases, provided to a recipient under age
165 21, by or under the supervision of a licensed dentist. The
166 agency may also reimburse a health access setting as defined in
167 s. 466.003 for the remediable tasks that a licensed dental
168 hygienist is authorized to perform under s. 466.024(2). Services
169 provided under this program include treatment of the teeth and
170 associated structures of the oral cavity, as well as treatment
171 of disease, injury, or impairment that may affect the oral or
172 general health of the individual. However, Medicaid will not
173 provide reimbursement for dental services provided in a mobile
174 dental unit, except for a mobile dental unit:

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175 (a) Owned by, operated by, or having a contractual
176 agreement with the Department of Health and complying with
177 Medicaid's county health department clinic services program
178 specifications as a county health department clinic services
179 provider.

180 (b) Owned by, operated by, or having a contractual
181 arrangement with a federally qualified health center and
182 complying with Medicaid's federally qualified health center
183 specifications as a federally qualified health center provider.

184 (c) Rendering dental services to Medicaid recipients, 21
185 years of age and older, at nursing facilities.

186 (d) Owned by, operated by, or having a contractual
187 agreement with a state-approved dental educational institution.

188 (e) Owned by, operated by, or having a contractual
189 agreement with a health access setting, as defined in s.
190 466.003, or a similar setting or program that serves underserved
191 or vulnerable populations that face serious barriers to
192 accessing dental services. Such settings or programs include,
193 but are not limited to, homeless shelters, schools, Early Head
194 Start programs, or the Special Supplemental Nutrition Program
195 for Women, Infants, and Children.

196 Section 2. Section 466.001, Florida Statutes, is amended to
197 read:

198 466.001 Legislative purpose and intent.—The legislative
199 purpose for enacting this chapter is to ensure that every
200 dentist, dental therapist, and ~~or~~ dental hygienist practicing in
201 this state meets minimum requirements for safe practice without
202 undue clinical interference by persons not licensed under this
203 chapter. It is the legislative intent that dental services be

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204 provided only in accordance with ~~the provisions of~~ this chapter
205 and not be delegated to unauthorized individuals. It is the
206 further legislative intent that dentists, dental therapists, and
207 dental hygienists who fall below minimum competency or who
208 otherwise present a danger to the public ~~shall~~ be prohibited
209 from practicing in this state. All provisions of this chapter
210 relating to the practice of dentistry, dental therapy, and
211 dental hygiene must ~~shall~~ be liberally construed to carry out
212 such purpose and intent.

213 Section 3. Subsections (5) and (6) of section 466.002,
214 Florida Statutes, are amended to read:

215 466.002 Persons exempt from operation of chapter.—Nothing
216 in this chapter shall apply to the following practices, acts,
217 and operations:

218 (5) Students in Florida schools of dentistry, dental
219 therapy, and dental hygiene or dental assistant educational
220 programs, while performing regularly assigned work under the
221 curriculum of such schools.

222 (6) Instructors in Florida schools of dentistry,
223 instructors in dental programs that prepare persons holding
224 D.D.S. or D.M.D. degrees for certification by a specialty board
225 and that are accredited in the United States by January 1, 2005,
226 in the same manner as the board recognizes accreditation for
227 Florida schools of dentistry that are not otherwise affiliated
228 with a Florida school of dentistry, or instructors in Florida
229 schools of dental therapy or dental hygiene or dental assistant
230 educational programs, while performing regularly assigned
231 instructional duties under the curriculum of such schools or
232 programs. A full-time dental instructor at a dental school or

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233 dental program approved by the board may be allowed to practice
234 dentistry at the teaching facilities of such school or program,
235 upon receiving a teaching permit issued by the board, in strict
236 compliance with such rules as are adopted by the board
237 pertaining to the teaching permit and with the established rules
238 and procedures of the dental school or program as recognized in
239 this section.

240 Section 4. Section 466.003, Florida Statutes, is reordered
241 and amended to read:

242 466.003 Definitions.—As used in this chapter, the term:

243 (1) "Board" means the Board of Dentistry.

244 (7)~~(2)~~ "Dentist" means a person licensed to practice
245 dentistry pursuant to this chapter.

246 (8)~~(3)~~ "Dentistry" means the healing art which is concerned
247 with the examination, diagnosis, treatment planning, and care of
248 conditions within the human oral cavity and its adjacent tissues
249 and structures. It includes the performance or attempted
250 performance of any dental operation, or oral or oral-
251 maxillofacial surgery and any procedures adjunct thereto,
252 including physical evaluation directly related to such operation
253 or surgery pursuant to hospital rules and regulations. It also
254 includes dental service of any kind gratuitously or for any
255 remuneration paid, or to be paid, directly or indirectly, to any
256 person or agency. The term "dentistry" shall also include the
257 following:

258 (a) The taking of an impression of the human tooth, teeth,
259 or jaws directly or indirectly and by any means or method.

260 (b) Supplying artificial substitutes for the natural teeth
261 or furnishing, supplying, constructing, reproducing, or

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262 repairing any prosthetic denture, bridge, appliance, or any
263 other structure designed to be worn in the human mouth except on
264 the written work order of a duly licensed dentist.

265 (c) The placing of an appliance or structure in the human
266 mouth or the adjusting or attempting to adjust the same.

267 (d) Delivering the same to any person other than the
268 dentist upon whose work order the work was performed.

269 (e) Professing to the public by any method to furnish,
270 supply, construct, reproduce, or repair any prosthetic denture,
271 bridge, appliance, or other structure designed to be worn in the
272 human mouth.

273 (f) Diagnosing, prescribing, or treating or professing to
274 diagnose, prescribe, or treat disease, pain, deformity,
275 deficiency, injury, or physical condition of the human teeth or
276 jaws or oral-maxillofacial region.

277 (g) Extracting or attempting to extract human teeth.

278 (h) Correcting or attempting to correct malformations of
279 teeth or of jaws.

280 (i) Repairing or attempting to repair cavities in the human
281 teeth.

282 (3)~~(4)~~ "Dental hygiene" means the rendering of educational,
283 preventive, and therapeutic dental services pursuant to ss.
284 466.023 and 466.024 and any related extra-oral procedure
285 required in the performance of such services.

286 (4)~~(5)~~ "Dental hygienist" means a person licensed to
287 practice dental hygiene pursuant to this chapter.

288 (5) "Dental therapist" means a person licensed to practice
289 dental therapy pursuant to s. 466.0225.

290 (6) "Dental therapy" means the rendering of services

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291 pursuant to s. 466.0227 and any related extraoral services or
292 procedures required in the performance of such services.

293 (2)~~(6)~~ "Dental assistant" means a person, other than a
294 dental hygienist, who, under the supervision and authorization
295 of a dentist, provides dental care services directly to a
296 patient. This term shall not include a certified registered
297 nurse anesthetist licensed under part I of chapter 464.

298 (9)~~(7)~~ "Department" means the Department of Health.

299 (10)~~(8)~~ "Direct supervision" means supervision whereby a
300 dentist diagnoses the condition to be treated, a dentist
301 authorizes the procedure to be performed, a dentist remains on
302 the premises while the procedures are performed, and a dentist
303 approves the work performed before dismissal of the patient.

304 (13)~~(9)~~ "Indirect supervision" means supervision whereby a
305 dentist authorizes the procedure and a dentist is on the
306 premises while the procedures are performed.

307 (11)~~(10)~~ "General supervision" means supervision whereby a
308 dentist authorizes the procedures which are being carried out
309 but need not be present when the authorized procedures are being
310 performed. The authorized procedures may also be performed at a
311 place other than the dentist's usual place of practice. The
312 issuance of a written work authorization to a commercial dental
313 laboratory by a dentist does not constitute general supervision.

314 (14)~~(11)~~ "Irremediable tasks" are those intraoral treatment
315 tasks which, when performed, are irreversible and create
316 unalterable changes within the oral cavity or the contiguous
317 structures or which cause an increased risk to the patient. The
318 administration of anesthetics other than topical anesthesia is
319 considered to be an "irremediable task" for purposes of this

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320 chapter.

321 (16)~~(12)~~ "Remediable tasks" are those intraoral treatment
322 tasks which are reversible and do not create unalterable changes
323 within the oral cavity or the contiguous structures and which do
324 not cause an increased risk to the patient.

325 (15)~~(13)~~ "Oral and maxillofacial surgery" means the
326 specialty of dentistry involving diagnosis, surgery, and
327 adjunctive treatment of diseases, injuries, and defects
328 involving the functional and esthetic aspects of the hard and
329 soft tissues of the oral and maxillofacial regions. This term
330 may not be construed to apply to any individual exempt under s.
331 466.002(1).

332 (12)~~(14)~~ "Health access setting" means a program or an
333 institution of the Department of Children and Families, the
334 Department of Health, the Department of Juvenile Justice, a
335 nonprofit community health center, a Head Start center, a
336 federally qualified health center or look-alike as defined by
337 federal law, a school-based prevention program, a clinic
338 operated by an accredited college of dentistry, or an accredited
339 dental therapy or dental hygiene program in this state if such
340 community service program or institution immediately reports to
341 the Board of Dentistry all violations of s. 466.027, s. 466.028,
342 or other practice act or standard of care violations related to
343 the actions or inactions of a dentist, dental therapist, dental
344 hygienist, or dental assistant engaged in the delivery of dental
345 care in such setting.

346 (17)~~(15)~~ "School-based prevention program" means preventive
347 oral health services offered at a school by one of the entities
348 defined in subsection (12) ~~(14)~~ or by a nonprofit organization

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349 that is exempt from federal income taxation under s. 501(a) of
350 the Internal Revenue Code, and described in s. 501(c)(3) of the
351 Internal Revenue Code.

352 Section 5. Subsection (2) of section 466.004, Florida
353 Statutes, is amended to read:

354 466.004 Board of Dentistry.—

355 (2) ~~To advise the board,~~ It is the intent of the
356 Legislature that councils be appointed as specified in this
357 subsection to advise the board ~~paragraphs (a), (b), and (c).~~ The
358 department shall provide administrative support to the councils
359 and shall provide public notice of meetings and agendas ~~agenda~~
360 of the councils. Councils must ~~shall~~ include at least one board
361 member, who shall chair the council, and ~~shall include~~ nonboard
362 members. All council members shall be appointed by the board
363 chair. Council members shall be appointed for 4-year terms, and
364 all members are ~~shall be~~ eligible for reimbursement of expenses
365 in the manner of board members.

366 (a) A Council on Dental Hygiene shall be appointed by the
367 board chair and shall include one dental hygienist member of the
368 board, who shall chair the council, one dental member of the
369 board, and three dental hygienists who are actively engaged in
370 the practice of dental hygiene in this state. In making the
371 appointments, the chair shall consider recommendations from the
372 Florida Dental Hygienists' ~~Hygiene~~ Association. The council
373 shall meet at the request of the board chair, a majority of the
374 members of the board, or the council chair; however, the council
375 must meet at least three times a year. The council ~~is charged~~
376 ~~with the responsibility of and~~ shall recommend proposed ~~meet for~~
377 ~~the purpose of developing~~ rules and policies ~~for recommendation~~

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378 ~~to the board, which the board shall consider, on matters~~
379 ~~pertaining to the areas that part of dentistry consisting of~~
380 ~~educational, preventive, or therapeutic dental hygiene services;~~
381 ~~dental hygiene licensure, discipline, or regulation; and dental~~
382 ~~hygiene education. The board shall consider these rules and~~
383 ~~policies Rule and policy recommendations of the council shall be~~
384 ~~considered by the board at its next regularly scheduled meeting~~
385 ~~in the same manner in which it considers rule and policy~~
386 ~~recommendations from designated subcommittees of the board. Any~~
387 ~~rule or policy proposed by the board pertaining to these areas~~
388 ~~must the specified part of dentistry defined by this subsection~~
389 ~~shall be referred to the council for its a recommendation before~~
390 ~~final action by the board. The board may take final action on~~
391 ~~rules pertaining to these areas the specified part of dentistry~~
392 ~~defined by this subsection without a council recommendation if~~
393 ~~the council fails to submit a recommendation in a timely~~
394 ~~fashion, as prescribed by the board.~~

395 (b) A Council on Dental Assisting shall be appointed by the
396 board chair and shall include one board member, who shall chair
397 the council, and three dental assistants who are actively
398 engaged in dental assisting in this state. The council shall
399 meet at the request of the board chair or a majority of the
400 members of the board. ~~The council shall meet~~ for the purpose of
401 developing recommendations to the board on matters pertaining to
402 ~~that part of dentistry related to dental assisting.~~

403 (c) Effective 28 months after the first dental therapy
404 license is granted by the board, the board chair shall appoint a
405 Council on Dental Therapy, which must include one board member,
406 who shall chair the council, and three dental therapists who are

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407 actively engaged in the practice of dental therapy in this
408 state. The council shall meet at the request of the board chair,
409 a majority of the members of the board, or the council chair;
410 however, the council must meet at least three times per year.
411 The council shall recommend proposed rules and policies to the
412 board on matters pertaining to the areas of educational,
413 preventive, or therapeutic dental therapy services; dental
414 therapy licensure, discipline, or regulation; and dental therapy
415 education. The board shall consider the council's rule and
416 policy recommendations at its next regularly scheduled meeting
417 in the same manner in which it considers rule and policy
418 recommendations from designated subcommittees of the board. Any
419 rule or policy proposed by the board pertaining to these areas
420 must be referred to the council for its recommendation before
421 final action by the board. The board may take final action on
422 rules pertaining to these areas without a council recommendation
423 if the council fails to submit a recommendation in a timely
424 fashion, as prescribed by the board.

425 (d) With the concurrence of the State Surgeon General, the
426 board chair may create and abolish other advisory councils
427 relating to dental subjects, including, but not limited to, ~~+~~
428 examinations, access to dental care, indigent care, nursing home
429 and institutional care, public health, disciplinary guidelines,
430 and other subjects, as appropriate. Such councils must ~~shall~~ be
431 appointed by the board chair and must ~~shall~~ include at least one
432 board member, who shall serve as chair.

433 Section 6. Subsection (4) and paragraph (b) of subsection
434 (6) of section 466.006, Florida Statutes, are amended to read:
435 466.006 Examination of dentists.-

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436 (4) Notwithstanding any other provision of law in chapter
437 456 pertaining to the clinical dental licensure examination or
438 national examinations, to be licensed as a dentist in this
439 state, an applicant must successfully complete both of the
440 following:

441 (a) A written examination on the laws and rules of the
442 state regulating the practice of dentistry.

443 (b) A practical or clinical examination, which must be the
444 American Dental Licensing Examination produced by the American
445 Board of Dental Examiners, Inc., or its successor entity, if
446 any, that is administered in this state, provided that the board
447 has attained, and continues to maintain thereafter,
448 representation on the board of directors of the American Board
449 of Dental Examiners, the examination development committee of
450 the American Board of Dental Examiners, and such other
451 committees of the American Board of Dental Examiners as the
452 board deems appropriate by rule to assure that the standards
453 established herein are maintained organizationally. A passing
454 score on the American Dental Licensing Examination administered
455 in this state is valid for 365 days after the date the official
456 examination results are published.

457 1. As an alternative to such practical or clinical
458 examination, an applicant may submit scores from an American
459 Dental Licensing Examination previously administered in a
460 jurisdiction other than this state after October 1, 2011, and
461 such examination results shall be recognized as valid for the
462 purpose of licensure in this state. A passing score on the
463 American Dental Licensing Examination administered out of state
464 shall be the same as the passing score for the American Dental

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465 Licensing Examination administered in this state. The
466 examination results are valid for 365 days after the date the
467 official examination results are published. The applicant must
468 have completed the examination after October 1, 2011. This
469 subparagraph may not be given retroactive application.

470 2. If the date of an applicant's passing American Dental
471 Licensing Examination scores from an examination previously
472 administered in a jurisdiction other than this state under
473 subparagraph 1. is older than 365 days, such scores are
474 nevertheless valid for the purpose of licensure in this state,
475 but only if the applicant demonstrates that all of the following
476 additional standards have been met:

477 a. The applicant completed the American Dental Licensing
478 Examination after October 1, 2011. This sub-subparagraph may not
479 be given retroactive application;

480 b. The applicant graduated from a dental school accredited
481 by the American Dental Association Commission on Dental
482 Accreditation or its successor entity, if any, or any other
483 dental accrediting organization recognized by the United States
484 Department of Education. Provided, however, if the applicant did
485 not graduate from such a dental school, the applicant may submit
486 proof of having successfully completed a full-time supplemental
487 general dentistry program accredited by the American Dental
488 Association Commission on Dental Accreditation of at least 2
489 consecutive academic years at such accredited sponsoring
490 institution. Such program must provide didactic and clinical
491 education at the level of a D.D.S. or D.M.D. program accredited
492 by the American Dental Association Commission on Dental
493 Accreditation. For purposes of this sub-subparagraph, a

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494 supplemental general dentistry program does not include an
495 advanced education program in a dental specialty;

496 c. The applicant currently possesses a valid and active
497 dental license in good standing, with no restriction, which has
498 never been revoked, suspended, restricted, or otherwise
499 disciplined, from another state or territory of the United
500 States, the District of Columbia, or the Commonwealth of Puerto
501 Rico;

502 d. The applicant submits proof that he or she has never
503 been reported to the National Practitioner Data Bank, the
504 Healthcare Integrity and Protection Data Bank, or the American
505 Association of Dental Boards Clearinghouse. This sub-
506 subparagraph does not apply if the applicant successfully
507 appealed to have his or her name removed from the data banks of
508 these agencies;

509 e. (I) (A) The applicant submits proof of having been
510 consecutively engaged in the full-time practice of dentistry in
511 another state or territory of the United States, the District of
512 Columbia, or the Commonwealth of Puerto Rico in the 5 years
513 immediately preceding the date of application for licensure in
514 this state; or

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

520 (II) As used in this section, "full-time practice" is
521 defined as a minimum of 1,200 hours per year for each and every
522 year in the consecutive 5-year period or, when applicable, the

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523 period since initial licensure, and must include any combination
524 of the following:

525 (A) Active clinical practice of dentistry providing direct
526 patient care.

527 (B) Full-time practice as a faculty member employed by a
528 dental, dental therapy, or dental hygiene school approved by the
529 board or accredited by the American Dental Association
530 Commission on Dental Accreditation.

531 (C) Full-time practice as a student at a postgraduate
532 dental education program approved by the board or accredited by
533 the American Dental Association Commission on Dental
534 Accreditation.

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

539 (A) Admissible as evidence in an administrative proceeding;

540 (B) Submitted in writing;

541 (C) Submitted by the applicant under oath with penalties of
542 perjury attached;

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

547 (E) Specifically found by the board to be both credible and
548 admissible.

549 (IV) An affidavit of only the applicant is not acceptable
550 proof of full-time practice unless it is further attested to by
551 someone unrelated to the applicant who has personal knowledge of

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552 the applicant's practice. If the board deems it necessary to
553 assess credibility or accuracy, the board may require the
554 applicant or the applicant's witnesses to appear before the
555 board and give oral testimony under oath;

556 f. The applicant submits documentation that he or she has
557 completed, or will complete before he or she is licensed in this
558 state, continuing education equivalent to this state's
559 requirements for the last full reporting biennium;

560 g. The applicant proves that he or she has never been
561 convicted of, or pled nolo contendere to, regardless of
562 adjudication, any felony or misdemeanor related to the practice
563 of a health care profession in any jurisdiction;

564 h. The applicant has successfully passed a written
565 examination on the laws and rules of this state regulating the
566 practice of dentistry and the computer-based diagnostic skills
567 examination; and

568 i. The applicant submits documentation that he or she has
569 successfully completed the applicable examination administered
570 by the Joint Commission on National Dental Examinations or its
571 successor organization.

572 (6)

573 (b)1. As used in this section, "full-time practice of
574 dentistry within the geographic boundaries of this state within
575 1 year" is defined as a minimum of 1,200 hours in the initial
576 year of licensure, which must include any combination of the
577 following:

578 a. Active clinical practice of dentistry providing direct
579 patient care within the geographic boundaries of this state.

580 b. Full-time practice as a faculty member employed by a

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581 dental, dental therapy, or dental hygiene school approved by the
582 board or accredited by the American Dental Association
583 Commission on Dental Accreditation and located within the
584 geographic boundaries of this state.

585 c. Full-time practice as a student at a postgraduate dental
586 education program approved by the board or accredited by the
587 American Dental Association Commission on Dental Accreditation
588 and located within the geographic boundaries of this state.

589 2. The board shall develop rules to determine what type of
590 proof of full-time practice of dentistry within the geographic
591 boundaries of this state for 1 year is required in order to
592 maintain active licensure and shall develop rules to recoup the
593 cost to the board of verifying maintenance of such full-time
594 practice under this section. Such proof must, at a minimum:

595 a. Be admissible as evidence in an administrative
596 proceeding;

597 b. Be submitted in writing;

598 c. Be submitted by the applicant under oath with penalties
599 of perjury attached;

600 d. Be further documented by an affidavit of someone
601 unrelated to the applicant who is familiar with the applicant's
602 practice and testifies with particularity that the applicant has
603 been engaged in full-time practice of dentistry within the
604 geographic boundaries of this state within the last 365 days;
605 and

606 e. Include such additional proof as specifically found by
607 the board to be both credible and admissible.

608 3. An affidavit of only the applicant is not acceptable
609 proof of full-time practice of dentistry within the geographic

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610 boundaries of this state within 1 year, unless it is further
611 attested to by someone unrelated to the applicant who has
612 personal knowledge of the applicant's practice within the last
613 365 days. If the board deems it necessary to assess credibility
614 or accuracy, the board may require the applicant or the
615 applicant's witnesses to appear before the board and give oral
616 testimony under oath.

617 Section 7. Section 466.0075, Florida Statutes, is amended
618 to read:

619 466.0075 Applicants for examination; medical malpractice
620 insurance.—The board may require any person applying to take the
621 examination to practice dentistry in this state, the examination
622 to practice dental therapy in this state, or the examination to
623 practice dental hygiene in this state to maintain medical
624 malpractice insurance in amounts sufficient to cover any
625 incident of harm to a patient during the clinical examination.

626 Section 8. Section 466.009, Florida Statutes, is amended to
627 read:

628 466.009 Reexamination.—

629 (1) The department shall allow ~~permit~~ any person who fails
630 an examination that ~~which~~ is required under s. 466.006, ~~or~~ s.
631 466.007, or s. 466.0225 to retake the examination. If the
632 examination to be retaken is a practical or clinical
633 examination, the applicant must ~~shall~~ pay a reexamination fee
634 set by rule of the board in an amount not to exceed the original
635 examination fee.

636 (2) If an applicant for a license to practice dentistry
637 fails the practical or clinical examination because of a failing
638 grade on just one part or procedure tested, she or he must ~~shall~~

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639 ~~be required to~~ retake and receive a passing score on only the
640 failed that part or procedure to be eligible for licensure.
641 However, if ~~any~~ such applicant fails more than one part or
642 procedure of any such examination, she or he must ~~shall be~~
643 ~~required to~~ retake the entire examination.

644 (3) If an applicant for a license to practice dental
645 hygiene fails ~~one portion of~~ the practical or clinical
646 examination because of a failing grade on just one part or
647 procedure tested, such applicant must ~~shall be required to~~
648 retake and receive a passing score on only the failed part or
649 procedure to be eligible for licensure that portion if she or he
650 reapplies within 12 months. If, however, the applicant fails the
651 prophylaxis, she or he must ~~shall be required to~~ retake the
652 entire examination.

653 (4) If an applicant for a license to practice dental
654 therapy fails the practical or clinical examination because of a
655 failing grade on just one part or procedure tested, she or he
656 must retake and receive a passing score on only the failed part
657 or procedure to be eligible for licensure. However, if such
658 applicant fails more than one part or procedure of any such
659 examination, she or he must retake the entire examination.

660 Section 9. Section 466.011, Florida Statutes, is amended to
661 read:

662 466.011 Licensure.—The board shall certify for licensure by
663 the department any applicant who satisfies the requirements of
664 s. 466.006, s. 466.0067, ~~or~~ s. 466.007, or s. 466.0225. The
665 board may refuse to certify an applicant who has violated ~~any of~~
666 ~~the provisions of~~ s. 466.026 or s. 466.028.

667 Section 10. Section 466.0136, Florida Statutes, is created

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668 to read:

669 466.0136 Continuing education; dental therapists.—In
670 addition to any other requirements specified in this chapter for
671 relicensure of dental therapists, the board shall require each
672 licensed dental therapist to complete at least 24 hours, but not
673 more than 36 hours, biennially of continuing education in dental
674 subjects in programs approved by the board or in equivalent
675 programs of continuing education. Programs of continuing
676 education approved by the board must be programs of learning
677 which, in the opinion of the board, contribute directly to the
678 dental education of the dental therapist. An individual who is
679 licensed as both a dental therapist and a dental hygienist may
680 use continuing education that is approved for both dental
681 therapy and dental hygiene education to satisfy both dental
682 therapy and dental hygiene continuing education requirements.
683 The board shall adopt rules and guidelines to administer and
684 enforce this section. A dental therapist shall retain in her or
685 his records any receipts, vouchers, or certificates necessary to
686 document completion of the required continuing education.
687 Compliance with the continuing education requirements is
688 mandatory for issuance of the renewal certificate. The board may
689 excuse licensees, as a group or as individuals, from all or part
690 of the continuing education requirements if an unusual
691 circumstance, emergency, or hardship prevents compliance with
692 this section.

693 Section 11. Section 466.016, Florida Statutes, is amended
694 to read:

695 466.016 License to be displayed.—Every practitioner of
696 dentistry, dental therapy, or dental hygiene within the meaning

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697 of this chapter shall post and keep conspicuously displayed her
698 or his license in the office where ~~wherein~~ she or he practices,
699 in plain sight of the practitioner's patients. Any dentist,
700 dental therapist, or dental hygienist who practices at more than
701 one location shall ~~be required to~~ display a copy of her or his
702 license in each office where she or he practices.

703 Section 12. Present subsections (7) through (10) and (11)
704 through (15) of section 466.017, Florida Statutes, are
705 redesignated as subsections (8) through (11) and (13) through
706 (17), respectively, new subsections (7) and (12) are added to
707 that section, and paragraphs (d) and (e) of subsection (3),
708 subsection (4), and present subsections (7), (8), (12), and (14)
709 of that section are amended, to read:

710 466.017 Prescription of drugs; anesthesia.-

711 (3) The board shall adopt rules which:

712 (d) Establish further requirements relating to the use of
713 general anesthesia or sedation, including, but not limited to,
714 office equipment and the training of dental assistants, dental
715 therapists, or dental hygienists who work with dentists using
716 general anesthesia or sedation.

717 (e) Establish an administrative mechanism enabling the
718 board to verify compliance with training, education, experience,
719 equipment, or certification requirements of dentists, dental
720 therapists, dental hygienists, and dental assistants adopted
721 pursuant to this subsection. The board may charge a fee to
722 defray the cost of verifying compliance with requirements
723 adopted pursuant to this paragraph.

724 (4) A dentist, dental therapist, or dental hygienist who
725 administers or employs the use of any form of anesthesia must

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726 possess a certification in either basic cardiopulmonary
727 resuscitation for health professionals or advanced cardiac life
728 support approved by the American Heart Association or the
729 American Red Cross or an equivalent agency-sponsored course with
730 recertification every 2 years. Each dental office that ~~which~~
731 uses any form of anesthesia must have immediately available and
732 in good working order such resuscitative equipment, oxygen, and
733 other resuscitative drugs as are specified by rule of the board
734 in order to manage possible adverse reactions.

735 (7) A dental therapist under the general supervision of a
736 dentist may administer local anesthesia, including intraoral
737 block anesthesia or soft tissue infiltration anesthesia, or
738 both, if she or he has completed the course described in
739 paragraph (5) (a) and presents evidence of current certification
740 in basic or advanced cardiac life support.

741 (8) ~~(7)~~ A licensed dentist, or a dental therapist who is
742 authorized by her or his supervising dentist, may operate
743 ~~utilize~~ an X-ray machine, expose dental X-ray films, and
744 interpret or read such films. ~~Notwithstanding The provisions of~~
745 ~~part IV of chapter 468 to the contrary notwithstanding, a~~
746 licensed dentist, or a dental therapist who is authorized by her
747 or his supervising dentist, may authorize or direct a dental
748 assistant to operate such equipment and expose such films under
749 her or his direction and supervision, pursuant to rules adopted
750 by the board in accordance with s. 466.024 which ensure that the
751 ~~said~~ assistant is competent by reason of training and experience
752 to operate the X-ray ~~said~~ equipment in a safe and efficient
753 manner. The board may charge a fee not to exceed \$35 to defray
754 the cost of verifying compliance with requirements adopted

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755 pursuant to this section.

756 (9)~~(8)~~ Notwithstanding ~~The provisions of s. 465.0276~~
757 ~~notwithstanding~~, a dentist need not register with the board or
758 comply with the continuing education requirements of that
759 section if the dentist confines her or his dispensing activity
760 to the dispensing of fluorides and chlorhexidine ~~chlorhexidine~~
761 rinse solutions, ~~provided that the dentist, when dispensing~~
762 such products, complies with and is subject to all laws and
763 rules applicable to pharmacists and pharmacies, including, but
764 not limited to, chapters 465, 499, and 893, and all applicable
765 federal laws and regulations, ~~when dispensing such products.~~

766 (12) A licensed dental therapist administering local
767 anesthesia shall notify the board in writing by registered mail
768 within 48 hours after any adverse incident related to or
769 resulting from the administration of local anesthesia. A
770 complete written report must be filed with the board within 30
771 days after the mortality or other adverse incident.

772 (14)~~(12)~~ A failure by the dentist, dental therapist, or
773 dental hygienist to timely and completely comply with all the
774 reporting requirements in this section is the basis for
775 disciplinary action by the board pursuant to s. 466.028(1).

776 (16)~~(14)~~ As used in subsections (10)-(15) ~~(9)-(13)~~, the
777 term "adverse incident" means any mortality that occurs during
778 or as the result of a dental procedure, or an incident that
779 results in a temporary or permanent physical or mental injury
780 that requires hospitalization or emergency room treatment of a
781 dental patient which occurs during or as a direct result of the
782 use of general anesthesia, deep sedation, moderate sedation,
783 pediatric moderate sedation, oral sedation, minimal sedation

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784 (anxiolysis), nitrous oxide, or local anesthesia.

785 Section 13. Subsection (1) of section 466.018, Florida
786 Statutes, is amended to read:

787 466.018 Dentist of record; patient records.—

788 (1) Each patient shall have a dentist of record. The
789 dentist of record shall remain primarily responsible for all
790 dental treatment on such patient regardless of whether the
791 treatment is rendered by the dentist or by another dentist,
792 dental therapist, dental hygienist, or dental assistant
793 rendering such treatment in conjunction with, at the direction
794 or request of, or under the supervision of such dentist of
795 record. The dentist of record shall be identified in the record
796 of the patient. If treatment is rendered by a dentist other than
797 the dentist of record or by a dental therapist, dental
798 hygienist, or dental assistant, the name or initials of such
799 person must ~~shall~~ be placed in the record of the patient. In any
800 disciplinary proceeding brought pursuant to this chapter or
801 chapter 456, it is ~~shall be~~ presumed as a matter of law that
802 treatment was rendered by the dentist of record unless otherwise
803 noted on the patient record pursuant to this section. The
804 dentist of record and any other treating dentist are subject to
805 discipline pursuant to this chapter or chapter 456 for treatment
806 rendered to the patient and performed in violation of such
807 chapter. One of the purposes of this section is to ensure that
808 the responsibility for each patient is assigned to one dentist
809 in a multidentist practice of any nature and to assign primary
810 responsibility to the dentist for treatment rendered by a dental
811 therapist, dental hygienist, or dental assistant under her or
812 his supervision. This section may ~~shall~~ not be construed to

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813 assign any responsibility to a dentist of record for treatment
814 rendered pursuant to a proper referral to another dentist who
815 does not ~~in~~ practice with the dentist of record or to prohibit a
816 patient from voluntarily selecting a new dentist without
817 permission of the dentist of record.

818 Section 14. Section 466.0225, Florida Statutes, is created
819 to read:

820 466.0225 Examination of dental therapists; licensing.-

821 (1) Any person desiring to be licensed as a dental
822 therapist must apply to the department to take the licensure
823 examinations and must verify the information required on the
824 application by oath. The application must be accompanied by two
825 recent photographs of the applicant.

826 (2) An applicant is entitled to take the examinations
827 required under this section and receive licensure to practice
828 dental therapy in this state if the applicant meets all of the
829 following requirements:

830 (a) Is 18 years of age or older.

831 (b) Is a graduate of a dental therapy college or school
832 accredited by the American Dental Association Commission on
833 Dental Accreditation or its successor entity, if any, or any
834 other dental therapy accrediting entity recognized by the United
835 States Department of Education. For applicants applying for a
836 dental therapy license before January 1, 2026, the board shall
837 approve the applicant's dental therapy education program if the
838 program was administered by a college or school that operates an
839 accredited dental or dental hygiene education program and the
840 college or school certifies to the board that the applicant's
841 education substantially conformed to the education standards

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842 established by the American Dental Association Commission on
843 Dental Accreditation.

844 (c) Has successfully completed a dental therapy practical
845 or clinical examination produced by the American Board of Dental
846 Examiners, Inc., (ADEX) or its successor entity, if any, if the
847 board finds that the successor entity's examination meets or
848 exceeds the requirements of this section. If an applicant fails
849 to pass such an examination after three attempts, the applicant
850 may not retake the examination unless the applicant completes
851 additional education requirements as specified by the board. If
852 a dental therapy examination has not been established by ADEX,
853 the board shall administer or approve an alternative
854 examination.

855 (d) Has not been disciplined by a board, except for
856 citation offenses or minor violations, as determined by the
857 board.

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

861 (f) Has successfully completed a written examination on the
862 laws and rules of this state regulating the practice of dental
863 therapy.

864 (3) An applicant who meets the requirements of this section
865 and who has successfully completed an examination identified in
866 paragraph (2)(c) in a jurisdiction other than this state, or who
867 has successfully completed a comparable examination administered
868 or approved by the licensing authority in a jurisdiction other
869 than this state, must be licensed to practice dental therapy in
870 this state if the board determines that the other jurisdiction's

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871 examination and scope of practice are substantially similar to
872 those identified in paragraph (2)(c).

873 Section 15. Section 466.0227, Florida Statutes, is created
874 to read:

875 466.0227 Dental therapists; scope and area of practice.—

876 (1) The Legislature finds that authorizing licensed dental
877 therapists to perform the services specified in subsection (3)
878 would improve access to high-quality, affordable oral health
879 services for all residents of this state. The Legislature
880 intends to rapidly improve such access for low-income,
881 uninsured, and underserved patients and communities. To further
882 this intent, a dental therapist licensed under this chapter is
883 limited to practicing dental therapy in the following settings
884 or programs:

885 (a) A health access setting, as defined in s. 466.003.

886 (b) A community health center, including an off-site care
887 setting.

888 (c) A nursing facility.

889 (d) A military or veterans' hospital or clinic, including
890 an off-site care setting.

891 (e) A governmental or public health clinic, including an
892 off-site care setting.

893 (f) A school, an Early Head Start program, or a school-
894 based prevention program as defined in s. 466.003.

895 (g) An oral health education institution, including an off-
896 site care setting.

897 (h) A hospital.

898 (i) A correctional facility clinic setting.

899 (j) A geographic area designated as a dental health

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900 professional shortage area by the state or the Federal
901 Government.

902 (k) A health facility operated by the Indian Health Service
903 or by a tribal organization.

904 (l) Any other clinic or practice setting if at least 50
905 percent of the patients served by the dental therapist in such
906 clinic or practice setting:

907 1. Are enrolled in Medicaid or another state or local
908 governmental health care program for low-income or uninsured
909 patients; or

910 2. Do not have dental insurance and report a gross annual
911 income that is less than 200 percent of the applicable federal
912 poverty guidelines.

913 (2) Except as otherwise provided in this chapter, a dental
914 therapist may perform the dental therapy services specified in
915 subsection (3) under the general supervision of a dentist to the
916 extent authorized by the supervising dentist and provided within
917 the terms of a written collaborative management agreement signed
918 by the dental therapist and the supervising dentist which meets
919 the requirements of subsection (4).

920 (3) Dental therapy services include all of the following:

921 (a) All services, treatments, and competencies identified
922 by the American Dental Association Commission on Dental
923 Accreditation in its Dental Therapy Education Accreditation
924 Standards.

925 (b) All of the following state-specific services, if the
926 dental therapist's education included curriculum content
927 satisfying the American Dental Association Commission on Dental
928 Accreditation criteria for state-specific dental therapy

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929 services:

930 1. Evaluation of radiographs.

931 2. Placement of space maintainers.

932 3. Pulpotomies on primary teeth.

933 4. Tooth reimplantation and stabilization.

934 5. Recementation of permanent dental crowns.

935 6. Direct pulp capping of primary teeth.

936 7. Fabrication of soft occlusal guards.

937 8. Dispensing and administering nonopioid analgesics,

938 including nitrous oxide, anti-inflammatories, and antibiotics,

939 as authorized by the supervising dentist and within the

940 parameters of the collaborative management agreement.

941 9. Oral evaluation and assessment of dental disease and

942 formulation of an individualized treatment plan if authorized by

943 a supervising dentist and subject to any conditions,

944 limitations, or protocols specified by the supervising dentist

945 in the collaborative management agreement.

946 (c) Any other task deemed appropriate by the board.

947 (4) Before performing any of the services specified in

948 subsection (3), a dental therapist must enter into a written

949 collaborative management agreement with a supervising dentist.

950 The agreement must be signed by the dental therapist and the

951 supervising dentist and must include all of the following:

952 (a) Any limitation on the practice settings, services, and

953 populations that may be served. If the agreement is silent as to

954 any such limitation, the full scope of practice is permitted

955 under the agreement.

956 (b) A procedure for creating and maintaining dental records

957 for the patients who are treated by the dental therapist.

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958 (c) A plan to manage medical emergencies in each practice
959 setting where the dental therapist provides care.

960 (d) A quality assurance plan for monitoring care provided
961 by the dental therapist, including patient care review, referral
962 followup, and a quality assurance chart review.

963 (e) Protocols for the dental therapist to administer and
964 dispense medications, including the specific conditions and
965 circumstances under which the medications are to be administered
966 and dispensed.

967 (f) Criteria relating to the provision of care by the
968 dental therapist to patients with specific medical conditions or
969 complex medication histories, including requirements for
970 consultation before the initiation of care.

971 (g) Supervision criteria for dental therapists.

972 (h) A plan for the provision of clinical resources and
973 referrals in situations that are beyond the capabilities of the
974 dental therapist.

975 (5) A supervising dentist shall determine the number of
976 hours of practice a dental therapist must complete under direct
977 or indirect supervision of the supervising dentist before the
978 dental therapist may perform any of the services specified in
979 subsection (3) under general supervision.

980 (6) A supervising dentist may restrict or limit the dental
981 therapist's practice in a collaborative management agreement to
982 be less than the full scope of practice for dental therapists
983 authorized in subsection (3).

984 (7) A dental therapist may provide dental therapy services
985 to a patient before the supervising dentist examines or
986 diagnoses the patient if the applicable authority, conditions,

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987 and protocols are established in a written collaborative
988 management agreement and the patient is subsequently referred to
989 a dentist for any additional necessary services that exceed the
990 dental therapist's scope of practice or authorization under the
991 collaborative management agreement.

992 (8) A supervising dentist must be licensed under chapter
993 466 or registered under s. 456.47 and practicing in this state.
994 The supervising dentist is responsible for all services
995 authorized and performed by the dental therapist pursuant to the
996 collaborative management agreement and for providing or
997 arranging followup services to be provided by a dentist for
998 those services that are beyond the dental therapist's scope of
999 practice and authorization under the collaborative management
1000 agreement.

1001 Section 16. Section 466.026, Florida Statutes, is amended
1002 to read:

1003 466.026 Prohibitions; penalties.—

1004 (1) Each of the following acts constitutes a felony of the
1005 third degree, punishable as provided in s. 775.082, s. 775.083,
1006 or s. 775.084:

1007 (a) Practicing dentistry, dental therapy, or dental hygiene
1008 unless the person has an appropriate, active license issued by
1009 the department pursuant to this chapter.

1010 (b) Using or attempting to use a license issued pursuant to
1011 this chapter which license has been suspended or revoked.

1012 (c) Knowingly employing any person to perform duties
1013 outside the scope allowed such person under this chapter or the
1014 rules of the board.

1015 (d) Giving false or forged evidence to the department or

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1016 board for the purpose of obtaining a license.

1017 (e) Selling or offering to sell a diploma conferring a
1018 degree from a dental college or a dental therapy or dental
1019 hygiene school or college, ~~or~~ or a license issued pursuant to this
1020 chapter, or procuring such diploma or license with intent that
1021 it shall be used as evidence of that which the document stands
1022 for, by a person other than the one upon whom it was conferred
1023 or to whom it was granted.

1024 (2) Each of the following acts constitutes a misdemeanor of
1025 the first degree, punishable as provided in s. 775.082 or s.
1026 775.083:

1027 (a) Using the name or title "dentist," the initials ~~letters~~
1028 "D.D.S." or "D.M.D.", or any other words, letters, title, or
1029 descriptive matter which in any way represents a person as being
1030 able to diagnose, treat, prescribe, or operate for any disease,
1031 pain, deformity, deficiency, injury, or physical condition of
1032 the teeth or jaws or oral-maxillofacial region unless the person
1033 has an active dentist's license issued by the department
1034 pursuant to this chapter.

1035 (b) Using the name or title "dental therapist" or the
1036 initials "D.T." or otherwise holding herself or himself out as
1037 an actively licensed dental therapist or implying to any patient
1038 or consumer that she or he is an actively licensed dental
1039 therapist unless that person has an active dental therapist's
1040 license issued by the department pursuant to this chapter.

1041 (c) Using the name or title "dental hygienist" or the
1042 initials "R.D.H." or otherwise holding herself or himself out as
1043 an actively licensed dental hygienist or implying to any patient
1044 or consumer that she or he is an actively licensed dental

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1045 hygienist unless that person has an active dental hygienist's
1046 license issued by the department pursuant to this chapter.

1047 ~~(d)(e)~~ Presenting as her or his own the license of another.

1048 ~~(e)(d)~~ Knowingly concealing information relative to
1049 violations of this chapter.

1050 ~~(f)(e)~~ Performing any services as a dental assistant as
1051 defined herein, except in the office of a licensed dentist,
1052 unless authorized by this chapter or by rule of the board.

1053 Section 17. Paragraphs (b), (c), (g), (s), and (t) of
1054 subsection (1) of section 466.028, Florida Statutes, are amended
1055 to read:

1056 466.028 Grounds for disciplinary action; action by the
1057 board.—

1058 (1) The following acts constitute grounds for denial of a
1059 license or disciplinary action, as specified in s. 456.072(2):

1060 (b) Having a license to practice dentistry, dental therapy,
1061 or dental hygiene revoked, suspended, or otherwise acted
1062 against, including the denial of licensure, by the licensing
1063 authority of another state, territory, or country.

1064 (c) Being convicted or found guilty of or entering a plea
1065 of nolo contendere to, regardless of adjudication, a crime in
1066 any jurisdiction which relates to the practice of dentistry,
1067 dental therapy, or dental hygiene. A plea of nolo contendere
1068 shall create a rebuttable presumption of guilt to the underlying
1069 criminal charges.

1070 (g) Aiding, assisting, procuring, or advising any
1071 unlicensed person to practice dentistry, dental therapy, or
1072 dental hygiene contrary to this chapter or to a rule of the
1073 department or the board.

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1074 (s) Being unable to practice her or his profession with
1075 reasonable skill and safety to patients by reason of illness or
1076 use of alcohol, drugs, narcotics, chemicals, or any other type
1077 of material or as a result of any mental or physical condition.
1078 In enforcing this paragraph, the department shall have, upon a
1079 finding of the State Surgeon General or her or his designee that
1080 probable cause exists to believe that the licensee is unable to
1081 practice dentistry, dental therapy, or dental hygiene because of
1082 the reasons stated in this paragraph, the authority to issue an
1083 order to compel a licensee to submit to a mental or physical
1084 examination by physicians designated by the department. If the
1085 licensee refuses to comply with such order, the department's
1086 order directing such examination may be enforced by filing a
1087 petition for enforcement in the circuit court where the licensee
1088 resides or does business. The licensee against whom the petition
1089 is filed shall not be named or identified by initials in any
1090 public court records or documents, and the proceedings shall be
1091 closed to the public. The department shall be entitled to the
1092 summary procedure provided in s. 51.011. A licensee affected
1093 under this paragraph shall at reasonable intervals be afforded
1094 an opportunity to demonstrate that she or he can resume the
1095 competent practice of her or his profession with reasonable
1096 skill and safety to patients.

1097 (t) Fraud, deceit, or misconduct in the practice of
1098 dentistry, dental therapy, or dental hygiene.

1099 Section 18. Paragraph (g) of subsection (3) of section
1100 921.0022, Florida Statutes, is amended to read:

1101 921.0022 Criminal Punishment Code; offense severity ranking
1102 chart.-

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1103 (3) OFFENSE SEVERITY RANKING CHART

1104 (g) LEVEL 7

1105

Florida
Statute

Felony
Degree

Description

1106

316.027(2)(c)

1st

Accident involving death,
failure to stop; leaving
scene.

1107

316.193(3)(c)2.

3rd

DUI resulting in serious
bodily injury.

1108

316.1935(3)(b)

1st

Causing serious bodily
injury or death to another
person; driving at high
speed or with wanton
disregard for safety while
fleeing or attempting to
elude law enforcement
officer who is in a patrol
vehicle with siren and
lights activated.

1109

327.35(3)(c)2.

3rd

Vessel BUI resulting in
serious bodily injury.

1110

402.319(2)

2nd

Misrepresentation and
negligence or intentional

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			act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1111	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1112	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1113	456.065 (2)	3rd	Practicing a health care profession without a license.
1114	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1115	458.327 (1)	3rd	Practicing medicine without a license.
1116	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1117	460.411 (1)	3rd	Practicing chiropractic

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1118

medicine without a
license.

461.012 (1)

3rd

Practicing podiatric
medicine without a
license.

1119

462.17

3rd

Practicing naturopathy
without a license.

1120

463.015 (1)

3rd

Practicing optometry
without a license.

1121

464.016 (1)

3rd

Practicing nursing without
a license.

1122

465.015 (2)

3rd

Practicing pharmacy
without a license.

1123

466.026 (1)

3rd

Practicing dentistry,
dental therapy, or dental
hygiene without a license.

1124

467.201

3rd

Practicing midwifery
without a license.

1125

468.366

3rd

Delivering respiratory
care services without a
license.

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483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
483.901 (7)	3rd	Practicing medical physics without a license.
484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
484.053	3rd	Dispensing hearing aids without a license.
494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.

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1133	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1134	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
1135	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
1136	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
1137	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1137	782.051 (3)	2nd	Attempted felony murder of

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1138	782.07 (1)	2nd	a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1139	782.071	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1140	782.072	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1141	784.045 (1) (a) 1.	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1142	784.045 (1) (a) 2.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
			Aggravated battery; using deadly weapon.

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1143

784.045 (1) (b) 2nd Aggravated battery;
perpetrator aware victim
pregnant.

1144

784.048 (4) 3rd Aggravated stalking;
violation of injunction or
court order.

1145

784.048 (7) 3rd Aggravated stalking;
violation of court order.

1146

784.07 (2) (d) 1st Aggravated battery on law
enforcement officer.

1147

784.074 (1) (a) 1st Aggravated battery on
sexually violent predators
facility staff.

1148

784.08 (2) (a) 1st Aggravated battery on a
person 65 years of age or
older.

1149

784.081 (1) 1st Aggravated battery on
specified official or
employee.

1150

784.082 (1) 1st Aggravated battery by
detained person on visitor

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1151			or other detainee.
	784.083(1)	1st	Aggravated battery on code inspector.
1152			
	787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
1153			
	787.06(3)(e)2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
1154			
	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
1155			
	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
1156			
	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1157			

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1158 790.165 (3) 2nd Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.

1159 790.166 (3) 2nd Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.

1160 790.166 (4) 2nd Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.

1161 790.23 1st,PBL Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.

794.08 (4) 3rd Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.

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796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.

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1168	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1169	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1170	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1171	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1172	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1173	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
	812.014 (2) (b) 2.	2nd	Property stolen, cargo

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1174			valued at less than \$50,000, grand theft in 2nd degree.
	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1175			
	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1176			
	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1177			
	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1178			
	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1179			
	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.

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817.034 (4) (a) 1. 1st Communications fraud,
value greater than
\$50,000.

1181

817.234 (8) (a) 2nd Solicitation of motor
vehicle accident victims
with intent to defraud.

1182

817.234 (9) 2nd Organizing, planning, or
participating in an
intentional motor vehicle
collision.

1183

817.234 (11) (c) 1st Insurance fraud; property
value \$100,000 or more.

1184

817.2341 1st Making false entries of
(2) (b) & (3) (b) material fact or false
statements regarding
property values relating
to the solvency of an
insuring entity which are
a significant cause of the
insolvency of that entity.

1185

817.418 (2) (a) 3rd Offering for sale or
advertising personal
protective equipment with

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			intent to defraud.
1186	817.504 (1) (a)	3rd	Offering or advertising a vaccine with intent to defraud.
1187	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
1188	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
1189	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1190	825.103 (3) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.
1191	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or

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			disfigurement.
827.04 (3)	3rd		Impregnation of a child under 16 years of age by person 21 years of age or older.
837.05 (2)	3rd		Giving false information about alleged capital felony to a law enforcement officer.
838.015	2nd		Bribery.
838.016	2nd		Unlawful compensation or reward for official behavior.
838.021 (3) (a)	2nd		Unlawful harm to a public servant.
838.22	2nd		Bid tampering.
843.0855 (2)	3rd		Impersonation of a public officer or employee.
843.0855 (3)	3rd		Unlawful simulation of legal process.

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1201	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1202	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1203	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1204	872.06	2nd	Abuse of a dead human body.
1205	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
1206	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
	893.13 (1) (c) 1.	1st	Sell, manufacture, or deliver cocaine (or other

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1207	893.13(1)(e)1.	1st	<p>drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.</p>
1208	893.13(4)(a)	1st	<p>Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5., within 1,000 feet of property used for religious services or a specified business site.</p>
1209	893.135(1)(a)1.	1st	<p>Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.</p>

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893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
893.135 (1) (c) 4.b. (I)	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.

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1218	893.135 (1) (d) 1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
1219	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
1220	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
1221	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1222	893.135 (1) (h) 1.a.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1223	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4- Butanediol, 1 kilogram or more, less than 5 kilograms.
	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams

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893.135
(1) (m) 2.a.

1st

or more, less than 200
grams.

1225

893.135
(1) (m) 2.b.

1st

Trafficking in synthetic
cannabinoids, 500 grams or
more, less than 1,000
grams.

1226

893.135
(1) (n) 2.a.

1st

Trafficking in n-benzyl
phenethylamines, 14 grams
or more, less than 100
grams.

1227

893.1351 (2)

2nd

Possession of place for
trafficking in or
manufacturing of
controlled substance.

1228

896.101 (5) (a)

3rd

Money laundering,
financial transactions
exceeding \$300 but less
than \$20,000.

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896.104 (4) (a) 1.

3rd

Structuring transactions
to evade reporting or

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1230	943.0435 (4) (c)	2nd	registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1231	943.0435 (8)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1232	943.0435 (9) (a)	3rd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1233	943.0435 (13)	3rd	Sexual offender; failure to comply with reporting requirements.
1234	943.0435 (14)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
			Sexual offender; failure to report and reregister; failure to respond to

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address verification;
 providing false
 registration information.

944.607(9)

3rd

Sexual offender; failure
 to comply with reporting
 requirements.

1236

944.607(10) (a)

3rd

Sexual offender; failure
 to submit to the taking of
 a digitized photograph.

1237

944.607(12)

3rd

Failure to report or
 providing false
 information about a sexual
 offender; harbor or
 conceal a sexual offender.

1238

944.607(13)

3rd

Sexual offender; failure
 to report and reregister;
 failure to respond to
 address verification;
 providing false
 registration information.

1239

985.4815(10)

3rd

Sexual offender; failure
 to submit to the taking of
 a digitized photograph.

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985.4815(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

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985.4815(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

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1243

1244 Section 19. The Department of Health, in consultation with
 1245 the Board of Dentistry and the Agency for Health Care
 1246 Administration, shall submit a progress report to the President
 1247 of the Senate and the Speaker of the House of Representatives by
 1248 July 1, 2025, and shall submit a final report 3 years after the
 1249 first dental therapy license is issued. The reports must include
 1250 all of the following components:

1251 (1) The progress that has been made in this state to
 1252 implement training programs, licensing, and Medicaid
 1253 reimbursement for dental therapists.

1254 (2) Data demonstrating the effects of authorizing the
 1255 practice of dental therapy in this state on each of the
 1256 following:

1257 (a) Patient access to dental services.

1258 (b) The use of primary and preventive dental services in

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1259 underserved regions and populations, including the Medicaid
1260 population.

1261 (c) Costs to dental providers, patients, dental insurance
1262 carriers, and the state.

1263 (d) The quality and safety of dental services.

1264 (3) Specific recommendations for any necessary legislative,
1265 administrative, or regulatory reforms relating to the practice
1266 of dental therapy.

1267 (4) Any other information the department deems appropriate.

1268 Section 20. This act shall take effect July 1, 2022.