

Senate Bill No. 378—Committee on Human
Resources and Facilities

CHAPTER.....

AN ACT relating to professional occupations; providing civil immunity to a person who furnishes information to the board of dental examiners of Nevada under certain circumstances; providing civil immunity to members of the board and other persons under certain circumstances; clarifying that an applicant for a limited license to practice dentistry or dental hygiene must be licensed in another state or the District of Columbia at the time of his application and may have that license placed on inactive status after he has been issued a limited license; and providing other matters properly relating thereto.

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

Section 1. Chapter 631 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Any person who furnishes information to the board concerning a licensee or an applicant for licensure, in good faith and without malicious intent, is immune from any civil action for furnishing that information.

2. The board, any member, employee or committee of the board, counsel, investigator, expert, hearing officer, licensee or other person who assists the board in the investigation or prosecution of an alleged violation of a provision of this chapter, a proceeding concerning licensure or reissuance of a license or a criminal prosecution is immune from any civil liability for:

(a) Any decision or action taken in good faith and without malicious intent in response to information acquired by the board.

(b) Disseminating information concerning a licensee or an applicant for licensure to any member of the public, other licensing board, national association of registered boards, an agency of the Federal Government or of the state, the attorney general or any law enforcement agency.

3. A defendant who is the prevailing party in a civil action brought pursuant to subsection 2, may recover the attorney's fees and costs incurred in defending the action.

Sec. 2. NRS 631.271 is hereby amended to read as follows:

631.271 1. The board shall, without a clinical demonstration required by NRS 631.240 or a practical examination required by NRS 631.300, issue a limited license to practice dentistry or dental hygiene to a person who:

(a) ~~Has~~ *At the time of his application, has* a license to practice dentistry or dental hygiene issued pursuant to the laws of another state or the District of Columbia;

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

(c) Pays the required application fee; and

(d) Has entered into a contract with the University and Community College System of Nevada to provide services ~~full-time~~ as a dental intern, dental resident or instructor of dentistry or dental hygiene at an educational or outpatient clinic, hospital or other facility of the University and

Community College System of Nevada. ~~As used in this paragraph, "full time" means providing such services at least 8 hours per day, 4 days per week, during an academic year.~~

2. The board shall not issue a limited license to a person:

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

(b) Who has been refused a license or is involved in 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.

3. A person to whom a limited license is issued pursuant to subsection 1:

(a) May practice dentistry or dental hygiene in this state only:

(1) At the educational or outpatient clinic, hospital or other facility where he is employed; and

(2) In accordance with the contract required by paragraph (d) of subsection 1. ~~and~~

(b) Shall not, for the duration of the limited 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 the University and Community College System of Nevada for services provided as a dental intern, dental resident or instructor of dentistry or dental hygiene.

(c) May have his license to practice dentistry or dental hygiene issued pursuant to the laws of another state or the District of Columbia placed on inactive status.

4. A limited license expires 1 year after its date of issuance and may be renewed on or before the date of its expiration. The holder of a limited license may, upon compliance with the requirements set forth in subsection 2 of NRS 631.330 and the completion of a review conducted at the discretion of the board, be granted a renewal certificate that authorizes the continuation of practice pursuant to the limited license for 1 year.

5. Within 7 days after the termination of his contract required by paragraph (d) of subsection 1, the holder of a limited license shall notify the board of the termination, in writing, and surrender the limited license to the board.

6. The board may revoke a limited license at any time upon proof satisfactory to the board that the holder of the license violated any provision of this chapter or the regulations of the board.

Sec. 3. This act becomes effective on July 1, 2001.