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 27 Section 1. Present subsections (8) through (15) of section
 28 466.003, Florida Statutes, are redesignated as subsections (9)
 29 through (16), respectively, a new subsection (8) is added to
 30 that section, and present subsection (15) of that section is
 31 amended, to read:

32 466.003 Definitions.—As used in this chapter:

33 (8) "Digital scanning" means the use of digital technology
 34 that creates a computer-generated replica of the hard and soft
 35 tissue of the oral cavity using enhanced digital photography,
 36 lasers, or other optical scanning devices.

37 (16)~~(15)~~ "School-based prevention program" means
 38 preventive oral health services offered at a school by one of
 39 the entities defined in subsection (15) ~~(14)~~ or by a nonprofit
 40 organization that is exempt from federal income taxation under
 41 s. 501(a) of the Internal Revenue Code, and described in s.
 42 501(c)(3) of the Internal Revenue Code.

43 Section 2. Section 466.016, Florida Statutes, is amended
 44 to read:

45 466.016 License to be displayed.—

46 (1) Every practitioner of dentistry or dental hygiene
 47 within the meaning of this chapter shall post and keep
 48 conspicuously displayed her or his license in the office wherein
 49 she or he practices, in plain sight of the practitioner's
 50 patients. Any dentist or dental hygienist who practices at more

51 | than one location ~~must~~ ~~shall be required to~~ display a copy of
 52 | her or his license in each office where she or he practices.

53 | (2) Every dentist shall provide each of her or his
 54 | patients with the dentist's name, contact telephone number,
 55 | after-hours contact information for emergencies, and, upon the
 56 | patient's request, license information.

57 | (3) Any individual, partnership, corporation, or other
 58 | entity that provides dental services through telehealth as
 59 | defined in s. 456.47 shall provide each patient with the name,
 60 | contact telephone number, after-hours contact information for
 61 | emergencies, and, upon the patient's request, license
 62 | information of each dentist who provides dental services to the
 63 | patient through telehealth.

64 | Section 3. Subsection (6) is added to section 466.018,
 65 | Florida Statutes, to read:

66 | 466.018 Dentist of record; patient records.—

67 | (6) For any patient treated through telehealth as defined
 68 | in s. 456.47, there must be a dentist of record who remains
 69 | primarily responsible for all dental treatment on the patient
 70 | regardless of whether the treatment is rendered by the dentist
 71 | of record or by another dentist, dental hygienist, or dental
 72 | assistant rendering such treatment in conjunction with, at the
 73 | direction or request of, or under the supervision of such
 74 | dentist of record. A dentist of record for a patient treated
 75 | through telehealth is subject to all of the requirements of this

76 section applicable to dentists of record.

77 (a) Any individual, partnership, corporation, or other
 78 entity that provides dental services through telehealth shall
 79 make available the name, telephone number, practice address, and
 80 state license number for the dentist of record and any other
 81 dentist who will be involved in the provision of services to a
 82 patient before the rendering of such services and at any time
 83 requested by a patient.

84 (b) This subsection may not be construed to assign any
 85 responsibility to a dentist of record for treatment rendered
 86 pursuant to a proper referral to another dentist who is not in
 87 the same practice with the dentist of record or to prohibit a
 88 patient from voluntarily selecting a new dentist without
 89 permission of the dentist of record.

90 Section 4. Section 466.019, Florida Statutes, is amended
 91 to read:

92 466.019 Advertising by dentists.—

93 (1) As used in this section, the term "advertisement"
 94 means a representation disseminated in any manner or by any
 95 means to solicit patients and includes, but is not limited to,
 96 business cards, circulars, pamphlets, newspapers, websites, and
 97 social media.

98 (2) The purpose of this section is to ensure that the
 99 public has access to information which provides a sufficient
 100 basis upon which to make an informed selection of dentists while

101 also ensuring that the public is protected from false or
 102 misleading advertisements which would detract from a fair and
 103 rational selection process. The board shall adopt rules to carry
 104 out the intent of this section, the purpose of which shall be to
 105 regulate the manner of such advertising in keeping with the
 106 provisions hereof.

107 (3)~~(2)~~ An ~~No~~ advertisement by a licensed dentist may not
 108 ~~shall~~ contain any false, fraudulent, misleading, or deceptive
 109 statement or claim or any statement or claim which:

- 110 (a) Contains misrepresentations of fact;
- 111 (b) Is likely to mislead or deceive because in context it
 112 makes only a partial disclosure of relevant facts;
- 113 (c) Contains laudatory statements about the dentist or
 114 group of dentists;
- 115 (d) Is intended or is likely to create false, unjustified
 116 expectations of favorable results;
- 117 (e) Relates to the quality of dental services provided as
 118 compared to other available dental services;
- 119 (f) Is intended or is likely to appeal primarily to a
 120 layperson's fears;
- 121 (g) Contains fee information without a disclaimer that
 122 such is a minimum fee only; or
- 123 (h) Contains other representations or implications that in
 124 reasonable probability will cause an ordinary, prudent person to
 125 misunderstand or to be deceived.

126 (4) An advertisement of dental services provided through
127 telehealth as defined in s. 456.47 must include a disclaimer
128 that reads, in a clearly legible font and size, "An in-person
129 examination with a dentist licensed under chapter 466, Florida
130 Statutes, is recommended before beginning telehealth treatment
131 in order to prevent injury or harm" for each of the following
132 services, if advertised:

133 (a) The taking of an impression or the digital scanning of
134 the human tooth, teeth, or jaws, directly or indirectly and by
135 any means or method.

136 (b) Furnishing, supplying, constructing, reproducing, or
137 repairing any prosthetic denture, bridge, or appliance or any
138 other structure designed to be worn in the human mouth.

139 (c) Placing an appliance or a structure in the human mouth
140 or adjusting or attempting to adjust the appliance or structure.

141 (d) Correcting or attempting to correct malformations of
142 teeth or jaws.

143 (5)~~(3)~~ For purposes of this section, D.D.S. or D.M.D. are
144 synonymous and may be used interchangeably by licensed dentists
145 who have graduated from an accredited American dental school
146 with a D.D.S. or D.M.D. degree, when advertising dental
147 services.

148 Section 5. Present paragraph (mm) of subsection (1) of
149 section 466.028, Florida Statutes, is redesignated as paragraph
150 (pp), and a new paragraph (mm) and paragraphs (nn) and (oo) are

151 added to that subsection, to read:

152 466.028 Grounds for disciplinary action; action by the
153 board.-

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

156 (mm) Failure by the dentist of record, before the initial
157 diagnosis and correction of a malposition of human teeth or
158 initial use of an orthodontic appliance, to perform an in-person
159 examination of the patient or obtain records from an in-person
160 examination within the last 6 months and to perform a review of
161 the patient's most recent diagnostic digital or conventional
162 radiographs or other equivalent bone imaging suitable for
163 orthodontia.

164 (nn) For dental services provided in-person or through
165 telehealth by an individual, a partnership, a corporation, or
166 any other entity, failing to provide each patient with the name,
167 contact telephone number, after-hours contact information for
168 emergencies, and, upon the patient's request, the license
169 information of each dentist who is providing dental services to
170 the patient.

171 (oo) For dental services provided through telehealth by an
172 individual, a partnership, a corporation, or any other entity,
173 failing to designate a dentist of record and make available,
174 before the rendering of such services and upon the patient's
175 request, the name, telephone number, practice address, and state

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176 | license number for the dentist of record and any other dentist
177 | who will be involved in the provision of dental services to the
178 | patient through telehealth.

179 | Section 6. This act shall take effect July 1, 2023.