

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 another 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; amending s. 466.003, F.S.;  
10    defining the terms "dental therapist" and "dental  
11    therapy"; amending s. 466.004, F.S.; requiring the  
12    chair of the Board of Dentistry to appoint a Council  
13    on Dental Therapy, effective after a specified  
14    timeframe; providing for membership, meetings, and the  
15    purpose of the council; amending s. 466.006, F.S.;  
16    revising the definitions of the terms "full-time  
17    practice" to include full-time faculty members of  
18    certain dental therapy schools; amending s. 466.009,  
19    F.S.; requiring the Department of Health to allow any  
20    person who fails the dental therapy examination to  
21    retake the examination; providing that a person who  
22    fails a practical or clinical examination to practice  
23    dental therapy and who has failed one part or  
24    procedure of the examination may be required to retake  
25    only that part or procedure to pass the examination;

26        amending s. 466.011, F.S.; requiring the board to  
27        certify an applicant for licensure as a dental  
28        therapist; creating s. 466.0136, F.S.; requiring the  
29        board to require each licensed dental therapist to  
30        complete a specified number of hours of continuing  
31        education; requiring the board to adopt rules and  
32        guidelines; authorizing the board to excuse licensees  
33        from continuing education requirements in certain  
34        circumstances; amending s. 466.016, F.S.; requiring a  
35        practitioner of dental therapy to post and display her  
36        or his license in each office where she or he  
37        practices; amending s. 466.017, F.S.; requiring the  
38        board to adopt certain rules relating to dental  
39        therapists; authorizing a dental therapist under the  
40        general supervision of a dentist to perform certain  
41        duties if specified requirements are met; authorizing  
42        a dental therapist providing services in a mobile  
43        dental unit under the general supervision of a dentist  
44        to perform certain duties if specified requirements  
45        are met; requiring a dental therapist to notify the  
46        board in writing within a specified timeframe after  
47        specified adverse incidents; requiring a complete  
48        written report to be filed with the board within a  
49        specified timeframe; providing for disciplinary action  
50        of a dental therapist; amending s. 466.018, F.S.;

51 providing that a dentist of record remains primarily  
52 responsible for the dental treatment of a patient  
53 regardless of whether the treatment is provided by a  
54 dental therapist; requiring that the initials of a  
55 dental therapist who renders treatment to a patient be  
56 placed in the record of the patient; creating s.  
57 466.0225, F.S.; providing application requirements and  
58 examination and licensure qualifications for dental  
59 therapists; creating s. 466.0227, F.S.; authorizing a  
60 dental therapist to perform specified services under  
61 the general supervision of a dentist under certain  
62 conditions; requiring that a collaborative management  
63 agreement be signed by a supervising dentist and a  
64 dental therapist and to include certain information;  
65 requiring the supervising dentist to determine the  
66 number of hours of practice that a dental therapist  
67 must complete before performing certain authorized  
68 services; authorizing a supervising dentist to  
69 restrict or limit the dental therapist's practice in a  
70 collaborative management agreement; providing that a  
71 supervising dentist may authorize a dental therapist  
72 to provide dental therapy services to a patient before  
73 the dentist examines or diagnoses the patient under  
74 certain conditions; requiring a supervising dentist to  
75 be licensed and practicing in this state; specifying

76        that the supervising dentist is responsible for  
77        certain services; amending s. 466.026, F.S.; providing  
78        criminal penalties; amending s. 466.028, F.S.;  
79        revising grounds for denial of a license or  
80        disciplinary action to include the practice of dental  
81        therapy; amending s. 466.0285, F.S.; prohibiting  
82        persons other than licensed dentists from employing a  
83        dental therapist in the operation of a dental office  
84        and from controlling the use of any dental equipment  
85        or material in certain circumstances; amending s.  
86        921.0022, F.S.; conforming a provision to changes made  
87        by the act; requiring the department, in consultation  
88        with the board and the Agency for Health Care  
89        Administration, to provide reports to the Legislature  
90        by specified dates; requiring that certain information  
91        and recommendations be included in the reports;  
92        providing an effective date.

93  
94    Be It Enacted by the Legislature of the State of Florida:

95  
96        **Section 1. Paragraph (c) of subsection (1) of section**  
97        **409.906, Florida Statutes, is amended, and paragraph (e) is**  
98        **added to subsection (6) of that section, to read:**

99        409.906 Optional Medicaid services.—Subject to specific  
100        appropriations, the agency may make payments for services which

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

(1) ADULT DENTAL SERVICES.—

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

1. Owned by, operated by, or having a contractual

126 agreement with the Department of Health and complying with  
127 Medicaid's county health department clinic services program  
128 specifications as a county health department clinic services  
129 provider.

130 2. Owned by, operated by, or having a contractual  
131 arrangement with a federally qualified health center and  
132 complying with Medicaid's federally qualified health center  
133 specifications as a federally qualified health center provider.

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

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

138 5. Owned by, operated by, or having a contractual  
139 agreement with a health access setting as defined in s.  
140 466.003(13) or a similar setting or program.

141 (6) CHILDREN'S DENTAL SERVICES.—The agency may pay for  
142 diagnostic, preventive, or corrective procedures, including  
143 orthodontia in severe cases, provided to a recipient under age  
144 21, by or under the supervision of a licensed dentist. The  
145 agency may also reimburse a health access setting as defined in  
146 s. 466.003 for the remediable tasks that a licensed dental  
147 hygienist is authorized to perform under s. 466.024(2). Services  
148 provided under this program include treatment of the teeth and  
149 associated structures of the oral cavity, as well as treatment  
150 of disease, injury, or impairment that may affect the oral or

151 general health of the individual. However, Medicaid will not  
152 provide reimbursement for dental services provided in a mobile  
153 dental unit, except for a mobile dental unit:

154 (e) Owned by, operated by, or having a contractual  
155 agreement with a health access setting as defined in s.  
156 466.003(13) or a similar setting or program.

157 **Section 2. Section 466.001, Florida Statutes, is amended**  
158 **to read:**

159 466.001 Legislative purpose and intent.—The legislative  
160 purpose for enacting this chapter is to ensure that every  
161 dentist, dental therapist, or dental hygienist practicing in  
162 this state meets minimum requirements for safe practice without  
163 undue clinical interference by persons not licensed under this  
164 chapter. It is the legislative intent that dental services be  
165 provided only in accordance with ~~the provisions of~~ this chapter  
166 and not be delegated to unauthorized individuals. It is the  
167 further legislative intent that dentists, dental therapists, and  
168 dental hygienists who fall below minimum competency or who  
169 otherwise present a danger to the public ~~shall~~ be prohibited  
170 from practicing in this state. All provisions of this chapter  
171 relating to the practice of dentistry, dental therapy, and  
172 dental hygiene shall be liberally construed to carry out such  
173 purpose and intent.

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

176           466.002 Persons exempt from operation of chapter.—Nothing  
177 in this chapter shall apply to the following practices, acts,  
178 and operations:

179           (5) Students in Florida schools of dentistry, dental  
180 therapy, and dental hygiene or dental assistant educational  
181 programs, while performing regularly assigned work under the  
182 curriculum of such schools or programs.

183           (6) Instructors in Florida schools of dentistry,  
184 instructors in dental programs that prepare persons holding  
185 D.D.S. or D.M.D. degrees for certification by a specialty board  
186 and that are accredited in the United States by January 1, 2005,  
187 in the same manner as the board recognizes accreditation for  
188 Florida schools of dentistry that are not otherwise affiliated  
189 with a Florida school of dentistry, or instructors in Florida  
190 schools of dental hygiene, dental therapy, or dental assistant  
191 educational programs, while performing regularly assigned  
192 instructional duties under the curriculum of such schools or  
193 programs. A full-time dental instructor at a dental school or  
194 dental program approved by the board may be allowed to practice  
195 dentistry at the teaching facilities of such school or program,  
196 upon receiving a teaching permit issued by the board, in strict  
197 compliance with such rules as are adopted by the board  
198 pertaining to the teaching permit and with the established rules  
199 and procedures of the dental school or program as recognized in  
200 this section.



201       **Section 4. Section 466.003, Florida Statutes, is reordered**  
202 **and amended to read:**

203       466.003 Definitions.—As used in this chapter, the term:

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

205       ~~(2)(6)~~ "Dental assistant" means a person, other than a  
206 dental hygienist, who, under the supervision and authorization  
207 of a dentist, provides dental care services directly to a  
208 patient. This term does ~~shall~~ not include a certified registered  
209 nurse anesthetist licensed under part I of chapter 464.

210       ~~(3)(4)~~ "Dental hygiene" means the rendering of  
211 educational, preventive, and therapeutic dental services  
212 pursuant to ss. 466.023 and 466.024 and any related extra-oral  
213 procedure required in the performance of such services.

214       ~~(4)(5)~~ "Dental hygienist" means a person licensed to  
215 practice dental hygiene pursuant to this chapter.

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

218       (6) "Dental therapy" means the rendering of services  
219 pursuant to s. 466.0227 and any related extraoral services or  
220 procedures required in the performance of such services.

221       ~~(7)(2)~~ "Dentist" means a person licensed to practice  
222 dentistry pursuant to this chapter.

223       ~~(8)(3)~~ "Dentistry" means the healing art which is  
224 concerned with the examination, diagnosis, treatment planning,  
225 and care of conditions within the human oral cavity and its

adjacent tissues and structures. It includes the performance or attempted performance of any dental operation, or oral or oral-maxillofacial surgery and any procedures adjunct thereto, including physical evaluation directly related to such operation or surgery pursuant to hospital rules and regulations. It also includes dental service of any kind gratuitously or for any remuneration paid, or to be paid, directly or indirectly, to any person or agency. The term "dentistry" ~~shall~~ also includes ~~include~~ the following:

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

(b) Supplying artificial substitutes for the natural teeth or furnishing, supplying, constructing, reproducing, or repairing any prosthetic denture, bridge, appliance, or any other structure designed to be worn in the human mouth except on the written work order of a duly licensed dentist.

(c) ~~The Placing of~~ an appliance or structure in the human mouth or the adjusting or attempting to adjust the same.

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

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

(f) Diagnosing, prescribing, or treating or professing to

251 diagnose, prescribe, or treat disease, pain, deformity,  
252 deficiency, injury, or physical condition of the human teeth or  
253 jaws or oral-maxillofacial region.

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

255 (h) Correcting or attempting to correct malformations of  
256 teeth or of jaws.

257 (i) Repairing or attempting to repair cavities in the  
258 human teeth.

259 (9)~~(7)~~ "Department" means the Department of Health.

260 (10)~~(8)~~ "Digital scanning" means the use of digital  
261 technology that creates a computer-generated replica of the hard  
262 and soft tissue of the oral cavity using enhanced digital  
263 photography, lasers, or other optical scanning devices.

264 (11)~~(9)~~ "Direct supervision" means supervision whereby a  
265 dentist diagnoses the condition to be treated, a dentist  
266 authorizes the procedure to be performed, a dentist remains on  
267 the premises while the procedures are performed, and a dentist  
268 approves the work performed before dismissal of the patient.

269 (12)~~(11)~~ "General supervision" means supervision whereby a  
270 dentist authorizes the procedures which are being carried out  
271 but need not be present when the authorized procedures are being  
272 performed. The authorized procedures may also be performed at a  
273 place other than the dentist's usual place of practice. The  
274 issuance of a written work authorization to a commercial dental  
275 laboratory by a dentist does not constitute general supervision.

276        (13)~~(15)~~ "Health access setting" means a program or an  
277 institution of the Department of Children and Families, the  
278 Department of Health, the Department of Juvenile Justice, a  
279 nonprofit community health center, a Head Start center, a  
280 federally qualified health center or look-alike as defined by  
281 federal law, a school-based prevention program, a clinic  
282 operated by an accredited college of dentistry, or an accredited  
283 dental hygiene program in this state if such community service  
284 program or institution immediately reports to the Board of  
285 Dentistry all violations of s. 466.027, s. 466.028, or other  
286 practice act or standard of care violations related to the  
287 actions or inactions of a dentist, dental hygienist, or dental  
288 assistant engaged in the delivery of dental care in such  
289 setting.

290        (14)~~(10)~~ "Indirect supervision" means supervision whereby  
291 a dentist authorizes the procedure and a dentist is on the  
292 premises while the procedures are performed.

293        (15)~~(12)~~ "Irremediable tasks" are those intraoral  
294 treatment tasks which, when performed, are irreversible and  
295 create unalterable changes within the oral cavity or the  
296 contiguous structures or which cause an increased risk to the  
297 patient. The administration of anesthetics other than topical  
298 anesthesia is considered to be an "irremediable task" for  
299 purposes of this chapter.

300        (16)~~(14)~~ "Oral and maxillofacial surgery" means the

specialty of dentistry involving diagnosis, surgery, and adjunctive treatment of diseases, injuries, and defects involving the functional and esthetic aspects of the hard and soft tissues of the oral and maxillofacial regions. This term may not be construed to apply to any individual exempt under s. 466.002(1).

~~(17)(13)~~ "Remediable tasks" are those intraoral treatment tasks which are reversible and do not create unalterable changes within the oral cavity or the contiguous structures and which do not cause an increased risk to the patient.

~~(18)(16)~~ "School-based prevention program" means preventive oral health services offered at a school by one of the entities described ~~defined~~ in subsection (13) ~~(15)~~ or by a nonprofit organization that is exempt from federal income taxation under s. 501(a) of the Internal Revenue Code, and described in s. 501(c)(3) of the Internal Revenue Code.

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

466.004 Board of Dentistry.—

(2) To advise the board, it is the intent of the Legislature that councils be appointed as specified in paragraphs (a)-(d) ~~(a), (b), and (c)~~. The department shall provide administrative support to the councils and shall provide public notice of meetings and agendas ~~agenda~~ of the councils. Councils must ~~shall~~ include at least one board member, who shall

326 serve as chair, ~~the council~~ and must ~~shall~~ include nonboard  
327 members. All council members shall be appointed by the board  
328 chair. Council members shall be appointed for 4-year terms, and  
329 all members are ~~shall be~~ eligible for reimbursement of expenses  
330 in the manner of board members.

331 (a) A Council on Dental Hygiene shall be appointed by the  
332 board chair and shall include one dental hygienist member of the  
333 board, who shall chair the council, one dental member of the  
334 board, and three dental hygienists who are actively engaged in  
335 the practice of dental hygiene in this state. In making the  
336 appointments, the chair shall consider recommendations from the  
337 Florida Dental Hygiene Association. The council shall meet at  
338 the request of the board chair, a majority of the members of the  
339 board, or the council chair; however, the council must meet at  
340 least three times a year. The council is charged with the  
341 responsibility of and shall meet for the purpose of developing  
342 rules and policies for recommendation to the board, which the  
343 board shall consider, on matters pertaining to that part of  
344 dentistry consisting of educational, preventive, or therapeutic  
345 dental hygiene services; dental hygiene licensure, discipline,  
346 or regulation; and dental hygiene education. Rule and policy  
347 recommendations of the council must ~~shall~~ be considered by the  
348 board at its next regularly scheduled meeting in the same manner  
349 in which it considers rule and policy recommendations from  
350 designated subcommittees of the board. Any rule or policy

351 proposed by the board pertaining to the specified part of  
352 dentistry identified ~~defined~~ by this subsection must ~~shall~~ be  
353 referred to the council for a recommendation before final action  
354 by the board. The board may take final action on rules  
355 pertaining to the specified part of dentistry identified ~~defined~~  
356 by this subsection without a council recommendation if the  
357 council fails to submit a recommendation in a timely fashion as  
358 prescribed by the board.

359 (b) A Council on Dental Assisting shall be appointed by  
360 the board chair and shall include one board member who shall  
361 chair the council and three dental assistants who are actively  
362 engaged in dental assisting in this state. The council shall  
363 meet at the request of the board chair or a majority of the  
364 members of the board. The council shall meet for the purpose of  
365 developing recommendations to the board on matters pertaining to  
366 that part of dentistry related to dental assisting.

367 (c) Effective 28 months after the first dental therapy  
368 license is granted by the board, the board chair shall appoint a  
369 Council on Dental Therapy, which must include one board member  
370 who shall chair the council and three dental therapists who are  
371 actively engaged in the practice of dental therapy in this  
372 state. The council shall meet at the request of the board chair,  
373 a majority of the members of the board, or the council chair;  
374 however, the council shall meet at least three times per year.  
375 The council is charged with the responsibility of, and shall

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

392 (d) ~~(e)~~ With the concurrence of the State Surgeon General,  
393 the board chair may create and abolish other advisory councils  
394 relating to dental subjects, including, but not limited to:  
395 examinations, access to dental care, indigent care, nursing home  
396 and institutional care, public health, disciplinary guidelines,  
397 and other subjects as appropriate. Such councils shall be  
398 appointed by the board chair and shall include at least one  
399 board member who shall serve as chair.

400 **Section 6. Paragraph (b) of subsection (4) of section**



401 **466.006, Florida Statutes, is amended to read:**

402 466.006 Examination of dentists.—

403 (4) Notwithstanding any other provision of law in chapter  
404 456 pertaining to the clinical dental licensure examination or  
405 national examinations, to be licensed as a dentist in this  
406 state, an applicant must successfully complete both of the  
407 following:

408 (b) A practical or clinical examination, which must be the  
409 American Dental Licensing Examination produced by the American  
410 Board of Dental Examiners, Inc., or its successor entity, if  
411 any, which is administered in this state, provided that the  
412 board has attained, and continues to maintain thereafter,  
413 representation on the board of directors of the American Board  
414 of Dental Examiners, the examination development committee of  
415 the American Board of Dental Examiners, and such other  
416 committees of the American Board of Dental Examiners as the  
417 board deems appropriate by rule to assure that the standards  
418 established herein are maintained organizationally.

419 1. As an alternative to such practical or clinical  
420 examination, an applicant may submit scores from an American  
421 Dental Licensing Examination previously administered in a  
422 jurisdiction other than this state after October 1, 2011, and  
423 such examination results are recognized as valid for the purpose  
424 of licensure in this state. A passing score on the American  
425 Dental Licensing Examination administered out of state is the

426 same as the passing score for the American Dental Licensing  
427 Examination administered in this state. The applicant must have  
428 completed the examination after October 1, 2011. This  
429 subparagraph may not be given retroactive application.

430       2. If the date of an applicant's passing American Dental  
431 Licensing Examination scores from an examination previously  
432 administered in a jurisdiction other than this state under  
433 subparagraph 1. is older than 365 days, such scores are  
434 nevertheless valid for the purpose of licensure in this state,  
435 but only if the applicant demonstrates that all of the following  
436 additional standards have been met:

437       a. The applicant completed the American Dental Licensing  
438 Examination after October 1, 2011. This sub-subparagraph may not  
439 be given retroactive application.

440       b. The applicant graduated from a dental school accredited  
441 by the American Dental Association Commission on Dental  
442 Accreditation or its successor entity, if any, or any other  
443 dental accrediting organization recognized by the United States  
444 Department of Education. Provided, however, if the applicant did  
445 not graduate from such a dental school, the applicant may submit  
446 proof of having successfully completed a full-time supplemental  
447 general dentistry program accredited by the American Dental  
448 Association Commission on Dental Accreditation of at least 2  
449 consecutive academic years at such accredited sponsoring  
450 institution. Such program must provide didactic and clinical

451 education at the level of a D.D.S. or D.M.D. program accredited  
452 by the American Dental Association Commission on Dental  
453 Accreditation. For purposes of this sub-subparagraph, a  
454 supplemental general dentistry program does not include an  
455 advanced education program in a dental specialty.

456 c. The applicant currently possesses a valid and active  
457 dental license in good standing, with no restriction, which has  
458 never been revoked, suspended, restricted, or otherwise  
459 disciplined, from another state or territory of the United  
460 States, the District of Columbia, or the Commonwealth of Puerto  
461 Rico.

462 d. The applicant must disclose to the board during the  
463 application process if he or she has been reported to the  
464 National Practitioner Data Bank, the Healthcare Integrity and  
465 Protection Data Bank, or the American Association of Dental  
466 Boards Clearinghouse. This sub-subparagraph does not apply if  
467 the applicant successfully appealed to have his or her name  
468 removed from the data banks of these agencies.

469 e.(I) (A) The applicant submits proof of having been  
470 consecutively engaged in the full-time practice of dentistry in  
471 another state or territory of the United States, the District of  
472 Columbia, or the Commonwealth of Puerto Rico in the 5 years  
473 immediately preceding the date of application for licensure in  
474 this state; or

475 (B) If the applicant has been licensed in another state or

territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico for less than 5 years, the applicant submits proof of having been engaged in the full-time practice of dentistry since the date of his or her initial licensure.

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

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

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

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

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

(A) Admissible as evidence in an administrative proceeding;

(B) Submitted in writing;

(C) Further documented by an applicant's annual income tax return filed with the Internal Revenue Service for each year in the preceding 5-year period or, if the applicant has been practicing for less than 5 years, the period since initial licensure; and

(D) Specifically found by the board to be both credible and admissible.

(IV) The board may excuse applicants from the 1,200-hour requirement in the event of hardship, as defined by the board.

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

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

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

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

successor organization.

**Section 7. Subsection (1) of section 466.009, Florida Statutes, is amended, and subsection (4) is added to that section, to read:**

466.009 Reexamination.—

(1) Any person who fails an examination that is required under s. 466.006, ~~or~~ s. 466.007, or s. 466.0225 may retake the examination.

(4) If an applicant for a license to practice dental therapy fails the practical or clinical examination and she or he has failed only one part or procedure of such examination, she or he may be required to retake only that part or procedure to pass such examination. However, if any such applicant fails more than one part or procedure of any such examination, she or he must be required to retake the entire examination.

**Section 8. Section 466.011, Florida Statutes, is amended to read:**

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

**Section 9. Section 466.0136, Florida Statutes, is created to read:**

466.0136 Continuing education; dental therapists.—In

addition to any other requirements for relicensure for dental  
therapists specified in this chapter, the board shall require  
each licensed dental therapist to complete at least 24 hours,  
but not more than 36 hours, biennially of continuing education  
in dental subjects in programs approved by the board or in  
equivalent programs of continuing education. Programs of  
continuing education approved by the board must be programs of  
learning which, in the opinion of the board, contribute directly  
to the dental education of the dental therapist. An individual  
who is licensed as both a dental therapist and a dental  
hygienist may use 2 hours of continuing education that is  
approved for both dental therapy and dental hygiene education to  
satisfy both dental therapy and dental hygiene continuing  
education requirements. The board shall adopt rules and  
guidelines to administer and enforce this section. The dental  
therapist shall retain in her or his records any receipts,  
vouchers, or certificates necessary to document completion of  
the continuing education. Compliance with the continuing  
education requirements is mandatory for issuance of the renewal  
certificate. The board may excuse licensees, as a group or as  
individuals, from all or part of the continuing education  
requirements if an unusual circumstance, emergency, or hardship  
prevents compliance with this section.

**Section 10. Subsection (1) of section 466.016, Florida  
Statutes, is amended to read:**

466.016 License to be displayed.—

(1) Every practitioner of dentistry, dental therapy, or dental hygiene within the meaning of this chapter shall post and keep conspicuously displayed her or his license in the office where ~~wherein~~ she or he practices, in plain sight of the practitioner's patients. Any dentist, dental therapist, or dental hygienist who practices at more than one location must display a copy of her or his license in each office where she or he practices.

**Section 11. Section 466.017, Florida Statutes, is amended, to read:**

466.017 Prescription of drugs; anesthesia.—

(1) A dentist shall have the right to prescribe drugs or medicine, subject to limitations imposed by law; perform surgical operations within the scope of her or his practice and training; administer general or local anesthesia or sedation, subject to limitations imposed by law; and use such appliances as may be necessary to the proper practice of dentistry.

(2) Pharmacists licensed pursuant to chapter 465 may fill prescriptions of legally licensed dentists in this state for any drugs necessary for the practice of dentistry.

(3) The board shall adopt rules which:

(a) Define general anesthesia.

(b) Specify which methods of general or local anesthesia or sedation, if any, are limited or prohibited for use by



dentists.

(c) Establish minimal training, education, experience, or certification for a dentist to use general anesthesia or sedation, which rules may exclude, in the board's discretion, those dentists using general anesthesia or sedation in a competent and effective manner as of the effective date of the rules.

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

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

(4) A dentist, dental therapist, or dental hygienist who administers or employs the use of any form of anesthesia must possess a certification in either basic cardiopulmonary resuscitation for health professionals or advanced cardiac life support approved by the American Heart Association or the American Red Cross or an equivalent agency-sponsored course with

626 recertification every 2 years. Each dental office that ~~which~~  
627 uses any form of anesthesia must have immediately available and  
628 in good working order such resuscitative equipment, oxygen, and  
629 other resuscitative drugs as are specified by rule of the board  
630 in order to manage possible adverse reactions.

631 (5) A dental hygienist under the direct supervision of a  
632 dentist may administer local anesthesia, including intraoral  
633 block anesthesia, soft tissue infiltration anesthesia, or both,  
634 to a nonsedated patient who is 18 years of age or older, if the  
635 following criteria are met:

636 (a) The dental hygienist has successfully completed a  
637 course in the administration of local anesthesia which is  
638 offered by a dental or dental hygiene program accredited by the  
639 Commission on Dental Accreditation of the American Dental  
640 Association or approved by the board. The course must include a  
641 minimum of 30 hours of didactic instruction and 30 hours of  
642 clinical experience, and instruction in:

- 643 1. Theory of pain control.
- 644 2. Selection-of-pain-control modalities.
- 645 3. Anatomy.
- 646 4. Neurophysiology.
- 647 5. Pharmacology of local anesthetics.
- 648 6. Pharmacology of vasoconstrictors.
- 649 7. Psychological aspects of pain control.
- 650 8. Systematic complications.

651 9. Techniques of maxillary anesthesia.

652 10. Techniques of mandibular anesthesia.

653 11. Infection control.

654 12. Medical emergencies involving local anesthesia.

655 (b) The dental hygienist presents evidence of current  
656 certification in basic or advanced cardiac life support.

657 (c) The dental hygienist possesses a valid certificate  
658 issued under subsection (7) ~~(6)~~.

659 (6) A dental therapist, under the general supervision of a  
660 dentist may administer local anesthesia, including intraoral  
661 block anesthesia, soft tissue infiltration anesthesia, or both,  
662 if the following criteria are met:

663 (a) The dental therapist has successfully completed a  
664 course in the administration of local anesthesia that meets the  
665 requirements described in paragraph (5) (a).

666 (b) The dental therapist presents evidence of current  
667 certification in basic or advanced cardiac life support.

668 (c) The dental therapist possesses a valid certificate  
669 issued under subsection (7).

670 (7)~~(6)~~ Any dental therapist or dental hygienist seeking a  
671 certificate to administer local anesthesia must apply to the  
672 department, remit an application fee, and submit proof of  
673 successful completion of a course in the administration of local  
674 anesthesia pursuant to subsection (5). The board shall certify,  
675 and the department shall issue a certificate to, any dental

therapist who fulfills the qualifications of subsection (6) or dental hygienist who fulfills the qualifications of subsection (5). The board shall establish a one-time application fee not to exceed \$35. The certificate is not subject to renewal but is part of the dental therapist's or dental hygienist's permanent record and must be prominently displayed at the location where the dental therapist or dental hygienist is authorized to administer local anesthesia. The board shall adopt rules necessary to administer subsections ~~subsection~~ (5) and (6) and this subsection.

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

701        (9)~~(8)~~ Notwithstanding ~~The provisions of~~ s. 465.0276  
702 ~~notwithstanding~~, a dentist need not register with the board or  
703 comply with the continuing education requirements of that  
704 section if the dentist confines her or his dispensing activity  
705 to the dispensing of fluorides and chlorhexidine ~~chlorohexidine~~  
706 rinse solutions; provided that the dentist complies with and is  
707 subject to all laws and rules applicable to pharmacists and  
708 pharmacies, including, but not limited to, chapters 465, 499,  
709 and 893, and all applicable federal laws and regulations, when  
710 dispensing such products.

711        (10)~~(9)~~ Any adverse incident that occurs in an office  
712 maintained by a dentist must be reported to the department. The  
713 required notification to the department must be submitted in  
714 writing by certified mail and postmarked within 48 hours after  
715 the incident occurs.

716        (11)~~(10)~~ A dentist practicing in this state must notify  
717 the board in writing by certified mail within 48 hours after any  
718 adverse incident that occurs in the dentist's outpatient  
719 facility. A complete written report must be filed with the board  
720 within 30 days after the incident occurs.

721        (12)~~(11)~~ Any certified registered dental hygienist  
722 administering local anesthesia must notify the board in writing  
723 by registered mail within 48 hours after any adverse incident  
724 that was related to or the result of the administration of local  
725 anesthesia. A complete written report must be filed with the

board within 30 days after the mortality or other adverse incident.

(13) A dental therapist must notify the board in writing by registered mail within 48 hours after any adverse incident related to or resulting from the administration of local anesthesia. A complete written report must be filed with the board within 30 days after the mortality or other adverse incident.

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

(15)~~(13)~~ The department shall review each adverse incident and determine whether it involved conduct by a health care professional subject to disciplinary action, in which case s. 456.073 applies. Disciplinary action, if any, shall be taken by the board under which the health care professional is licensed.

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

(anxiolysis), nitrous oxide, or local anesthesia.

~~(17)(15)~~ The board may adopt rules to administer this section.

**Section 12. Subsection (1) of section 466.018, Florida Statutes, is amended to read:**

466.018 Dentist of record; patient records.—

(1) Each patient must ~~shall~~ have a dentist of record. The dentist of record shall remain primarily responsible for all dental treatment on such patient regardless of whether the treatment is rendered by that ~~the~~ dentist or by another dentist, a dental therapist, a dental hygienist, or a dental assistant rendering such treatment in conjunction with, at the direction or request of, or under the supervision of such dentist of record. The dentist of record must ~~shall~~ be identified in the record of the patient. If treatment is rendered by a dentist other than the dentist of record or by a dental hygienist, dental therapist, or dental assistant, the name or initials of such person must ~~shall~~ be placed in the record of the patient. In any disciplinary proceeding brought pursuant to this chapter or chapter 456, it must ~~shall~~ be presumed as a matter of law that treatment was rendered by the dentist of record unless otherwise noted on the patient record pursuant to this section. The dentist of record and any other treating dentist are subject to discipline pursuant to this chapter or chapter 456 for treatment rendered to the patient and performed in violation of

776 such chapter. One of the purposes of this section is to ensure  
777 that the responsibility for each patient is assigned to one  
778 dentist in a multidentist practice of any nature and to assign  
779 primary responsibility to the dentist for treatment rendered by  
780 a dental hygienist, dental therapist, or dental assistant under  
781 her or his supervision. This section may ~~shall~~ not be construed  
782 to assign any responsibility to a dentist of record for  
783 treatment rendered pursuant to a proper referral to another  
784 dentist who does not ~~in~~ practice with the dentist of record or  
785 to prohibit a patient from voluntarily selecting a new dentist  
786 without permission of the dentist of record.

787 **Section 13. Section 466.0225, Florida Statutes, is created**  
788 **to read:**

789 466.0225 Examination of dental therapists; licensing.—

790 (1) (a) Any person desiring to be licensed as a dental  
791 therapist must apply to the department.

792 (b) Applicants for licensure must also submit to  
793 background screening in accordance with s. 456.0135.

794 (2) The department shall issue a license to an applicant  
795 who the board certifies meets all of the following criteria:

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

797 (b) Is a graduate of a dental therapy college or school  
798 accredited by the American Dental Association Commission on  
799 Dental Accreditation or its successor entity, if any, or any  
800 other dental therapy accrediting entity recognized by the United



801 States Department of Education. For applicants applying for a  
802 dental therapy license before January 1, 2030, the board must  
803 approve the applicant's dental therapy education program if the  
804 program was administered by a college or school that operates an  
805 accredited dental or dental hygiene program and the college or  
806 school certifies to the board that the applicant's education  
807 substantially conformed to the education standards established  
808 by the American Dental Association Commission on Dental  
809 Accreditation or its successor entity.

810 (c) Has successfully completed a dental therapy practical  
811 or clinical examination produced by the American Board of Dental  
812 Examiners, Inc., or its successor entity, if any, if the board  
813 finds that the successor entity's examination meets or exceeds  
814 the requirements of this section. If an applicant fails to pass  
815 such an examination in three attempts, the applicant is not  
816 eligible to retake the examination unless the applicant  
817 completes additional education requirements as specified by the  
818 board.

819 (d) Has successfully completed a written examination on  
820 the laws and rules of this state regulating the practice of  
821 dental therapy.

822 (e) Has not been disciplined by a board, except for  
823 citation offenses or minor violations.

824 (f) Has not been convicted of or pled nolo contendere to,  
825 regardless of adjudication, any felony or misdemeanor related to

826 the practice of a health care profession.

827 (3) An applicant who meets the requirements of this  
828 section and who has successfully completed an examination  
829 identified in paragraph (2)(c) in a jurisdiction other than this  
830 state, or who has successfully completed a comparable  
831 examination administered or approved by the licensing authority  
832 in a jurisdiction other than this state, shall be licensed to  
833 practice dental therapy in this state if the board determines  
834 that the other jurisdiction's examination is substantially  
835 similar to those identified in paragraph (2)(c).

836 **Section 14. Section 466.0227, Florida Statutes, is created**  
837 **to read:**

838 466.0227 Dental therapists; scope and area of practice.—

839 (1) Except as otherwise provided in this chapter, a dental  
840 therapist may perform the dental therapy services specified in  
841 subsection (2) under the general supervision of a dentist in all  
842 service scenarios including mobile dental units to the extent  
843 authorized by the supervising dentist and provided within the  
844 terms of a written collaborative management agreement signed by  
845 the dental therapist and the supervising dentist which meets the  
846 requirements of subsection (3).

847 (2) The scope of practice of a dental therapist, subject  
848 to the terms of a written collaborative management agreement,  
849 includes all of the following:

850 (a) Oral evaluation and assessment of dental disease and

851 formulation of an individualized treatment plan.

852 (b) Identification of oral and systemic conditions  
853 requiring evaluation or treatment by dentists, physicians, or  
854 other health care providers and managing referrals.

855 (c) Comprehensive charting of the oral cavity.

856 (d) Oral health instruction and disease prevention  
857 education, including, but not limited to, nutritional counseling  
858 and dietary analysis.

859 (e) Exposure and evaluation of radiographic images.

860 (f) Dental prophylaxis, including, but not limited to,  
861 subgingival scaling and polishing procedures.

862 (g) Dispensing and administration via the oral or topical  
863 route of nonnarcotic analgesic, anti-inflammatory, and  
864 antibiotic medications as prescribed by a licensed health care  
865 provider.

866 (h) Application of topical preventive or prophylactic  
867 agents, including, but not limited to, fluoride varnish,  
868 antimicrobial agents, caries arresting medicaments, and pit and  
869 fissure sealants.

870 (i) Pulp vitality testing.

871 (j) Application of desensitizing medications or resins.

872 (k) Fabrication of athletic mouth guards and soft occlusal  
873 guards.

874 (l) Changing of periodontal dressings.

875 (m) Administration of local anesthetic and nitrous oxide.

876        (n) Simple extraction of erupted primary teeth.

877        (o) Nonsurgical extraction of periodontally diseased  
878 permanent teeth with tooth mobility of +3 to +4 to the extent  
879 authorized in the dental therapist's collaborative management  
880 agreement, except for the extraction of a tooth that is  
881 unerupted, impacted, or fractured or that needs to be sectioned  
882 for removal.

883        (p) Emergency palliative treatment of dental pain limited  
884 to the procedures in this subsection.

885        (q) Preparation and placement of direct restoration in  
886 primary and permanent teeth.

887        (r) Fabrication and placement of single-tooth temporary  
888 crowns.

889        (s) Preparation and placement of preformed crowns on  
890 primary teeth.

891        (t) Indirect and direct pulp capping on permanent teeth.

892        (u) Indirect pulp capping on primary teeth.

893        (v) Intraoral suture placement and removal.

894        (w) Minor adjustment and repair of removable prostheses.

895        (x) Placement and removal of space maintainers.

896        (y) Pulpotomy on primary teeth.

897        (z) Tooth reimplantation and stabilization.

898        (aa) Recementing of a permanent crown.

899        (bb) Additional services, treatments, or procedures as the  
900 board deems appropriate by rule.

901       (3) Before performing any of the services authorized in  
902 subsection (2), a dental therapist must enter into a written  
903 collaborative management agreement with a supervising dentist.  
904 The agreement must be signed by the dental therapist and the  
905 supervising dentist and must include all of the following  
906 information:

907       (a) Practice settings where services may be provided by  
908 the dental therapist and the populations to be served by the  
909 dental therapist.

910       (b) Any limitations on the services that may be provided  
911 by the dental therapist, including the level of supervision  
912 required by the supervising dentist. This may include  
913 telehealth.

914       (c) Age-specific and procedure-specific practice protocols  
915 for the dental therapist, including case selection criteria,  
916 assessment guidelines, and imaging frequency.

917       (d) A procedure for creating and maintaining dental  
918 records for the patients who are treated by the dental  
919 therapist.

920       (e) A plan to manage medical emergencies in each practice  
921 setting where the dental therapist provides care.

922       (f) A quality assurance plan for monitoring care provided  
923 by the dental therapist, including patient care review, referral  
924 follow-up, and a quality assurance chart review.

925       (g) Protocols for the dental therapist to administer and

926 dispense medications, including the specific conditions and  
927 circumstances under which the medications are to be dispensed  
928 and administered.

929 (h) Criteria relating to the provision of care by the  
930 dental therapist to patients with specific medical conditions or  
931 complex medication histories, including requirements for  
932 consultation before the initiation of care.

933 (i) Supervision criteria of dental therapists.

934 (j) A plan for the provision of clinical resources and  
935 referrals in situations that are beyond the capabilities of the  
936 dental therapist.

937 (4) A supervising dentist shall determine the number of  
938 hours of practice that a dental therapist must complete under  
939 direct or indirect supervision of the supervising dentist before  
940 the dental therapist may perform any of the services authorized  
941 in subsection (2) under general supervision.

942 (5) A supervising dentist may restrict or limit the dental  
943 therapist's practice in the written collaborative management  
944 agreement to be less than the full scope of practice for dental  
945 therapists which is authorized in subsection (2).

946 (6) A supervising dentist may authorize a dental therapist  
947 to provide dental therapy services to a patient before the  
948 supervising dentist examines or diagnoses the patient if the  
949 authority, conditions, and protocols are established in a  
950 written collaborative management agreement and if the patient is

951 subsequently referred to a dentist for any needed additional  
952 services that exceed the dental therapist's scope of practice or  
953 authorization under the collaborative management agreement.

954 (7) A supervising dentist must be licensed and practicing  
955 in this state. The supervising dentist is responsible for all  
956 services authorized and performed by the dental therapist  
957 pursuant to the collaborative management agreement and for  
958 providing or arranging followup services to be provided by a  
959 dentist for any additional services that exceed the dental  
960 therapist's scope of practice or authorization under the  
961 collaborative management agreement.

962 **Section 15. Section 466.026, Florida Statutes, is amended**  
963 **to read:**

964 466.026 Prohibitions; penalties.—

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

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

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

973 (c) Knowingly employing any person to perform duties  
974 outside the scope allowed such person under this chapter or the  
975 rules of the board.

976           (d) Giving false or forged evidence to the department or  
977 board for the purpose of obtaining a license.

978           (e) Selling or offering to sell a diploma conferring a  
979 degree from a dental college, ~~or~~ dental hygiene school or  
980 college, or dental therapy school or college, or a license  
981 issued pursuant to this chapter, or procuring such diploma or  
982 license with intent that it will ~~shall~~ be used as evidence of  
983 that which the document stands for, by a person other than the  
984 one upon whom it was conferred or to whom it was granted.

985           (2) Each of the following acts constitutes a misdemeanor  
986 of the first degree, punishable as provided in s. 775.082 or s.  
987 775.083:

988           (a) Using the name or title "dentist," the letters  
989 "D.D.S." or "D.M.D.", or any other words, letters, title, or  
990 descriptive matter which in any way represents a person as being  
991 able to diagnose, treat, prescribe, or operate for any disease,  
992 pain, deformity, deficiency, injury, or physical condition of  
993 the teeth or jaws or oral-maxillofacial region unless the person  
994 has an active dentist's license issued by the department  
995 pursuant to this chapter.

996           (b) Using the name "dental hygienist" or the initials  
997 "R.D.H." or otherwise holding herself or himself out as an  
998 actively licensed dental hygienist or implying to any patient or  
999 consumer that she or he is an actively licensed dental hygienist  
1000 unless that person has an active dental hygienist's license



issued by the department pursuant to this chapter.

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

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

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

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

**Section 16. Paragraphs (b), (c), (g), (s), and (t) of subsection (1) of section 466.028, Florida Statutes, are amended to read:**

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

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

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

1026 (c) Being convicted or found guilty of or entering a plea  
1027 of nolo contendere to, regardless of adjudication, a crime in  
1028 any jurisdiction which relates to the practice of dentistry,  
1029 dental therapy, or dental hygiene. A plea of nolo contendere  
1030 creates ~~shall create~~ a rebuttable presumption of guilt to the  
1031 underlying criminal charges.

1032 (g) Aiding, assisting, procuring, or advising any  
1033 unlicensed person to practice dentistry, dental therapy, or  
1034 dental hygiene contrary to this chapter or to a rule of the  
1035 department or the board.

1036 (s) Being unable to practice her or his profession with  
1037 reasonable skill and safety to patients by reason of illness or  
1038 use of alcohol, drugs, narcotics, chemicals, or any other type  
1039 of material or as a result of any mental or physical condition.  
1040 In enforcing this paragraph, the department ~~shall have~~, upon a  
1041 finding of the State Surgeon General or her or his designee that  
1042 probable cause exists to believe that the licensee is unable to  
1043 practice dentistry, dental therapy, or dental hygiene because of  
1044 the reasons stated in this paragraph, has the authority to issue  
1045 an order to compel a licensee to submit to a mental or physical  
1046 examination by physicians designated by the department. If the  
1047 licensee refuses to comply with such order, the department's  
1048 order directing such examination may be enforced by filing a  
1049 petition for enforcement in the circuit court where the licensee  
1050 resides or does business. The licensee against whom the petition

1051 is filed may ~~shall~~ not be named or identified by initials in any  
1052 public court records or documents, and the proceedings must  
1053 ~~shall~~ be closed to the public. The department is ~~shall be~~  
1054 entitled to the summary procedure provided in s. 51.011. A  
1055 licensee affected under this paragraph must ~~shall~~ at reasonable  
1056 intervals be afforded an opportunity to demonstrate that she or  
1057 he can resume the competent practice of her or his profession  
1058 with reasonable skill and safety to patients.

1059 (t) Committing fraud, deceit, or misconduct in the  
1060 practice of dentistry, dental therapy, or dental hygiene.

1061 **Section 17. Subsection (1) of section 466.0285, Florida**  
1062 **Statutes, is amended to read:**

1063 466.0285 Proprietorship by nondentists.—

1064 (1) A ~~No~~ person other than a dentist licensed pursuant to  
1065 this chapter, or ~~nor~~ any entity other than a professional  
1066 corporation or limited liability company composed of dentists,  
1067 may not:

1068 (a) Employ a dentist, a dental therapist, or a dental  
1069 hygienist in the operation of a dental office.

1070 (b) Control the use of any dental equipment or material  
1071 while such equipment or material is being used for the provision  
1072 of dental services, whether those services are provided by a  
1073 dentist, a dental therapist, a dental hygienist, or a dental  
1074 assistant.

1075 (c) Direct, control, or interfere with a dentist's

clinical judgment. To direct, control, or interfere with a dentist's clinical judgment may not be interpreted to mean dental services contractually excluded, the application of alternative benefits that may be appropriate given the dentist's prescribed course of treatment, or the application of contractual provisions and scope of coverage determinations in comparison with a dentist's prescribed treatment on behalf of a covered person by an insurer, health maintenance organization, or a prepaid limited health service organization.

Any lease agreement, rental agreement, or other arrangement between a nondentist and a dentist whereby the nondentist provides the dentist with dental equipment or dental materials shall contain a provision whereby the dentist expressly maintains complete care, custody, and control of the equipment or practice.

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

(3) OFFENSE SEVERITY RANKING CHART

(g) LEVEL 7

Florida	Felony	
Statute	Degree	Description
316.027(2)(c)	1st	Accident involving death,

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1098			failure to stop; leaving scene.
	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
1099			
	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.
1100			
	327.35 (3) (a) 3.b.	3rd	Vessel BUI resulting in serious bodily injury.
1101			
	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1102			
	409.920	3rd	Medicaid provider fraud;
	(2) (b) 1.a.		\$10,000 or less.

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1103	409.920	2nd	Medicaid provider fraud; more
	(2) (b) 1.b.		than \$10,000, but less than
			\$50,000.
1104	456.065 (2)	3rd	Practicing a health care
			profession without a license.
1105	456.065 (2)	2nd	Practicing a health care
			profession without a license
			which results in serious bodily
			injury.
1106	458.327 (1)	3rd	Practicing medicine without a
			license.
1107	459.013 (1)	3rd	Practicing osteopathic medicine
			without a license.
1108	460.411 (1)	3rd	Practicing chiropractic
			medicine without a license.
1109	461.012 (1)	3rd	Practicing podiatric medicine
			without a license.
1110			

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1111	462.17	3rd	Practicing naturopathy without a license.
1112	463.015(1)	3rd	Practicing optometry without a license.
1113	464.016(1)	3rd	Practicing nursing without a license.
1114	465.015(2)	3rd	Practicing pharmacy without a license.
1115	466.026(1)	3rd	Practicing dentistry, <u>dental therapy,</u> or dental hygiene without a license.
1116	467.201	3rd	Practicing midwifery without a license.
1117	468.366	3rd	Delivering respiratory care services without a license.
	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.

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1118	483.901 (7)	3rd	Practicing medical physics without a license.
1119	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1120	484.053	3rd	Dispensing hearing aids without a license.
1121	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.
1122	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.
1123	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments



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			exceeding \$300 but less than \$20,000.
1124	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
1125	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
1126	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
1127	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1128	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the

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			perpetrator of an attempted felony.
1129	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1130	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1131	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1132	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1133	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.

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1134	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1135	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1136	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1137	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1138	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1139	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1140	784.081 (1)	1st	Aggravated battery on specified official or employee.
1141	784.082 (1)	1st	Aggravated battery by detained person on visitor or other

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			detainee.
1142	784.083 (1)	1st	Aggravated battery on code inspector.
1143	787.025 (2) (b)	2nd	Luring or enticing a child; second or subsequent offense.
1144	787.025 (2) (c)	2nd	Luring or enticing a child with a specified prior conviction.
1145	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
1146	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.
1147	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07 (1) or (2) .

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1148	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
1149	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1150	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1151	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1152	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1153	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided

			for in s. 874.04.
1154	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.
1155	796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
1156	796.05(1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1157	800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
1158	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.

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1159	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.
1160	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1161	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1162	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1163	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1164	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1165			

1166	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.
1167	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1168	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1169	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1170	812.014 (2) (g)	2nd	Grand theft; second degree; firearm with previous conviction of s. 812.014 (2) (c) 5.



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1171	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1172	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1173	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1174	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1175	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
1176	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1177	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
	817.234 (11) (c)	1st	Insurance fraud; property value

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			\$100,000 or more.
1178	817.2341	1st	Making false entries of
	(2) (b) &		material fact or false
	(3) (b)		statements regarding property
			values relating to the solvency
			of an insuring entity which are
			a significant cause of the
			insolvency of that entity.
1179	817.418 (2) (a)	3rd	Offering for sale or
			advertising personal protective
			equipment with intent to
			defraud.
1180	817.504 (1) (a)	3rd	Offering or advertising a
			vaccine with intent to defraud.
1181	817.535 (2) (a)	3rd	Filing false lien or other
			unauthorized document.
1182	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49
			counterfeit credit cards or
			related documents.
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1184	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1185	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.
1186	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1187	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1188	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which

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1189			includes child pornography.
	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1190			
	838.015	2nd	Bribery.
1191			
	838.016	2nd	Unlawful compensation or reward for official behavior.
1192			
	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1193			
	838.22	2nd	Bid tampering.
1194			
	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1195			
	843.0855 (3)	3rd	Unlawful simulation of legal process.
1196			
	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1197			

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1198	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1199	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1200	872.06	2nd	Abuse of a dead human body.
1201	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
1202	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 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.
1203	893.13 (1) (e) 1.	1st	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.
1204	893.13 (4) (a)	1st	Use or hire of minor; deliver to minor other controlled substance.
1205	893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1206	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200

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1207			grams.
	893.135	1st	Trafficking in illegal drugs,
	(1) (c) 1.a.		more than 4 grams, less than 14
			grams.
1208			
	893.135	1st	Trafficking in hydrocodone, 28
	(1) (c) 2.a.		grams or more, less than 50
			grams.
1209			
	893.135	1st	Trafficking in hydrocodone, 50
	(1) (c) 2.b.		grams or more, less than 100
			grams.
1210			
	893.135	1st	Trafficking in oxycodone, 7
	(1) (c) 3.a.		grams or more, less than 14
			grams.
1211			
	893.135	1st	Trafficking in oxycodone, 14
	(1) (c) 3.b.		grams or more, less than 25
			grams.
1212			
	893.135	1st	Trafficking in fentanyl, 4
	(1) (c) 4.b. (I)		grams or more, less than 14
			grams.

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1213	893.135 (1) (d) 1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
1214	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
1215	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
1216	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1217	893.135 (1) (h) 1.a.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1218	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.



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1219	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1220	893.135 (1) (m) 2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.
1221	893.135 (1) (m) 2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
1222	893.135 (1) (n) 2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
1223	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1224	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
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1226	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1227	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1228	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1229	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
1230	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

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1231	943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1232	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
1233	944.607(10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1234	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1235	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

1236 985.4815(10) 3rd Sexual offender; failure to  
submit to the taking of a  
digitized photograph.

1237 985.4815(12) 3rd Failure to report or providing  
false information about a  
sexual offender; harbor or  
conceal a sexual offender.

1238 985.4815(13) 3rd Sexual offender; failure to  
report and reregister; failure  
to respond to address  
verification; providing false  
registration information.

1239  
1240 **Section 19.** The Department of Health, in consultation with  
1241 the Board of Dentistry and the Agency for Health Care  
1242 Administration, shall submit a progress report to the President  
1243 of the Senate and the Speaker of the House of Representatives by  
1244 July 1, 2029, and a final report 4 years after the first dental  
1245 therapy license is issued. The reports must include all of the  
1246 following information and recommendations:

1247 (1) The progress that has been made in this state to  
1248 implement dental therapy training programs, licensing, and

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1249    Medicaid reimbursement.

1250        (2) Data demonstrating the effects of dental therapy in  
1251 this state on all of the following:

1252        (a) Patient access to dental services.

1253        (b) Costs to dental providers, patients, dental insurance  
1254 carriers, and the state.

1255        (c) The quality and safety of dental services.

1256        (3) Specific recommendations for any necessary  
1257 legislative, administrative, or regulatory reform relating to  
1258 the practice of dental therapy.

1259        (4) Any other information the department deems  
1260 appropriate.

1261        **Section 20.** This act shall take effect July 1, 2026.