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Lambert, Morrison, Yearick

DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE BILL NO. 73

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

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

Section 1. Amend § 1132B, Title 24 of the Delaware Code by making deletions as shown by strike through and
insertions as shown by underline as follows:

§ 1132B. Provisional license - Dentists practicing in federally qualified health ~~centers~~ centers or in the Division of
Public Health.

(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 3 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~~) (FQHC) or with the Division of Public
Health. General supervision by a Delaware-licensed dentist must be provided by the employer ~~FQHC~~ for eligible
applicants. Eligible FQHC organizations must include the provision of care for medically indigent patient populations in
their mission.

(b) The provisional license ~~shall entitle~~ entitles the applicant to practice dentistry only as follows: ~~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.~~

(1) In the FQHC that is designated on the license and only on bona fide patients of the FQHC under the direction
of a licensed dentist employed at the FQHC or on the staff of the FQHC. If the supervising dentist becomes unable or
unavailable to provide direction, the FQHC must contract with a Delaware-licensed dentist to provide direction for the
holder of a provisional license.

21 (2) For the Division of Public Health under the direction of the State Dental Director or State Dental Director's
22 licensed dentist designee.

23 (c) The provisional license ~~shall entitle~~ entitles the applicant to practice dentistry for a 2-year period from the date
24 of issuance and ~~shall may~~ not be renewed. The applicant must fulfill the requirements of § 1123(b)(1) of this title within the
25 2-year period and must take the Delaware practical examination at least once within the first year of the provisional license
26 unless the Board grants an extension to the applicant for good cause. The provisional license ~~shall convert~~ converts to a full
27 license once the holder passes the practical examination and fulfills the requirements of § 1123(b)(1) of this title. The
28 requirements of §§ 1122(a)(4) and 1123(b)(2) and (3) of this title must be met by the end of the 2-year period. If these
29 requirements are not fulfilled, the Board may deny full licensure.

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

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

33 (f) The provisional license ~~shall expire~~ expires after the second year has been completed ~~in the FQHC~~ . The Board
34 may grant an extension of the provisional license for up to 6 months for good cause demonstrated by the provisional license
35 holder.

SYNOPSIS

This Act permits an individual to practice dentistry for the Division of Public Health (Division) under a provisional license. Delaware law provides several routes for entering practice on an interim basis until full licensure can be obtained, however, none of these routes specifically permit hiring by the Division with the intent to practice in a state-supported dental clinic. This Act will assist the Division in recruiting dentists to serve those in need.

This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

Author: Senator S. McBride