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SECOND REPRINT S.B. 133

SENATE BILL NO. 133—SENATORS SHAFFER, COFFIN, TITUS,
CARLTON AND NEAL

FEBRUARY 14, 2001

Referred to Committee on Commerce and Labor

SUMMARY—Authorizes board of dental examiners of Nevada to issue certain licenses without examinations or clinical demonstrations to dentists and dental hygienists licensed in other jurisdictions under certain circumstances. (BDR 54-241)

FISCAL NOTE: Effect on Local Government: No.
 Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to dentistry; authorizing the board of dental examiners of Nevada to issue certain licenses without examination or clinical demonstrations to dentists and dental hygienists licensed in other jurisdictions under certain circumstances; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 631 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2, 3 and 4 of this act.
3 **Sec. 2. 1. *The board shall, without a clinical demonstration***
4 *required by NRS 631.240, issue a temporary license to practice dentistry*
5 *to a person who:*
6 *(a) Has a license to practice dentistry issued pursuant to the laws of*
7 *another state or territory of the United States or the District of Columbia;*
8 *(b) Has practiced dentistry pursuant to the laws of another state or*
9 *territory of the United States or the District of Columbia for a minimum*
10 *of 5 years;*
11 *(c) Has not had his license to practice dentistry revoked or suspended*
12 *in this state, another state or territory of the United States or the District*
13 *of Columbia;*
14 *(d) Has not been refused a license to practice dentistry in this state,*
15 *another state or territory of the United States or the District of Columbia;*
16 *(e) Is not involved in or does not have pending a disciplinary action*
17 *concerning his license to practice dentistry in this state, another state or*
18 *territory of the United States or the District of Columbia;*



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- 1 (f) Pays the application, examination and renewal fees in the same
2 manner as a person licensed pursuant to NRS 631.240; and
3 (g) Submits the statement required by NRS 631.225.
- 4 2. A person to whom a temporary license is issued pursuant to
5 subsection 1 may:
- 6 (a) Practice dentistry for the duration of the temporary license; and
7 (b) Apply for a permanent license to practice dentistry without a
8 clinical demonstration required by NRS 631.240 if:
- 9 (1) The person has held a temporary license to practice dentistry
10 pursuant to subsection 1 for a minimum of 2 years; and
11 (2) The person has not been involved in any disciplinary action
12 during the time he has held a temporary license pursuant to subsection 1.
- 13 3. The board shall examine each applicant in writing on the contents
14 and interpretation of this chapter and the regulations of the board.
- 15 Sec. 3. 1. The board may, without a clinical demonstration
16 required by NRS 631.240, issue a specialist's license to a person who:
- 17 (a) Presents a current certification as a diplomate from a certifying
18 board approved by the Commission on Dental Accreditation of the
19 American Dental Association;
- 20 (b) Has an active license to practice dentistry pursuant to the laws of
21 another state or territory of the United States or the District of Columbia;
- 22 (c) Is a specialist as identified by the board;
- 23 (d) Pays the application, examination and renewal fees in the same
24 manner as a person licensed pursuant to NRS 631.240; and
25 (e) Submits the statement required by NRS 631.225.
- 26 2. The board shall not issue a specialist's license to a person:
- 27 (a) Whose license to practice dentistry has been revoked or suspended;
- 28 (b) Who has been refused a license to practice dentistry; or
29 (c) Who is involved in or has pending a disciplinary action concerning
30 his license to practice dentistry,
31 in this state, another state or territory of the United States or the District
32 of Columbia.
- 33 3. The board shall examine each applicant in writing on the contents
34 and interpretation of this chapter and the regulations of the board.
- 35 4. A person to whom a specialist's license is issued pursuant to this
36 section shall limit his practice to the specialty.
- 37 5. The board shall revoke a specialist's license at any time upon
38 proof satisfactory to the board that the holder of the license violated any
39 provision of this section or the regulations of the board.
- 40 Sec. 4. 1. The board shall, without a clinical demonstration
41 required by NRS 631.240 or a practical examination required by NRS
42 631.300, issue a restricted geographical license to practice dentistry or
43 dental hygiene to a person if he meets the requirements of subsection 2
44 and:
- 45 (a) A board of county commissioners submits a request that the board
46 of dental examiners of Nevada waive the requirements of NRS 631.240
47 or 631.300 for any applicant intending to practice dentistry or dental
48 hygiene in a rural area of a county in which dental or dental hygiene



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1 *needs are underserved as that term is defined by the officer of rural*
2 *health of the University of Nevada School of Medicine; or*
3 *(b) The director of a federally qualified health center or a nonprofit*
4 *clinic submits a request that the board waive the requirements of NRS*
5 *631.240 or 631.300 for any applicant who has entered into a contract*
6 *with a federally qualified health center or nonprofit clinic which treats*
7 *underserved populations in Washoe County or Clark County.*
8 *2. A person may apply for a restricted geographical license if he:*
9 *(a) Has a license to practice dentistry or dental hygiene issued*
10 *pursuant to the laws of another state or territory of the United States or*
11 *the District of Columbia;*
12 *(b) Is otherwise qualified for a license to practice dentistry or dental*
13 *hygiene in this state;*
14 *(c) Pays the application, examination and renewal fees in the same*
15 *manner as a person licensed pursuant to NRS 631.240 or 631.300; and*
16 *(d) Submits the statement required by NRS 631.225.*
17 *3. The board shall not issue a restricted geographical license to a*
18 *person:*
19 *(a) Whose license to practice dentistry or dental hygiene has been*
20 *revoked or suspended;*
21 *(b) Who has been refused a license to practice dentistry or dental*
22 *hygiene; or*
23 *(c) Who is involved in or has pending a disciplinary action concerning*
24 *his license to practice dentistry or dental hygiene,*
25 *in this state, another state or territory of the United States or the District*
26 *of Columbia.*
27 *4. The board shall examine each applicant in writing on the contents*
28 *and interpretation of this chapter and the regulations of the board.*
29 *5. A person to whom a restricted geographical license is issued*
30 *pursuant to this section:*
31 *(a) May practice dentistry or dental hygiene only in the county which*
32 *has requested the restricted geographical licensure pursuant to*
33 *paragraph (a) of subsection 1.*
34 *(b) Shall not, for the duration of the restricted geographical license,*
35 *engage in the private practice of dentistry or dental hygiene in this*
36 *state or accept compensation for the practice of dentistry or dental*
37 *hygiene except such compensation as may be paid to him by a federally*
38 *qualified health center or nonprofit clinic pursuant to paragraph (b) of*
39 *subsection 1.*
40 *6. Within 7 days after the termination of his contract pursuant to*
41 *paragraph (b) of subsection 1, the holder of a restricted geographical*
42 *license shall notify the board of the termination, in writing, and*
43 *surrender the restricted geographical license.*
44 *7. A person to whom a restricted geographical license was issued*
45 *pursuant to this section may petition the board for an unrestricted license*
46 *without a clinical demonstration required by NRS 631.240 or a practical*
47 *examination required by NRS 631.300 if the person:*



1 (a) Has not had his license to practice dentistry or dental hygiene
2 revoked or suspended in this state, another state or territory of the United
3 States or the District of Columbia;

4 (b) Has not been refused a license to practice dentistry or dental
5 hygiene in this state, another state or territory of the United States or the
6 District of Columbia;

7 (c) Is not involved in or does not have pending a disciplinary action
8 concerning his license to practice dentistry or dental hygiene in this state,
9 another state or territory of the United States or the District of Columbia;
10 and

11 (d) Has:

12 (1) Actively practiced dentistry or dental hygiene for 3 years at a
13 minimum of 30 hours per week in the restricted geographical area; or

14 (2) Been under contract with a federally qualified health center or
15 nonprofit clinic for a minimum of 3 years.

16 8. The board shall revoke a restricted geographical license at any
17 time upon proof satisfactory to the board that the holder of the license
18 violated any provision of this section or the regulations of the board.

19 Sec. 4.5 NRS 631.230 is hereby amended to read as follows:

20 631.230 1. Any person is eligible to ~~take an examination~~ **apply** for
21 a license to practice dentistry in the State of Nevada who:

22 (a) Is over the age of 21 years;

23 (b) Is a citizen of the United States, or is lawfully entitled to remain and
24 work in the United States;

25 (c) Is a graduate of an accredited dental school or college; and

26 (d) Is of good moral character.

27 2. To determine whether a person has good moral character, the board
28 may consider whether his license to practice dentistry in another state has
29 been suspended or revoked or whether he is currently involved in any
30 disciplinary action concerning his license in that state.

31 Sec. 5. NRS 631.240 is hereby amended to read as follows:

32 631.240 1. Any person desiring to obtain a license to practice
33 dentistry in this state, after having complied with the regulations of the
34 board to determine eligibility, must:

35 (a) Present to the board a certificate granted by the ~~National Board of~~
36 ~~Dental Examiners~~ **Joint Commission on National Dental Examinations**
37 which contains a notation that ~~he~~ **the applicant** has passed the ~~board's~~
38 ~~examination~~ **National Board Dental Examination** with an average score
39 of at least 75; and

40 (b) Be examined by the board on ~~this~~ **the applicant's** practical
41 knowledge of dentistry.

42 2. The board shall examine each applicant in writing on the contents
43 and interpretation of **this** chapter ~~631 of NRS~~ and the regulations of the
44 board.

45 3. Except as otherwise provided in NRS 631.271 ~~it~~ **and sections 2, 3**
46 **and 4 of this act**, the examination required by paragraph (b) of subsection
47 1 must include clinical demonstrations of the applicant's skill in dentistry.

48 4. All persons who present the appropriate certificate and successfully
49 complete the examination must be registered as licensed dentists on the



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1 board register, as provided in this chapter, and are entitled to receive a
2 certificate of registration, signed by the member of the board who is a
3 representative of the general public and those members of the board who
4 are dentists.

5 **Sec. 6.** NRS 631.240 is hereby amended to read as follows:

6 631.240 1. Any person desiring to obtain a license to practice
7 dentistry in this state, after having complied with the regulations of the
8 board to determine eligibility, must:

9 (a) Present to the board a certificate granted by the Joint Commission on
10 National Dental Examinations which contains a notation that the applicant
11 has passed the National Board Dental Examination with an average score
12 of at least 75; and

13 (b) Be examined by the board on the applicant's practical knowledge of
14 dentistry.

15 2. The board shall examine each applicant in writing on the contents
16 and interpretation of this chapter and the regulations of the board.

17 3. Except as otherwise provided in NRS 631.271 and sections ~~12-1~~ 3
18 and 4 of this act, the examination required by paragraph (b) of subsection 1
19 must include clinical demonstrations of the applicant's skill in dentistry.

20 4. All persons who present the appropriate certificate and successfully
21 complete the examination must be registered as licensed dentists on the
22 board register, as provided in this chapter, and are entitled to receive a
23 certificate of registration, signed by the member of the board who is a
24 representative of the general public and those members of the board who
25 are dentists.

26 **Sec. 7.** NRS 631.250 is hereby amended to read as follows:

27 631.250 1. The board may issue a specialist's license authorizing a
28 ~~licensed~~ dentist *licensed in this state* to announce, hold himself out and
29 practice as a specialist in a special area of dentistry for which there is a
30 certifying board approved by the Commission on Dental Accreditation of
31 the American Dental Association.

32 2. No ~~licensee~~ *dentist licensed in this state* may announce or hold
33 himself out to the public as a specialist or practice as a specialist unless he
34 has successfully completed the educational requirements currently
35 specified for qualification in the special area by the certifying board.

36 3. A ~~licensed~~ dentist *licensed in this state* who has successfully
37 completed those educational requirements, has passed the general dentistry
38 examination and has been issued a specialist's license under this section
39 may commence specialty practice immediately in the special area without:

40 (a) Examination by the certifying board.

41 (b) Certification as a diplomate of the certifying board.

42 4. A dentist *licensed in this state* to whom a specialist's license ~~has~~
43 ~~been issued must~~ *is issued shall* limit his practice to the specialty.

44 **Sec. 7.5** NRS 631.290 is hereby amended to read as follows:

45 631.290 1. Any person is eligible to ~~take an examination~~ *apply* for
46 a license to practice dental hygiene in this state who:

47 (a) Is of good moral character;

48 (b) Is over 18 years of age;



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1 (c) Is a citizen of the United States or is lawfully entitled to remain and
2 work in the United States; and

3 (d) Is a graduate of an accredited school of dental hygiene.

4 2. To determine whether a person has good moral character, the board
5 may consider whether his license to practice dental hygiene in another state
6 has been suspended or revoked or whether he is currently involved in any
7 disciplinary action concerning his license in that state.

8 **Sec. 8.** NRS 631.300 is hereby amended to read as follows:

9 631.300 1. Any person desiring to obtain a license to practice dental
10 hygiene, after having complied with the regulations of the board to
11 determine eligibility, must be examined by the board upon such subjects as
12 the board deems necessary, and, except as otherwise provided in NRS
13 631.271 ~~†~~ *and section 4 of this act*, be given a practical examination in
14 dental hygiene, including, but not limited to, the removal of deposits from,
15 and the polishing of, the exposed surface of the teeth.

16 2. The examination must be:

17 (a) Written, oral or a combination of both; and

18 (b) Practical, as in the opinion of the board is necessary to test the
19 qualifications of the applicant.

20 3. The board shall examine each applicant in writing on the contents
21 and interpretation of *this* chapter ~~{631 of NRS}~~ and the regulations of the
22 board.

23 4. In lieu of the written examination which may be required by
24 subsection 2, the board shall recognize a certificate from the ~~{National
25 Board of Dental Examiners}~~ *Joint Commission on National Dental
26 Examinations* which contains a notation that the applicant has passed the
27 ~~{examination of the board}~~ *National Board Dental Examination* with a
28 score of at least 75.

29 **Sec. 9.** Section 2 of this act is hereby amended to read as follows:

30 Sec. 2. 1. The board shall, without a clinical demonstration
31 required by NRS 631.240, issue a temporary license to practice
32 dentistry to a person who:

33 (a) Has a license to practice dentistry issued pursuant to the laws of
34 another state or territory of the United States or the District of
35 Columbia;

36 (b) Has practiced dentistry pursuant to the laws of another state or
37 territory of the United States or the District of Columbia for a
38 minimum of 5 years;

39 (c) Has not had his license to practice dentistry revoked or
40 suspended in this state, another state or territory of the United States
41 or the District of Columbia;

42 (d) Has not been refused a license to practice dentistry in this state,
43 another state or territory of the United States or the District of
44 Columbia;

45 (e) Is not involved in or does not have pending a disciplinary
46 action concerning his license to practice dentistry in this state, another
47 state or territory of the United States or the District of Columbia; *and*

48 (f) Pays the application, examination and renewal fees in the same
49 manner as a person licensed pursuant to NRS 631.240. ~~†; and~~



~~(g) Submits the statement required by NRS 631.225.~~

2. A person to whom a temporary license is issued pursuant to subsection 1 may:

- (a) Practice dentistry for the duration of the temporary license; and
- (b) Apply for a permanent license to practice dentistry without a clinical demonstration required by NRS 631.240 if:

(1) The person has held a temporary license to practice dentistry pursuant to subsection 1 for a minimum of 2 years; and

(2) The person has not been involved in any disciplinary action during the time he has held a temporary license pursuant to subsection 1.

3. The board shall examine each applicant in writing on the contents and interpretation of this chapter and the regulations of the board.

Sec. 10. Section 3 of this act is hereby amended to read as follows:

Sec. 3. 1. The board may, without a clinical demonstration required by NRS 631.240, issue a specialist's license to a person who:

(a) Presents a current certification as a diplomate from a certifying board approved by the Commission on Dental Accreditation of the American Dental Association;

(b) Has an active license to practice dentistry pursuant to the laws of another state or territory of the United States or the District of Columbia;

(c) Is a specialist as identified by the board; *and*

(d) Pays the application, examination and renewal fees in the same manner as a person licensed pursuant to NRS 631.240. ~~;~~ *and*

~~(e) Submits the statement required by NRS 631.225.~~

2. The board shall not issue a specialist's license to a person:

(a) Whose license to practice dentistry has been revoked or suspended;

(b) Who has been refused a license to practice dentistry; or

(c) Who is involved in or has pending a disciplinary action concerning his license to practice dentistry, in this state, another state or territory of the United States or the District of Columbia.

3. The board shall examine each applicant in writing on the contents and interpretation of this chapter and the regulations of the board.

4. A person to whom a specialist's license is issued pursuant to this section shall limit his practice to the specialty.

5. The board shall revoke a specialist's license at any time upon proof satisfactory to the board that the holder of the license violated any provision of this section or the regulations of the board.

Sec. 11. Section 4 of this act is hereby amended to read as follows:

Sec. 4. 1. The board shall, without a clinical demonstration required by NRS 631.240 or a practical examination required by NRS 631.300, issue a restricted geographical license to practice dentistry or dental hygiene to a person if he meets the requirements of subsection 2 and:



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(a) A board of county commissioners submits a request that the board of dental examiners of Nevada waive the requirements of NRS 631.240 or 631.300 for any applicant intending to practice dentistry or dental hygiene in a rural area of a county in which dental or dental hygiene needs are underserved as that term is defined by the officer of rural health of the University of Nevada School of Medicine; or

(b) The director of a federally qualified health center or a nonprofit clinic submits a request that the board waive the requirements of NRS 631.240 or 631.300 for any applicant who has entered into a contract with a federally qualified health center or nonprofit clinic which treats underserved populations in Washoe County or Clark County.

2. A person may apply for a restricted geographical license if he:

(a) Has a license to practice dentistry or dental hygiene issued pursuant to the laws of another state or territory of the United States or the District of Columbia;

(b) Is otherwise qualified for a license to practice dentistry or dental hygiene in this state; *and*

(c) Pays the application, examination and renewal fees in the same manner as a person licensed pursuant to NRS 631.240 or 631.300. ~~†~~
and

~~(d) Submits the statement required by NRS 631.225.†~~

3. The board shall not issue a restricted geographical license to a person:

(a) Whose license to practice dentistry or dental hygiene has been revoked or suspended;

(b) Who has been refused a license to practice dentistry or dental hygiene; or

(c) Who is involved in or has pending a disciplinary action concerning his license to practice dentistry or dental hygiene, in this state, another state or territory of the United States or the District of Columbia.

4. The board shall examine each applicant in writing on the contents and interpretation of this chapter and the regulations of the board.

5. A person to whom a restricted geographical license is issued pursuant to this section:

(a) May practice dentistry or dental hygiene only in the county which has requested the restricted geographical licensure pursuant to paragraph (a) of subsection 1.

(b) Shall not, for the duration of the restricted geographical license, engage in the private practice of dentistry or dental hygiene in this state or accept compensation for the practice of dentistry or dental hygiene except such compensation as may be paid to him by a federally qualified health center or nonprofit clinic pursuant to paragraph (b) of subsection 1.

6. Within 7 days after the termination of his contract pursuant to paragraph (b) of subsection 1, the holder of a restricted geographical



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license shall notify the board of the termination, in writing, and surrender the restricted geographical license.

7. A person to whom a restricted geographical license was issued pursuant to this section may petition the board for an unrestricted license without a clinical demonstration required by NRS 631.240 or a practical examination required by NRS 631.300 if the person:

(a) Has not had his license to practice dentistry or dental hygiene revoked or suspended in this state, another state or territory of the United States or the District of Columbia;

(b) Has not been refused a license to practice dentistry or dental hygiene in this state, another state or territory of the United States or the District of Columbia;

(c) Is not involved in or does not have pending a disciplinary action concerning his license to practice dentistry or dental hygiene in this state, another state or territory of the United States or the District of Columbia; and

(d) Has:

(1) Actively practiced dentistry or dental hygiene for 3 years at a minimum of 30 hours per week in the restricted geographical area; or

(2) Been under contract with a federally qualified health center or nonprofit clinic for a minimum of 3 years.

8. The board shall revoke a restricted geographical license at any time upon proof satisfactory to the board that the holder of the license violated any provision of this section or the regulations of the board.

Sec. 12. 1. This section and sections 1 to 5, inclusive, 7, 7.5 and 8 of this act become effective on October 1, 2001.

2. Section 6 of this act becomes effective on October 1, 2005.

3. Sections 9, 10 and 11 of this act become effective on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:

(a) Have failed to comply with a subpoena or warrant relating to a procedure to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or

(b) Are in arrears in the payment for the support of one or more children,

are repealed by the Congress of the United States.

4. Sections 2, 5 and 9 of this act expire by limitation on September 30, 2005.

