

Amendment No. 26

Assembly Amendment to Assembly Bill No. 55 (BDR 54-498)

Proposed by: Assembly Committee on Commerce and Labor**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of A.B. 55 (§ 2).

ASSEMBLY ACTION		Initial and Date		SENATE ACTION		Initial and Date	
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

WR/SLP



Date: 4/6/2011

A.B. No. 55—Makes various changes relating to dentistry. (BDR 54-498)



ASSEMBLY BILL NO. 55—COMMITTEE
ON COMMERCE AND LABOR

(ON BEHALF OF THE BOARD OF DENTAL EXAMINERS)

PREFILED DECEMBER 15, 2010

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes relating to dentistry. (BDR 54-498)

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

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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 a holder of a limited license a permit to perform certain dental practices; requiring the Board to adopt regulations relating to such permits; revising the requirements for the issuance of a limited license; authorizing the Board to impose certain fees to recover the costs of certain examinations; revising the eligibility requirements for dental hygienists; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law: (1) authorizes the Board of Dental Examiners of Nevada to issue a limited license to practice dentistry or dental hygiene, without a clinical examination, to a person who contracts with the Nevada System of Higher Education and who satisfies certain other requirements; (2) requires the holder of a limited license to practice dentistry or dental hygiene only in accordance with the contract and at the educational or outpatient clinic, hospital or other facility where the person is employed; and (3) prohibits the holder of a limited license from engaging in the private practice of dentistry or dental hygiene or accepting other compensation for the practice of dentistry or dental hygiene. (NRS 631.271) **Section 1** of this bill: (1) authorizes an applicant for a limited license to satisfy one of the requirements for such licensure by successfully passing a clinical examination; (2) authorizes the Board to issue a permit to the holder of a limited license which allows the holder of the limited license to engage in the private practice of dentistry and to accept compensation for dental services from entities other than that with which the license holder has contracted; and (3) requires the Board to prescribe, by regulation, the standards, conditions and other requirements for the issuance of such permits.

Section 2 of this bill authorizes the Board of Dental Examiners of Nevada to charge a fee ~~(to cover the actual cost to the Board of administering a clinical examination)~~ of \$2,500 for administering a clinical examination in dentistry and a fee of \$1,500 for administering a clinical examination in dental hygiene.

Section 1.5 of this bill provides that a person desiring to obtain a license to practice dental hygiene may successfully pass a clinical examination approved by the Board of

Dental Examiners of Nevada and the American Board of Dental Examiners to meet the eligibility requirements for a license.

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

Section 1. NRS 631.271 is hereby amended to read as follows:

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

- (a) Is qualified for a license to practice dentistry or dental hygiene in this State;
- (b) Pays the required application fee;
- (c) Has entered into a contract with ~~the~~:

(1) The Nevada System of Higher Education to provide services 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 Nevada System of Higher Education; or

(2) An accredited program of dentistry or dental hygiene of an institution which is accredited by a regional educational accrediting organization that is recognized by the United States Department of Education to provide services 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 institution and accredited by the Commission on Dental Accreditation of the American Dental Association or its successor specialty accrediting organization;

- (d) Satisfies the requirements of NRS 631.230 or 631.290, as appropriate; and
- (e) Satisfies at least one of the following requirements:

(1) 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;

(2) Presents to the Board a certificate granted by the Western Regional Examining Board which contains a notation that the person has passed, within the 5 years immediately preceding the date of the application, a clinical examination administered by the Western Regional Examining Board; ~~for~~

(3) Successfully passes a clinical examination approved by the Board and the American Board of Dental Examiners; or

(4) Has the educational or outpatient clinic, hospital or other facility where the person will provide services as a dental intern or dental resident in an internship or residency program submit to the Board written confirmation that the person has been appointed to a position in the program and is a citizen of the United States or is lawfully entitled to remain and work in the United States. If a person qualifies for a limited license pursuant to this subparagraph, the limited license remains valid only while the person is actively providing services as a dental intern or dental resident in the internship or residency program, is lawfully entitled to remain and work in the United States and is in compliance with all other requirements for the limited license.

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

- (a) Who has been issued a license to practice dentistry or dental hygiene if:

(1) The person is involved in a disciplinary action concerning the license;
or

- (2) The license has been revoked or suspended; or

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

1 in this State, another state or territory of the United States, or the District of
2 Columbia.

3 3. ~~4.~~ *Except as otherwise provided in subsection 4, a* person to whom a
4 limited license is issued pursuant to subsection 1:

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

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

8 (2) In accordance with the contract required by paragraph (c) of subsection
9 1.

10 (b) Shall not, for the duration of the limited license, engage in the private
11 practice of dentistry or dental hygiene in this State or accept compensation for the
12 practice of dentistry or dental hygiene except such compensation as may be paid to
13 the person by the Nevada System of Higher Education *or an accredited program of*
14 *dentistry or dental hygiene* for services provided as a dental intern, dental resident
15 or instructor of dentistry or dental hygiene ~~4.~~ *pursuant to paragraph (c) of*
16 *subsection 1.*

17 4. *The Board may issue a permit authorizing a person who holds a limited*
18 *license to engage in the practice of dentistry or dental hygiene in this State and to*
19 *accept compensation for such practice as may be paid to the person by entities*
20 *other than the Nevada System of Higher Education or an accredited program of*
21 *dentistry or dental hygiene with whom the person is under contract pursuant to*
22 *paragraph (c) of subsection 1. The Board shall, by regulation, prescribe the*
23 *standards, conditions and other requirements for the issuance of a permit.*

24 5. A limited license expires 1 year after its date of issuance and may be
25 renewed on or before the date of its expiration, unless the holder no longer satisfies
26 the requirements for the limited license. The holder of a limited license may, upon
27 compliance with the applicable requirements set forth in NRS 631.330 and the
28 completion of a review conducted at the discretion of the Board, be granted a
29 renewal certificate that authorizes the continuation of practice pursuant to the
30 limited license for 1 year.

31 ~~5.~~ 6. *A permit issued pursuant to subsection 4 expires on the date that the*
32 *holder's limited license expires and may be renewed when the limited license is*
33 *renewed, unless the holder no longer satisfies the requirements for the permit.*

34 7. Within 7 days after the termination of a contract required by paragraph (c)
35 of subsection 1, the holder of a limited license shall notify the Board of the
36 termination, in writing, and surrender the limited license *and a permit issued*
37 *pursuant to this section, if any,* to the Board.

38 ~~6.~~ 8. The Board may revoke a limited license *and a permit issued pursuant*
39 *to this section, if any,* at any time upon submission of substantial evidence to the
40 Board that the holder of the license violated any provision of this chapter or the
41 regulations of the Board.

42 Sec. 1.5. NRS 631.300 is hereby amended to read as follows:

43 631.300 1. Any person desiring to obtain a license to practice dental
44 hygiene, after having complied with the regulations of the Board to determine
45 eligibility:

46 (a) Except as otherwise provided in NRS 622.090, must pass a written
47 examination given by the Board upon such subjects as the Board deems necessary
48 for the practice of dental hygiene or must present a certificate granted by the Joint
49 Commission on National Dental Examinations which contains a notation that the
50 applicant has passed the National Board Dental Hygiene Examination with a score of
51 at least 75; and

52 (b) Except as otherwise provided in this chapter, must:

(1) Successfully pass a clinical examination approved by the Board and the American Board of Dental Examiners;

(2) Successfully complete a clinical examination in dental hygiene given by the Board which examines the applicant's practical knowledge of dental hygiene and which includes, but is not limited to, demonstrations in the removal of deposits from, and the polishing of, the exposed surface of the teeth; or

~~(3)~~ (3) Present to the Board a certificate granted by the Western Regional Examining Board which contains a notation that the applicant has passed, within the 5 years immediately preceding the date of the application, a clinical examination administered by the Western Regional Examining Board.

2. The clinical examination given by the Board must include components that are:

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

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

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

4. All persons who have satisfied the requirements for licensure as a dental hygienist must be registered as licensed dental hygienists on the board register, as provided in this chapter, and are entitled to receive a certificate of registration, signed by all members of the Board.

Sec. 2. NRS 631.345 is hereby amended to read as follows:
631.345 1. Except as otherwise provided in NRS 631.2715, the Board shall by regulation establish fees for the performance of the duties imposed upon it by this chapter which must not exceed the following amounts:

Application fee for an initial license to practice dentistry	\$1,500
Application fee for an initial license to practice dental hygiene	750
Application fee for a specialist's license to practice dentistry	300
Application fee for a limited license or restricted license to practice dentistry or dental hygiene	300
<u>Fee for administering a clinical examination in dentistry</u>	[Actual cost of the examination] <u>2,500</u>
<u>Fee for administering a clinical examination in dental hygiene</u>	<u>1,500</u>
Application and examination fee for a permit to administer general anesthesia, conscious sedation or deep sedation	750
Fee for any reinspection required by the Board to maintain a permit to administer general anesthesia, conscious sedation or deep sedation	500
Biennial renewal fee for a permit to administer general anesthesia, conscious sedation or deep sedation	\$600
Fee for the inspection of a facility required by the Board to renew a permit to administer general anesthesia, conscious sedation or deep sedation	350
Biennial license renewal fee for a general license, specialist's license, temporary license or restricted geographical license to practice dentistry	1,000
Annual license renewal fee for a limited license or restricted license to practice dentistry	300

1	Biennial license renewal fee for a general license, temporary	
2	license or restricted geographical license to practice	
3	dental hygiene	600
4	Annual license renewal fee for a limited license to practice	
5	dental hygiene	300
6	Biennial license renewal fee for an inactive dentist	400
7	Biennial license renewal fee for a dentist who is retired or	
8	has a disability	100
9	Biennial license renewal fee for an inactive dental hygienist	200
10	Biennial license renewal fee for a dental hygienist who is	
11	retired or has a disability	100
12	Reinstatement fee for a suspended license to practice	
13	dentistry or dental hygiene	500
14	Reinstatement fee for a revoked license to practice dentistry	
15	or dental hygiene	500
16	Reinstatement fee to return a dentist or dental hygienist who	
17	is inactive, retired or has a disability to active status	500
18	Fee for the certification of a license	50

20 2. Except as otherwise provided in this subsection, the Board shall charge a
21 fee to review a course of continuing education for accreditation. The fee must not
22 exceed \$150 per credit hour of the proposed course. The Board shall not charge a
23 nonprofit organization or an agency of the State or of a political subdivision of the
24 State a fee to review a course of continuing education.

25 3. All fees prescribed in this section are payable in advance and must not be
26 refunded.

27 **Sec. 3.** This act becomes effective upon passage and approval.