

CHAPTER 160
FORMERLY
SENATE BILL NO. 96

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE LICENSE TO PRACTICE DENTISTRY.

WHEREAS, poor dental health increases the risk for diabetes, heart disease, and poor birth outcomes and oral examination can detect signs of general health problems, according to the Institute of Medicine's 2011 report "Advancing Oral Health in America"; and

WHEREAS, according to the Behavioral Risk Factor Surveillance System, low-income populations in Delaware are far less likely to see a dentist and far more likely to have permanent teeth removed when they do; and

WHEREAS, in 2010, 82.6% of Delawareans making \$50,000 or more annually had visited a dentist in the last year while only 55.0% of those making less than \$15,000 annually had visited a dentist in the same period; and

WHEREAS, those making under \$15,000 were almost twice as likely to have had permanent teeth extracted (63.2%) than those making \$50,000+ (31.9%); and

WHEREAS, of adults aged 65+, 19.1% of those making less than \$15,000 annually had had all their natural teeth extracted, compared to only 6.7% of Delawareans making \$50,000 ; and

WHEREAS, the Health Resources and Services Administration reported that 30.1% of the population in Delaware lived in designated Dental Health Professional Shortage Areas (HPSAs), compared to 15.4% nationally, as of February 2012; and

WHEREAS, the State of Delaware offers no dental benefits to the adult Medicaid population;

WHEREAS, federally Qualified Health Centers (FQHCs) are recognized as the most substantial and widespread of dental safety net providers, as they never turn patients away because of an inability to pay; and

WHEREAS, all three of Delaware's FQHCs struggle to recruit dentists to serve their patient populations.

NOW THEREFORE:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Title 24, of the Delaware Code by making insertions as shown by underlining and deletions as shown by strikethrough as follows:

§1132B. Provisional License -- Dentists Practicing in Federally Qualified Health Centers

(a) Upon completion of an application approved by the Board and payment of a fee established by the Division, the Board shall issue a provisional license to an applicant for licensure as a dentist who has fulfilled the requirements of § 1122(a)(1), (2), and (3) of this title, has completed a general practice residency, or holds both a license in another jurisdiction and three years of practice experience, and who furnishes proof satisfactory to the Board that the applicant has contracted to be an employee with a Federally Qualified Health Center (FQHC). General supervision by a Delaware-licensed dentist must be provided by the FQHC for eligible applicants. Eligible organizations must include the provision of care for medically indigent patient populations in their mission.

(b) The provisional license shall entitle the applicant to practice dentistry only in the FQHC designated on the license and only on bona fide patients of the FQHC under the direction of a licensed dentist employed therein or on the staff thereof. If the supervising dentist becomes unable or unavailable to provide direction, the FQHC will then contract with a Delaware-licensed dentist to provide direction for the provisional license holder.

(c) The provisional license shall entitle the applicant to practice dentistry for a two-year period from the date of issuance and shall not be renewed. The applicant must fulfill the requirements of § 1123(b)(1) of this title within the two-year period, and must take the Delaware practical examination at least once within the first year of the provisional license unless the Board grants an extension to the applicant for good cause. The provisional license shall convert to a full license once the holder passes the practical examination and fulfills the requirements of § 1123(b)(1). The requirements of §1122(a)(4) and §1123(b)(2) and (3) must be met by the end of the two year period. If these requirements are not fulfilled, the Board may deny full licensure.

(d) The applicant for provisional license shall comply with the provisions of § 1122(c)(1)-(7) of this title.

(e) The holder of a provisional license shall be bound by all other applicable provisions of this chapter.

(f) The provisional license shall expire after the second year has been completed in the FQHC. The Board may grant an extension of the provisional license for up to six months for good cause demonstrated by the provisional license holder.

Approved August 05, 2013