

1                                   A bill to be entitled  
2           An act relating to dental therapy; amending s.  
3           409.906, F.S.; authorizing Medicaid to reimburse for  
4           dental services provided in a mobile dental unit that  
5           is owned by, operated by, or contracted with a health  
6           access setting or another similar setting or program;  
7           conforming a cross-reference; amending s. 466.001,  
8           F.S.; revising legislative purpose and intent;  
9           amending s. 466.002, F.S.; providing applicability;  
10          amending s. 466.003, F.S.; defining the terms "dental  
11          therapist" and "dental therapy"; revising the  
12          definition of the term "health access setting" to  
13          include certain dental therapy programs; amending s.  
14          466.004, F.S.; requiring the chair of the Board of  
15          Dentistry to appoint a Council on Dental Therapy  
16          within a specified timeframe; providing for  
17          membership, meetings, and the purpose of the council;  
18          providing a process for rulemaking; making technical  
19          changes; amending s. 466.006, F.S.; revising the  
20          definition of the terms "full-time practice" and  
21          "full-time practice of dentistry within the geographic  
22          boundaries of this state within 1 year" to include  
23          full-time faculty members of certain dental therapy  
24          schools; amending s. 466.0075, F.S.; authorizing the  
25          board to require any person who applies to take the

26 examination to practice dental therapy in this state  
27 to maintain medical malpractice insurance in a certain  
28 amount; amending s. 466.009, F.S.; requiring the  
29 Department of Health to allow an applicant who fails  
30 the dental therapy examination to retake the  
31 examination; providing that an applicant who fails a  
32 practical or clinical examination to practice dental  
33 therapy because of a failing grade on just one part or  
34 procedure tested is required to retake and receive a  
35 passing score on only the failed part or procedure to  
36 be eligible for licensure; requiring an applicant who  
37 fails more than one part or procedure tested to retake  
38 the entire examination; making technical changes;  
39 amending s. 466.011, F.S.; requiring the board to  
40 certify certain applicants for licensure as a dental  
41 therapist; creating s. 466.0136, F.S.; providing that  
42 the board must require each licensed dental therapist  
43 to complete a specified number of hours of continuing  
44 education; providing requirements for the content of  
45 such continuing education; requiring the board to  
46 adopt rules and guidelines; authorizing the board to  
47 excuse licensees from continuing education  
48 requirements in certain circumstances; amending s.  
49 466.016, F.S.; requiring a practitioner of dental  
50 therapy to post and display her or his license in each

51 office where she or he practices; amending s. 466.017,  
52 F.S.; requiring the board to adopt certain rules  
53 relating to dental therapists; requiring certain  
54 dental therapists to possess a specified  
55 certification; authorizing a dental therapist under  
56 the general supervision of a dentist to administer  
57 local anesthesia and operate an X-ray machine, expose  
58 dental X-ray films, and interpret or read such films  
59 if specified requirements are met; requiring certain  
60 dental therapists to report to the board within a  
61 specified timeframe adverse incidents related to or  
62 the result of the administration of local anesthesia;  
63 requiring a complete written report to be filed with  
64 the board within a specified timeframe; providing for  
65 discipline; making a technical change; amending s.  
66 466.018, F.S.; providing that a dentist of record  
67 remains primarily responsible for the dental treatment  
68 of a patient regardless of whether the treatment is  
69 provided by a dental therapist; requiring the name or  
70 initials of a dental therapist who renders treatment  
71 to a patient to be placed in the record of the  
72 patient; creating s. 466.0225, F.S.; providing  
73 application requirements and examination and licensure  
74 qualifications for dental therapists; creating s.  
75 466.0227, F.S.; providing legislative findings and

76 | intent; limiting the practice of dental therapy to  
77 | specified settings; authorizing a dental therapist to  
78 | perform specified services, including specified state-  
79 | specific dental therapy services, under the general  
80 | supervision of a dentist under certain conditions;  
81 | requiring a collaborative management agreement to be  
82 | signed by a supervising dentist and a dental therapist  
83 | and to include certain information; requiring a  
84 | supervising dentist to determine the number of hours  
85 | of practice which a dental therapist must complete  
86 | under direct or indirect supervision before performing  
87 | certain authorized services under general supervision;  
88 | authorizing a supervising dentist to restrict or limit  
89 | a dental therapist's practice in a collaborative  
90 | management agreement; authorizing a dental therapist  
91 | to provide dental therapy services to a patient before  
92 | the supervising dentist examines or diagnoses the  
93 | patient under certain conditions; requiring a  
94 | supervising dentist to be licensed or registered and  
95 | practicing in this state; specifying that the  
96 | supervising dentist is responsible for certain  
97 | services and for providing and arranging certain  
98 | followup services; amending s. 466.026, F.S.;  
99 | providing criminal penalties; amending s. 466.028,  
100 | F.S.; revising grounds for denial of a license or

101 disciplinary action to include the practice of dental  
 102 therapy; amending s. 921.0022, F.S.; conforming the  
 103 criminal offense severity chart to changes made by the  
 104 act; requiring the Department of Health, in  
 105 consultation with the Board of Dentistry and the  
 106 Agency for Health Care Administration, to submit  
 107 certain reports to the Legislature by specified dates;  
 108 providing requirements for such reports; providing an  
 109 effective date.

110

111 Be It Enacted by the Legislature of the State of Florida:

112

113 Section 1. Paragraph (c) of subsection (1) and subsection  
 114 (6) of section 409.906, Florida Statutes, are amended to read:

115 409.906 Optional Medicaid services.—Subject to specific  
 116 appropriations, the agency may make payments for services which  
 117 are optional to the state under Title XIX of the Social Security  
 118 Act and are furnished by Medicaid providers to recipients who  
 119 are determined to be eligible on the dates on which the services  
 120 were provided. Any optional service that is provided shall be  
 121 provided only when medically necessary and in accordance with  
 122 state and federal law. Optional services rendered by providers  
 123 in mobile units to Medicaid recipients may be restricted or  
 124 prohibited by the agency. Nothing in this section shall be  
 125 construed to prevent or limit the agency from adjusting fees,

126 reimbursement rates, lengths of stay, number of visits, or  
 127 number of services, or making any other adjustments necessary to  
 128 comply with the availability of moneys and any limitations or  
 129 directions provided for in the General Appropriations Act or  
 130 chapter 216. If necessary to safeguard the state's systems of  
 131 providing services to elderly and disabled persons and subject  
 132 to the notice and review provisions of s. 216.177, the Governor  
 133 may direct the Agency for Health Care Administration to amend  
 134 the Medicaid state plan to delete the optional Medicaid service  
 135 known as "Intermediate Care Facilities for the Developmentally  
 136 Disabled." Optional services may include:

137 (1) ADULT DENTAL SERVICES.—

138 (c) However, Medicaid will not provide reimbursement for  
 139 dental services provided in a mobile dental unit, except for a  
 140 mobile dental unit:

141 1. Owned by, operated by, or having a contractual  
 142 agreement with the Department of Health and complying with  
 143 Medicaid's county health department clinic services program  
 144 specifications as a county health department clinic services  
 145 provider.

146 2. Owned by, operated by, or having a contractual  
 147 arrangement with a federally qualified health center and  
 148 complying with Medicaid's federally qualified health center  
 149 specifications as a federally qualified health center provider.

150 3. Rendering dental services to Medicaid recipients, 21

151 years of age and older, at nursing facilities.

152 4. Owned by, operated by, or having a contractual  
153 agreement with a state-approved dental educational institution.

154 5. Owned by, operated by, or having a contractual  
155 agreement with a health access setting, as defined in s.  
156 466.003(16), or a similar setting or program that serves  
157 underserved or vulnerable populations that face serious barriers  
158 to accessing dental services and which may include, but is not  
159 limited to, homeless shelters, schools, Early Head Start  
160 programs, and the Special Supplemental Nutrition Program for  
161 Women, Infants, and Children.

162 (6) CHILDREN'S DENTAL SERVICES.—The agency may pay for  
163 diagnostic, preventive, or corrective procedures, including  
164 orthodontia in severe cases, provided to a recipient under age  
165 21, by or under the supervision of a licensed dentist. The  
166 agency may also reimburse a health access setting as defined in  
167 s. 466.003(16) ~~s. 466.003~~ for the remediable tasks that a  
168 licensed dental hygienist is authorized to perform under s.  
169 466.024(2). Services provided under this program include  
170 treatment of the teeth and associated structures of the oral  
171 cavity, as well as treatment of disease, injury, or impairment  
172 that may affect the oral or general health of the individual.  
173 However, Medicaid will not provide reimbursement for dental  
174 services provided in a mobile dental unit, except for a mobile  
175 dental unit:

176 (a) Owned by, operated by, or having a contractual  
177 agreement with the Department of Health and complying with  
178 Medicaid's county health department clinic services program  
179 specifications as a county health department clinic services  
180 provider.

181 (b) Owned by, operated by, or having a contractual  
182 arrangement with a federally qualified health center and  
183 complying with Medicaid's federally qualified health center  
184 specifications as a federally qualified health center provider.

185 (c) Rendering dental services to Medicaid recipients, 21  
186 years of age and older, at nursing facilities.

187 (d) Owned by, operated by, or having a contractual  
188 agreement with a state-approved dental educational institution.

189 (e) Owned by, operated by, or having a contractual  
190 agreement with a health access setting, as defined in s.  
191 466.003(16), or a similar setting or program that serves  
192 underserved or vulnerable populations that face serious barriers  
193 to accessing dental services and which may include, but is not  
194 limited to, homeless shelters, schools, Early Head Start  
195 programs, and the Special Supplemental Nutrition Program for  
196 Women, Infants, and Children.

197 Section 2. Section 466.001, Florida Statutes, is amended  
198 to read:

199 466.001 Legislative purpose and intent.—The legislative  
200 purpose for enacting this chapter is to ensure that every



201 dentist, dental therapist, and ~~or~~ dental hygienist practicing in  
202 this state meets minimum requirements for safe practice without  
203 undue clinical interference by persons not licensed under this  
204 chapter. It is the legislative intent that dental services be  
205 provided only in accordance with ~~the provisions of~~ this chapter  
206 and not be delegated to unauthorized individuals. It is the  
207 further legislative intent that dentists, dental therapists, and  
208 dental hygienists who fall below minimum competency or who  
209 otherwise present a danger to the public are ~~shall be~~ prohibited  
210 from practicing in this state. All provisions of this chapter  
211 relating to the practice of dentistry, dental therapy, and  
212 dental hygiene must ~~shall~~ be liberally construed to carry out  
213 such purpose and intent.

214 Section 3. Subsections (5) and (6) of section 466.002,  
215 Florida Statutes, are amended to read:

216 466.002 Persons exempt from operation of chapter.—Nothing  
217 in this chapter shall apply to the following practices, acts,  
218 and operations:

219 (5) Students in Florida schools of dentistry, dental  
220 therapy, and dental hygiene or dental assistant educational  
221 programs, while performing regularly assigned work under the  
222 curriculum of such schools.

223 (6) Instructors in Florida schools of dentistry,  
224 instructors in dental programs that prepare persons holding  
225 D.D.S. or D.M.D. degrees for certification by a specialty board

226 and that are accredited in the United States by January 1, 2005,  
227 in the same manner as the board recognizes accreditation for  
228 Florida schools of dentistry that are not otherwise affiliated  
229 with a Florida school of dentistry, or instructors in Florida  
230 schools of dental therapy or dental hygiene or dental assistant  
231 educational programs, while performing regularly assigned  
232 instructional duties under the curriculum of such schools or  
233 programs. A full-time dental instructor at a dental school or  
234 dental program approved by the board may be allowed to practice  
235 dentistry at the teaching facilities of such school or program,  
236 upon receiving a teaching permit issued by the board, in strict  
237 compliance with such rules as are adopted by the board  
238 pertaining to the teaching permit and with the established rules  
239 and procedures of the dental school or program as recognized in  
240 this section.

241 Section 4. Present subsections (7) through (15) of section  
242 466.003, Florida Statutes, are redesignated as subsections (9)  
243 through (17), respectively, new subsections (7) and (8) are  
244 added to that section, and present subsections (14) and (15) of  
245 that section are amended, to read:

246 466.003 Definitions.—As used in this chapter:

247 (7) "Dental therapist" means a person licensed to practice  
248 dental therapy pursuant to s. 466.0225.

249 (8) "Dental therapy" means the rendering of services  
250 pursuant to s. 466.0227 and any related extraoral services or

251 procedures required in the performance of such services.

252 (16)~~(14)~~ "Health access setting" means a program or an  
 253 institution of the Department of Children and Families, the  
 254 Department of Health, the Department of Juvenile Justice, a  
 255 nonprofit community health center, a Head Start center, a  
 256 federally qualified health center or look-alike as defined by  
 257 federal law, a school-based prevention program, a clinic  
 258 operated by an accredited college of dentistry, or an accredited  
 259 dental therapy or dental hygiene program in this state if such  
 260 community service program or institution immediately reports to  
 261 the Board of Dentistry all violations of s. 466.027, s. 466.028,  
 262 or other practice act or standard of care violations related to  
 263 the actions or inactions of a dentist, dental therapist, dental  
 264 hygienist, or dental assistant engaged in the delivery of dental  
 265 care in such setting.

266 (17)~~(15)~~ "School-based prevention program" means  
 267 preventive oral health services offered at a school by one of  
 268 the entities defined in subsection (16) ~~(14)~~ or by a nonprofit  
 269 organization that is exempt from federal income taxation under  
 270 s. 501(a) of the Internal Revenue Code, and described in s.  
 271 501(c) (3) of the Internal Revenue Code.

272 Section 5. Subsection (2) of section 466.004, Florida  
 273 Statutes, is amended to read:

274 466.004 Board of Dentistry.—

275 (2) ~~To advise the board,~~ It is the intent of the

276 Legislature that councils be appointed as specified in this  
 277 subsection to advise the board ~~paragraphs (a), (b), and (c)~~. The  
 278 department shall provide administrative support to the councils  
 279 and shall provide public notice of meetings and agendas ~~agenda~~  
 280 of the councils. Councils must ~~shall~~ include at least one board  
 281 member, who shall chair the council, and ~~shall include~~ nonboard  
 282 members. All council members shall be appointed by the board  
 283 chair. Council members shall be appointed for 4-year terms, and  
 284 all members are ~~shall be~~ eligible for reimbursement of expenses  
 285 in the manner of board members.

286 (a) A Council on Dental Hygiene shall be appointed by the  
 287 board chair and shall include one dental hygienist member of the  
 288 board, who shall chair the council, one dental member of the  
 289 board, and three dental hygienists who are actively engaged in  
 290 the practice of dental hygiene in this state. In making the  
 291 appointments, the chair shall consider recommendations from the  
 292 Florida Dental Hygienists' ~~Hygiene~~ Association. The council  
 293 shall meet at the request of the board chair, a majority of the  
 294 members of the board, or the council chair; however, the council  
 295 must meet at least three times a year. The council ~~is charged~~  
 296 ~~with the responsibility of and~~ shall recommend proposed meet for  
 297 ~~the purpose of developing~~ rules and policies ~~for recommendation~~  
 298 ~~to the board, which the board shall consider, on matters~~  
 299 pertaining to the areas ~~that part of dentistry consisting of~~  
 300 educational, preventive, or therapeutic dental hygiene services;

301 dental hygiene licensure, discipline, or regulation; and dental  
 302 hygiene education. The board shall consider these rules and  
 303 policies ~~Rule and policy recommendations of the council shall be~~  
 304 ~~considered by the board~~ at its next regularly scheduled meeting  
 305 in the same manner in which it considers rule and policy  
 306 recommendations from designated subcommittees of the board. Any  
 307 rule or policy proposed by the board pertaining to these areas  
 308 must ~~the specified part of dentistry defined by this subsection~~  
 309 ~~shall~~ be referred to the council for its ~~a~~ recommendation before  
 310 final action by the board. The board may take final action on  
 311 rules pertaining to these areas ~~the specified part of dentistry~~  
 312 ~~defined by this subsection~~ without a council recommendation if  
 313 the council fails to submit a recommendation in a timely  
 314 fashion, as prescribed by the board.

315 (b) A Council on Dental Assisting shall be appointed by  
 316 the board chair and shall include one board member, who shall  
 317 chair the council, and three dental assistants who are actively  
 318 engaged in dental assisting in this state. The council shall  
 319 meet at the request of the board chair or a majority of the  
 320 members of the board. ~~The council shall meet~~ for the purpose of  
 321 developing recommendations to the board on matters pertaining to  
 322 ~~that part of dentistry related to dental assisting.~~

323 (c) Effective 28 months after the first dental therapy  
 324 license is granted by the board, the board chair shall appoint a  
 325 Council on Dental Therapy, which must include one board member,

326 who shall chair the council, and three dental therapists who are  
327 actively engaged in the practice of dental therapy in this  
328 state. The council shall meet at the request of the board chair,  
329 a majority of the members of the board, or the council chair;  
330 however, the council must meet at least three times per year.  
331 The council shall recommend proposed rules and policies to the  
332 board on matters pertaining to the areas of educational,  
333 preventive, or therapeutic dental therapy services; dental  
334 therapy licensure, discipline, or regulation; and dental therapy  
335 education. The council's rule and policy recommendations must be  
336 considered by the board at its next regularly scheduled meeting  
337 in the same manner in which it considers rule and policy  
338 recommendations from designated subcommittees of the board. Any  
339 rule or policy proposed by the board pertaining to these areas  
340 must be referred to the council for its recommendation before  
341 final action by the board. The board may take final action on  
342 rules pertaining to these areas without a council recommendation  
343 if the council fails to submit a recommendation in a timely  
344 fashion, as prescribed by the board.

345 (d) ~~(e)~~ With the concurrence of the State Surgeon General,  
346 the board chair may create and abolish other advisory councils  
347 relating to dental subjects, including, but not limited to, ÷  
348 examinations, access to dental care, indigent care, nursing home  
349 and institutional care, public health, disciplinary guidelines,  
350 and other subjects, ÷ as appropriate. Such councils must ~~shall~~ be

351 appointed by the board chair and must ~~shall~~ include at least one  
352 board member, who shall serve as chair.

353 Section 6. Subsection (4) and paragraph (b) of subsection  
354 (6) of section 466.006, Florida Statutes, are amended to read:

355 466.006 Examination of dentists.—

356 (4) Notwithstanding any other provision of law in chapter  
357 456 pertaining to the clinical dental licensure examination or  
358 national examinations, to be licensed as a dentist in this  
359 state, an applicant must successfully complete both of the  
360 following:

361 (a) A written examination on the laws and rules of the  
362 state regulating the practice of dentistry.

363 (b) A practical or clinical examination, which must be the  
364 American Dental Licensing Examination produced by the American  
365 Board of Dental Examiners, Inc., or its successor entity, if  
366 any, that is administered in this state, provided that the board  
367 has attained, and continues to maintain thereafter,  
368 representation on the board of directors of the American Board  
369 of Dental Examiners, the examination development committee of  
370 the American Board of Dental Examiners, and such other  
371 committees of the American Board of Dental Examiners as the  
372 board deems appropriate by rule to assure that the standards  
373 established herein are maintained organizationally. A passing  
374 score on the American Dental Licensing Examination administered  
375 in this state is valid for 365 days after the date the official

376 examination results are published.

377 1. As an alternative to such practical or clinical  
378 examination, an applicant may submit scores from an American  
379 Dental Licensing Examination previously administered in a  
380 jurisdiction other than this state after October 1, 2011, and  
381 such examination results shall be recognized as valid for the  
382 purpose of licensure in this state. A passing score on the  
383 American Dental Licensing Examination administered out of state  
384 shall be the same as the passing score for the American Dental  
385 Licensing Examination administered in this state. The  
386 examination results are valid for 365 days after the date the  
387 official examination results are published. The applicant must  
388 have completed the examination after October 1, 2011. This  
389 subparagraph may not be given retroactive application.

390 2. If the date of an applicant's passing American Dental  
391 Licensing Examination scores from an examination previously  
392 administered in a jurisdiction other than this state under  
393 subparagraph 1. is older than 365 days, such scores are  
394 nevertheless valid for the purpose of licensure in this state,  
395 but only if the applicant demonstrates that all of the following  
396 additional standards have been met:

397 a. The applicant completed the American Dental Licensing  
398 Examination after October 1, 2011. This sub-subparagraph may not  
399 be given retroactive application;

400 b. The applicant graduated from a dental school accredited



401 by the American Dental Association Commission on Dental  
402 Accreditation or its successor entity, if any, or any other  
403 dental accrediting organization recognized by the United States  
404 Department of Education. Provided, however, if the applicant did  
405 not graduate from such a dental school, the applicant may submit  
406 proof of having successfully completed a full-time supplemental  
407 general dentistry program accredited by the American Dental  
408 Association Commission on Dental Accreditation of at least 2  
409 consecutive academic years at such accredited sponsoring  
410 institution. Such program must provide didactic and clinical  
411 education at the level of a D.D.S. or D.M.D. program accredited  
412 by the American Dental Association Commission on Dental  
413 Accreditation. For purposes of this sub-subparagraph, a  
414 supplemental general dentistry program does not include an  
415 advanced education program in a dental specialty;

416 c. The applicant currently possesses a valid and active  
417 dental license in good standing, with no restriction, which has  
418 never been revoked, suspended, restricted, or otherwise  
419 disciplined, from another state or territory of the United  
420 States, the District of Columbia, or the Commonwealth of Puerto  
421 Rico;

422 d. The applicant submits proof that he or she has never  
423 been reported to the National Practitioner Data Bank, the  
424 Healthcare Integrity and Protection Data Bank, or the American  
425 Association of Dental Boards Clearinghouse. This sub-

426 subparagraph does not apply if the applicant successfully  
 427 appealed to have his or her name removed from the data banks of  
 428 these agencies;

429 e.(I) (A) The applicant submits proof of having been  
 430 consecutively engaged in the full-time practice of dentistry in  
 431 another state or territory of the United States, the District of  
 432 Columbia, or the Commonwealth of Puerto Rico in the 5 years  
 433 immediately preceding the date of application for licensure in  
 434 this state; or

435 (B) If the applicant has been licensed in another state or  
 436 territory of the United States, the District of Columbia, or the  
 437 Commonwealth of Puerto Rico for less than 5 years, the applicant  
 438 submits proof of having been engaged in the full-time practice  
 439 of dentistry since the date of his or her initial licensure.

440 (II) As used in this section, "full-time practice" is  
 441 defined as a minimum of 1,200 hours per year for each and every  
 442 year in the consecutive 5-year period or, when applicable, the  
 443 period since initial licensure, and must include any combination  
 444 of the following:

445 (A) Active clinical practice of dentistry providing direct  
 446 patient care.

447 (B) Full-time practice as a faculty member employed by a  
 448 dental, dental therapy, or dental hygiene school approved by the  
 449 board or accredited by the American Dental Association  
 450 Commission on Dental Accreditation.

451 (C) Full-time practice as a student at a postgraduate  
452 dental education program approved by the board or accredited by  
453 the American Dental Association Commission on Dental  
454 Accreditation.

455 (III) The board shall develop rules to determine what type  
456 of proof of full-time practice is required and to recoup the  
457 cost to the board of verifying full-time practice under this  
458 section. Such proof must, at a minimum, be:

459 (A) Admissible as evidence in an administrative  
460 proceeding;

461 (B) Submitted in writing;

462 (C) Submitted by the applicant under oath with penalties  
463 of perjury attached;

464 (D) Further documented by an affidavit of someone  
465 unrelated to the applicant who is familiar with the applicant's  
466 practice and testifies with particularity that the applicant has  
467 been engaged in full-time practice; and

468 (E) Specifically found by the board to be both credible  
469 and admissible.

470 (IV) An affidavit of only the applicant is not acceptable  
471 proof of full-time practice unless it is further attested to by  
472 someone unrelated to the applicant who has personal knowledge of  
473 the applicant's practice. If the board deems it necessary to  
474 assess credibility or accuracy, the board may require the  
475 applicant or the applicant's witnesses to appear before the

476 board and give oral testimony under oath;

477 f. The applicant submits documentation that he or she has  
 478 completed, or will complete before he or she is licensed in this  
 479 state, continuing education equivalent to this state's  
 480 requirements for the last full reporting biennium;

481 g. The applicant proves that he or she has never been  
 482 convicted of, or pled nolo contendere to, regardless of  
 483 adjudication, any felony or misdemeanor related to the practice  
 484 of a health care profession in any jurisdiction;

485 h. The applicant has successfully passed a written  
 486 examination on the laws and rules of this state regulating the  
 487 practice of dentistry and the computer-based diagnostic skills  
 488 examination; and

489 i. The applicant submits documentation that he or she has  
 490 successfully completed the applicable examination administered  
 491 by the Joint Commission on National Dental Examinations or its  
 492 successor organization.

493 (6)

494 (b)1. As used in this section, "full-time practice of  
 495 dentistry within the geographic boundaries of this state within  
 496 1 year" is defined as a minimum of 1,200 hours in the initial  
 497 year of licensure, which must include any combination of the  
 498 following:

499 a. Active clinical practice of dentistry providing direct  
 500 patient care within the geographic boundaries of this state.

501           b. Full-time practice as a faculty member employed by a  
 502 dental, dental therapy, or dental hygiene school approved by the  
 503 board or accredited by the American Dental Association  
 504 Commission on Dental Accreditation and located within the  
 505 geographic boundaries of this state.

506           c. Full-time practice as a student at a postgraduate  
 507 dental education program approved by the board or accredited by  
 508 the American Dental Association Commission on Dental  
 509 Accreditation and located within the geographic boundaries of  
 510 this state.

511           2. The board shall develop rules to determine what type of  
 512 proof of full-time practice of dentistry within the geographic  
 513 boundaries of this state for 1 year is required in order to  
 514 maintain active licensure and shall develop rules to recoup the  
 515 cost to the board of verifying maintenance of such full-time  
 516 practice under this section. Such proof must, at a minimum:

517           a. Be admissible as evidence in an administrative  
 518 proceeding;

519           b. Be submitted in writing;

520           c. Be submitted by the applicant under oath with penalties  
 521 of perjury attached;

522           d. Be further documented by an affidavit of someone  
 523 unrelated to the applicant who is familiar with the applicant's  
 524 practice and testifies with particularity that the applicant has  
 525 been engaged in full-time practice of dentistry within the

526 | geographic boundaries of this state within the last 365 days;  
 527 | and

528 |       e. Include such additional proof as specifically found by  
 529 | the board to be both credible and admissible.

530 |       3. An affidavit of only the applicant is not acceptable  
 531 | proof of full-time practice of dentistry within the geographic  
 532 | boundaries of this state within 1 year, unless it is further  
 533 | attested to by someone unrelated to the applicant who has  
 534 | personal knowledge of the applicant's practice within the last  
 535 | 365 days. If the board deems it necessary to assess credibility  
 536 | or accuracy, the board may require the applicant or the  
 537 | applicant's witnesses to appear before the board and give oral  
 538 | testimony under oath.

539 |       Section 7. Section 466.0075, Florida Statutes, is amended  
 540 | to read:

541 |       466.0075 Applicants for examination; medical malpractice  
 542 | insurance.—The board may require any person applying to take the  
 543 | examination to practice dentistry in this state, the examination  
 544 | to practice dental therapy in this state, or the examination to  
 545 | practice dental hygiene in this state to maintain medical  
 546 | malpractice insurance in amounts sufficient to cover any  
 547 | incident of harm to a patient during the clinical examination.

548 |       Section 8. Section 466.009, Florida Statutes, is amended  
 549 | to read:

550 |       466.009 Reexamination.—

551 (1) The department shall allow ~~permit~~ any person who fails  
552 an examination that ~~which~~ is required under s. 466.006, ~~or~~ s.  
553 466.007, or s. 466.0225 to retake the examination. If the  
554 examination to be retaken is a practical or clinical  
555 examination, the applicant must ~~shall~~ pay a reexamination fee  
556 set by rule of the board in an amount not to exceed the original  
557 examination fee.

558 (2) If an applicant for a license to practice dentistry  
559 fails the practical or clinical examination because of a failing  
560 grade on just one part or procedure tested, she or he must ~~shall~~  
561 ~~be required to~~ retake and receive a passing score on only the  
562 failed that part or procedure to be eligible for licensure.  
563 However, if ~~any~~ such applicant fails more than one part or  
564 procedure of any such examination, she or he must ~~shall be~~  
565 ~~required to~~ retake the entire examination.

566 (3) If an applicant for a license to practice dental  
567 hygiene fails ~~one portion of~~ the practical or clinical  
568 examination because of a failing grade on just one part or  
569 procedure tested, such applicant must ~~shall be required to~~  
570 retake and receive a passing score on only the failed part or  
571 procedure to be eligible for licensure that portion if she or he  
572 reapplies within 12 months. If, however, the applicant fails the  
573 prophylaxis, she or he must ~~shall be required to~~ retake the  
574 entire examination.

575 (4) If an applicant for a license to practice dental

576 therapy fails the practical or clinical examination because of a  
 577 failing grade on just one part or procedure tested, she or he  
 578 must retake and receive a passing score on only the failed part  
 579 or procedure to be eligible for licensure. However, if such  
 580 applicant fails more than one part or procedure of any such  
 581 examination, she or he must retake the entire examination.

582 Section 9. Section 466.011, Florida Statutes, is amended  
 583 to read:

584 466.011 Licensure.—The board shall certify for licensure  
 585 by the department any applicant who satisfies the requirements  
 586 of s. 466.006, s. 466.0067, ~~or~~ s. 466.007, or s. 466.0225. The  
 587 board may refuse to certify an applicant who has violated ~~any of~~  
 588 ~~the provisions of~~ s. 466.026 or s. 466.028.

589 Section 10. Section 466.0136, Florida Statutes, is created  
 590 to read:

591 466.0136 Continuing education; dental therapists.—In  
 592 addition to any other requirements specified in this chapter for  
 593 relicensure of dental therapists, the board shall require each  
 594 licensed dental therapist to complete at least 24 hours, but not  
 595 more than 36 hours, biennially of continuing education in dental  
 596 subjects in programs approved by the board or in equivalent  
 597 programs of continuing education. Programs of continuing  
 598 education approved by the board must be programs of learning  
 599 which, in the opinion of the board, contribute directly to the  
 600 dental education of the dental therapist. An individual who is



601 licensed as both a dental therapist and a dental hygienist may  
602 use continuing education that is approved for both dental  
603 therapy and dental hygiene education to satisfy both dental  
604 therapy and dental hygiene continuing education requirements.  
605 The board shall adopt rules and guidelines to administer and  
606 enforce this section. A dental therapist shall retain in her or  
607 his records any receipts, vouchers, or certificates necessary to  
608 document completion of the required continuing education.  
609 Compliance with the continuing education requirements is  
610 mandatory for issuance of the renewal certificate. The board may  
611 excuse licensees, as a group or as individuals, from all or part  
612 of the continuing education requirements if an unusual  
613 circumstance, emergency, or hardship prevents compliance with  
614 this section.

615 Section 11. Section 466.016, Florida Statutes, is amended  
616 to read:

617 466.016 License to be displayed.—Every practitioner of  
618 dentistry, dental therapy, or dental hygiene within the meaning  
619 of this chapter shall post and keep conspicuously displayed her  
620 or his license in the office where ~~wherein~~ she or he practices,  
621 in plain sight of the practitioner's patients. Any dentist,  
622 dental therapist, or dental hygienist who practices at more than  
623 one location shall ~~be required to~~ display a copy of her or his  
624 license in each office where she or he practices.

625 Section 12. Present subsections (7) through (10) and (11)

626 through (15) of section 466.017, Florida Statutes, are  
627 redesignated as subsections (8) through (11) and (13) through  
628 (17), respectively, new subsections (7) and (12) are added to  
629 that section, and paragraphs (d) and (e) of subsection (3),  
630 subsection (4), and present subsections (7), (8), (12), and (14)  
631 of that section are amended, to read:

632 466.017 Prescription of drugs; anesthesia.—

633 (3) The board shall adopt rules which:

634 (d) Establish further requirements relating to the use of  
635 general anesthesia or sedation, including, but not limited to,  
636 office equipment and the training of dental assistants, dental  
637 therapists, or dental hygienists who work with dentists using  
638 general anesthesia or sedation.

639 (e) Establish an administrative mechanism enabling the  
640 board to verify compliance with training, education, experience,  
641 equipment, or certification requirements of dentists, dental  
642 therapists, dental hygienists, and dental assistants adopted  
643 pursuant to this subsection. The board may charge a fee to  
644 defray the cost of verifying compliance with requirements  
645 adopted pursuant to this paragraph.

646 (4) A dentist, dental therapist, or dental hygienist who  
647 administers or employs the use of any form of anesthesia must  
648 possess a certification in either basic cardiopulmonary  
649 resuscitation for health professionals or advanced cardiac life  
650 support approved by the American Heart Association or the

651 American Red Cross or an equivalent agency-sponsored course with  
652 recertification every 2 years. Each dental office that ~~which~~  
653 uses any form of anesthesia must have immediately available and  
654 in good working order such resuscitative equipment, oxygen, and  
655 other resuscitative drugs as are specified by rule of the board  
656 in order to manage possible adverse reactions.

657 (7) A dental therapist under the general supervision of a  
658 dentist may administer local anesthesia, including intraoral  
659 block anesthesia or soft tissue infiltration anesthesia, or  
660 both, if she or he has completed the course described in  
661 paragraph (5) (a) and presents evidence of current certification  
662 in basic or advanced cardiac life support.

663 (8) ~~(7)~~ A licensed dentist, or a dental therapist who is  
664 authorized by her or his supervising dentist, may operate  
665 ~~utilize~~ an X-ray machine, expose dental X-ray films, and  
666 interpret or read such films. Notwithstanding ~~The provisions of~~  
667 ~~part IV of chapter 468 to the contrary notwithstanding,~~ a  
668 licensed dentist, or a dental therapist who is authorized by her  
669 or his supervising dentist, may authorize or direct a dental  
670 assistant to operate such equipment and expose such films under  
671 her or his direction and supervision, pursuant to rules adopted  
672 by the board in accordance with s. 466.024 which ensure that the  
673 ~~said~~ assistant is competent by reason of training and experience  
674 to operate the X-ray ~~said~~ equipment in a safe and efficient  
675 manner. The board may charge a fee not to exceed \$35 to defray

676 the cost of verifying compliance with requirements adopted  
677 pursuant to this section.

678 (9)-(8) Notwithstanding ~~The provisions of~~ s. 465.0276  
679 ~~notwithstanding~~, a dentist need not register with the board or  
680 comply with the continuing education requirements of that  
681 section if the dentist confines her or his dispensing activity  
682 to the dispensing of fluorides and chlorhexidine ~~chlorhexidine~~  
683 rinse solutions, + provided that the dentist complies with and is  
684 subject to all laws and rules applicable to pharmacists and  
685 pharmacies, including, but not limited to, chapters 465, 499,  
686 and 893, and all applicable federal laws and regulations, when  
687 dispensing such products.

688 (12) A licensed dental therapist administering local  
689 anesthesia must notify the board in writing by registered mail  
690 within 48 hours after any adverse incident that was related to  
691 or the result of the administration of local anesthesia. A  
692 complete written report must be filed with the board within 30  
693 days after the mortality or other adverse incident.

694 (14)-(12) A failure by the dentist, dental therapist, or  
695 dental hygienist to timely and completely comply with all the  
696 reporting requirements in this section is the basis for  
697 disciplinary action by the board pursuant to s. 466.028(1).

698 (16)-(14) As used in subsections (10)-(15) (9)-(13), the  
699 term "adverse incident" means any mortality that occurs during  
700 or as the result of a dental procedure, or an incident that

701 results in a temporary or permanent physical or mental injury  
702 that requires hospitalization or emergency room treatment of a  
703 dental patient which occurs during or as a direct result of the  
704 use of general anesthesia, deep sedation, moderate sedation,  
705 pediatric moderate sedation, oral sedation, minimal sedation  
706 (anxiolysis), nitrous oxide, or local anesthesia.

707 Section 13. Subsection (1) of section 466.018, Florida  
708 Statutes, is amended to read:

709 466.018 Dentist of record; patient records.—

710 (1) Each patient shall have a dentist of record. The  
711 dentist of record shall remain primarily responsible for all  
712 dental treatment on such patient regardless of whether the  
713 treatment is rendered by the dentist or by another dentist,  
714 dental therapist, dental hygienist, or dental assistant  
715 rendering such treatment in conjunction with, at the direction  
716 or request of, or under the supervision of such dentist of  
717 record. The dentist of record shall be identified in the record  
718 of the patient. If treatment is rendered by a dentist other than  
719 the dentist of record or by a dental therapist, dental  
720 hygienist, or dental assistant, the name or initials of such  
721 person must ~~shall~~ be placed in the record of the patient. In any  
722 disciplinary proceeding brought pursuant to this chapter or  
723 chapter 456, it is ~~shall be~~ presumed as a matter of law that  
724 treatment was rendered by the dentist of record unless otherwise  
725 noted on the patient record pursuant to this section. The

726 dentist of record and any other treating dentist are subject to  
727 discipline pursuant to this chapter or chapter 456 for treatment  
728 rendered to the patient and performed in violation of such  
729 chapter. One of the purposes of this section is to ensure that  
730 the responsibility for each patient is assigned to one dentist  
731 in a multidentist practice of any nature and to assign primary  
732 responsibility to the dentist for treatment rendered by a dental  
733 therapist, dental hygienist, or dental assistant under her or  
734 his supervision. This section shall not be construed to assign  
735 any responsibility to a dentist of record for treatment rendered  
736 pursuant to a proper referral to another dentist who does not ~~in~~  
737 practice with the dentist of record or to prohibit a patient  
738 from voluntarily selecting a new dentist without permission of  
739 the dentist of record.

740 Section 14. Section 466.0225, Florida Statutes, is created  
741 to read:

742 466.0225 Examination of dental therapists; licensing.-

743 (1) Any person desiring to be licensed as a dental  
744 therapist shall apply to the department to take the licensure  
745 examinations and shall verify the information required on the  
746 application by oath. The application must be accompanied by two  
747 recent photographs of the applicant.

748 (2) An applicant is entitled to take the examinations  
749 required under this section and receive licensure to practice  
750 dental therapy in this state if the applicant:

751 (a) Is 18 years of age or older;  
752 (b) Is a graduate of a dental therapy college or school  
753 accredited by the American Dental Association Commission on  
754 Dental Accreditation or its successor entity, if any, or any  
755 other dental therapy accrediting entity recognized by the United  
756 States Department of Education. For applicants applying for a  
757 dental therapy license before January 1, 2025, the board shall  
758 approve the applicant's dental therapy education program if the  
759 program was administered by a college or school that operates an  
760 accredited dental or dental hygiene education program and the  
761 college or school certifies to the board that the applicant's  
762 education substantially conformed to the education standards  
763 established by the American Dental Association Commission on  
764 Dental Accreditation;  
765 (c) Has successfully completed a dental therapy practical  
766 or clinical examination produced by the American Board of Dental  
767 Examiners, Inc., (ADEX) or its successor entity, if any, if the  
768 board finds that the successor entity's examination meets or  
769 exceeds the provisions of this section. If an applicant fails to  
770 pass such an examination after three attempts, the applicant is  
771 not eligible to retake the examination unless the applicant  
772 completes additional education requirements as specified by the  
773 board. If a dental therapy examination has not been established  
774 by the ADEX, the board shall administer or approve an  
775 alternative examination;

776 (d) Has not been disciplined by a board, except for  
777 citation offenses or minor violations;

778 (e) Has not been convicted of or pled nolo contendere to,  
779 regardless of adjudication, any felony or misdemeanor related to  
780 the practice of a health care profession; and

781 (f) Has successfully completed a written examination on  
782 the laws and rules of this state regulating the practice of  
783 dental therapy.

784 (3) An applicant who meets the requirements of this  
785 section and who has successfully completed the examinations  
786 identified in paragraph (2) (c) in a jurisdiction other than this  
787 state, or who has successfully completed comparable examinations  
788 administered or approved by the licensing authority in a  
789 jurisdiction other than this state, shall be licensed to  
790 practice dental therapy in this state if the board determines  
791 that the other jurisdiction's examinations and scope of practice  
792 are substantially similar to those identified in paragraph  
793 (2) (c).

794 Section 15. Section 466.0227, Florida Statutes, is created  
795 to read:

796 466.0227 Dental therapists; scope and area of practice.—

797 (1) The Legislature finds that authorizing licensed dental  
798 therapists to perform the services specified in subsection (3)  
799 would improve access to high-quality, affordable oral health  
800 services for all residents in this state. The Legislature



801 intends to rapidly improve such access for low-income,  
802 uninsured, and underserved patients and communities. To further  
803 this intent, a dental therapist licensed under this chapter is  
804 limited to practicing dental therapy in the following settings  
805 or programs:

806 (a) A health access setting, as defined in s. 466.003(16).

807 (b) A community health center, including an off-site care  
808 setting.

809 (c) A nursing facility.

810 (d) A military or veterans' hospital or clinic, including  
811 an off-site care setting.

812 (e) A governmental or public health clinic, including an  
813 off-site care setting.

814 (f) A school, a Head Start program, or a school-based  
815 prevention program as defined in s. 466.003(17).

816 (g) An oral health education institution, including an  
817 off-site care setting.

818 (h) A hospital.

819 (i) A correctional facility clinic setting.

820 (j) A geographic area designated as a dental health  
821 professional shortage area by the state or the Federal  
822 Government.

823 (k) A health facility operated by the Indian Health  
824 Service or by a tribal organization.

825 (l) Any other clinic or practice setting if at least 50

826 percent of the patients served by the dental therapist in such  
827 clinic or practice setting:

828 1. Are enrolled in Medicaid or another state or local  
829 governmental health care program for low-income or uninsured  
830 patients; or

831 2. Do not have dental insurance and report a gross annual  
832 income that is less than 200 percent of the applicable federal  
833 poverty guidelines.

834 (2) Except as otherwise provided in this chapter, a dental  
835 therapist may perform the dental therapy services specified in  
836 subsection (3) under the general supervision of a dentist to the  
837 extent authorized by the supervising dentist and provided within  
838 the terms of a written collaborative management agreement signed  
839 by the dental therapist and the supervising dentist which meets  
840 the requirements of subsection (4).

841 (3) Dental therapy services include all of the following:

842 (a) All services, treatments, and competencies identified  
843 by the American Dental Association Commission on Dental  
844 Accreditation in its Dental Therapy Education Accreditation  
845 Standards.

846 (b) All of the following state-specific services, if the  
847 dental therapist's education included curriculum content  
848 satisfying the American Dental Association Commission on Dental  
849 Accreditation criteria for state-specific dental therapy  
850 services:

851 1. Evaluation of radiographs.

852 2. Placement of space maintainers.

853 3. Pulpotomies on primary teeth.

854 4. Tooth reimplantation and stabilization.

855 5. Recementation of permanent dental crowns.

856 6. Direct pulp capping of primary teeth.

857 7. Fabrication of soft occlusal guards.

858 8. Dispensing and administering nonopioid analgesics,  
859 including nitrous oxide, anti-inflammatories, and antibiotics,  
860 as authorized by the supervising dentist and within the  
861 parameters of the collaborative management agreement.

862 9. Oral evaluation and assessment of dental disease and  
863 formulation of an individualized treatment plan if authorized by  
864 a supervising dentist and subject to any conditions,  
865 limitations, and protocols specified by the supervising dentist  
866 in the collaborative management agreement.

867 (c) Any other task deemed appropriate by the board.

868 (4) Before performing any of the services authorized in  
869 subsection (3), a dental therapist must enter into a written  
870 collaborative management agreement with a supervising dentist.  
871 The agreement must be signed by the dental therapist and the  
872 supervising dentist and must include all of the following:

873 (a) Any limitation on the practice settings, services, and  
874 populations which may be provided. If the agreement is silent as  
875 to any such limitation, the full scope of practice is permitted

876 | under the agreement.

877 |       (b) A procedure for creating and maintaining dental  
878 | records for the patients who are treated by the dental  
879 | therapist.

880 |       (c) A plan to manage medical emergencies in each practice  
881 | setting where the dental therapist provides care.

882 |       (d) A quality assurance plan for monitoring care provided  
883 | by the dental therapist, including patient care review, referral  
884 | followup, and a quality assurance chart review.

885 |       (e) Protocols for the dental therapist to administer and  
886 | dispense medications, including the specific conditions and  
887 | circumstances under which the medications are to be dispensed  
888 | and administered.

889 |       (f) Criteria relating to the provision of care by the  
890 | dental therapist to patients with specific medical conditions or  
891 | complex medication histories, including requirements for  
892 | consultation before the initiation of care.

893 |       (g) Supervision criteria for dental therapists.

894 |       (h) A plan for the provision of clinical resources and  
895 | referrals in situations that are beyond the capabilities of the  
896 | dental therapist.

897 |       (5) A supervising dentist shall determine the number of  
898 | hours of practice a dental therapist must complete under direct  
899 | or indirect supervision of the supervising dentist before the  
900 | dental therapist may perform any of the services authorized in

901 subsection (3) under general supervision.

902 (6) A supervising dentist may restrict or limit the dental  
903 therapist's practice in a collaborative management agreement to  
904 be less than the full scope of practice for dental therapists  
905 which is authorized in subsection (3).

906 (7) A dental therapist may provide dental therapy services  
907 to a patient before the supervising dentist examines or  
908 diagnoses the patient if the applicable authority, conditions,  
909 and protocols are established in a written collaborative  
910 management agreement and the patient is subsequently referred to  
911 a dentist for any needed additional services that exceed the  
912 dental therapist's scope of practice or authorization under the  
913 collaborative management agreement.

914 (8) A supervising dentist must be licensed under chapter  
915 466 or registered under s. 456.47 and practicing in this state.  
916 The supervising dentist is responsible for all services  
917 authorized and performed by the dental therapist pursuant to the  
918 collaborative management agreement and for providing or  
919 arranging followup services to be provided by a dentist for  
920 those services that are beyond the dental therapist's scope of  
921 practice and authorization under the collaborative management  
922 agreement.

923 Section 16. Section 466.026, Florida Statutes, is amended  
924 to read:

925 466.026 Prohibitions; penalties.—

926 (1) Each of the following acts constitutes a felony of the  
 927 third degree, punishable as provided in s. 775.082, s. 775.083,  
 928 or s. 775.084:

929 (a) Practicing dentistry, dental therapy, or dental  
 930 hygiene unless the person has an appropriate, active license  
 931 issued by the department pursuant to this chapter.

932 (b) Using or attempting to use a license issued pursuant  
 933 to this chapter which license has been suspended or revoked.

934 (c) Knowingly employing any person to perform duties  
 935 outside the scope allowed such person under this chapter or the  
 936 rules of the board.

937 (d) Giving false or forged evidence to the department or  
 938 board for the purpose of obtaining a license.

939 (e) Selling or offering to sell a diploma conferring a  
 940 degree from a dental college or a dental therapy or dental  
 941 hygiene school or college, ~~or~~ or a license issued pursuant to this  
 942 chapter, or procuring such diploma or license with intent that  
 943 it shall be used as evidence of that which the document stands  
 944 for, by a person other than the one upon whom it was conferred  
 945 or to whom it was granted.

946 (2) Each of the following acts constitutes a misdemeanor  
 947 of the first degree, punishable as provided in s. 775.082 or s.  
 948 775.083:

949 (a) Using the name or title "dentist," the initials  
 950 ~~letters~~ "D.D.S." or "D.M.D.", or any other words, letters,

951 title, or descriptive matter which in any way represents a  
952 person as being able to diagnose, treat, prescribe, or operate  
953 for any disease, pain, deformity, deficiency, injury, or  
954 physical condition of the teeth or jaws or oral-maxillofacial  
955 region unless the person has an active dentist's license issued  
956 by the department pursuant to this chapter.

957 (b) Using the name or title "dental therapist" or the  
958 initials "D.T." or otherwise holding herself or himself out as  
959 an actively licensed dental therapist or implying to any patient  
960 or consumer that she or he is an actively licensed dental  
961 therapist unless that person has an active dental therapist's  
962 license issued by the department pursuant to this chapter.

963 (c) Using the name or title "dental hygienist" or the  
964 initials "R.D.H." or otherwise holding herself or himself out as  
965 an actively licensed dental hygienist or implying to any patient  
966 or consumer that she or he is an actively licensed dental  
967 hygienist unless that person has an active dental hygienist's  
968 license issued by the department pursuant to this chapter.

969 (d)~~(e)~~ Presenting as her or his own the license of  
970 another.

971 (e)~~(d)~~ Knowingly concealing information relative to  
972 violations of this chapter.

973 (f)~~(e)~~ Performing any services as a dental assistant as  
974 defined herein, except in the office of a licensed dentist,  
975 unless authorized by this chapter or by rule of the board.

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976 Section 17. Paragraphs (b), (c), (g), (s), and (t) of  
977 subsection (1) of section 466.028, Florida Statutes, are amended  
978 to read:

979 466.028 Grounds for disciplinary action; action by the  
980 board.—

981 (1) The following acts constitute grounds for denial of a  
982 license or disciplinary action, as specified in s. 456.072(2):

983 (b) Having a license to practice dentistry, dental  
984 therapy, or dental hygiene revoked, suspended, or otherwise  
985 acted against, including the denial of licensure, by the  
986 licensing authority of another state, territory, or country.

987 (c) Being convicted or found guilty of or entering a plea  
988 of nolo contendere to, regardless of adjudication, a crime in  
989 any jurisdiction which relates to the practice of dentistry,  
990 dental therapy, or dental hygiene. A plea of nolo contendere  
991 shall create a rebuttable presumption of guilt to the underlying  
992 criminal charges.

993 (g) Aiding, assisting, procuring, or advising any  
994 unlicensed person to practice dentistry, dental therapy, or  
995 dental hygiene contrary to this chapter or to a rule of the  
996 department or the board.

997 (s) Being unable to practice her or his profession with  
998 reasonable skill and safety to patients by reason of illness or  
999 use of alcohol, drugs, narcotics, chemicals, or any other type  
1000 of material or as a result of any mental or physical condition.



1001 In enforcing this paragraph, the department shall have, upon a  
1002 finding of the State Surgeon General or her or his designee that  
1003 probable cause exists to believe that the licensee is unable to  
1004 practice dentistry, dental therapy, or dental hygiene because of  
1005 the reasons stated in this paragraph, the authority to issue an  
1006 order to compel a licensee to submit to a mental or physical  
1007 examination by physicians designated by the department. If the  
1008 licensee refuses to comply with such order, the department's  
1009 order directing such examination may be enforced by filing a  
1010 petition for enforcement in the circuit court where the licensee  
1011 resides or does business. The licensee against whom the petition  
1012 is filed shall not be named or identified by initials in any  
1013 public court records or documents, and the proceedings shall be  
1014 closed to the public. The department shall be entitled to the  
1015 summary procedure provided in s. 51.011. A licensee affected  
1016 under this paragraph shall at reasonable intervals be afforded  
1017 an opportunity to demonstrate that she or he can resume the  
1018 competent practice of her or his profession with reasonable  
1019 skill and safety to patients.

1020 (t) Fraud, deceit, or misconduct in the practice of  
1021 dentistry, dental therapy, or dental hygiene.

1022 Section 18. Paragraph (g) of subsection (3) of section  
1023 921.0022, Florida Statutes, is amended to read:

1024 921.0022 Criminal Punishment Code; offense severity  
1025 ranking chart.—

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1026	(3)	OFFENSE SEVERITY RANKING CHART		
1027	(g)	LEVEL 7		
1028				
	Florida		Felony	
	Statute		Degree	Description
1029				
	316.027 (2) (c)		1st	Accident involving death, failure to stop; leaving scene.
1030				
	316.193 (3) (c) 2.		3rd	DUI resulting in serious bodily injury.
1031				
	316.1935 (3) (b)		1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.

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1032	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
1033	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1034	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1035	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1036	456.065 (2)	3rd	Practicing a health care profession without a license.
1037	456.065 (2)	2nd	Practicing a health care

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1038			profession without a license which results in serious bodily injury.
	458.327 (1)	3rd	Practicing medicine without a license.
1039			
	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1040			
	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1041			
	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1042			
	462.17	3rd	Practicing naturopathy without a license.
1043			
	463.015 (1)	3rd	Practicing optometry without a license.
1044			
	464.016 (1)	3rd	Practicing nursing without a license.

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1045	465.015 (2)	3rd	Practicing pharmacy without a license.
1046	466.026 (1)	3rd	Practicing dentistry, <u>dental therapy,</u> or dental hygiene without a license.
1047	467.201	3rd	Practicing midwifery without a license.
1048	468.366	3rd	Delivering respiratory care services without a license.
1049	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1050	483.901 (7)	3rd	Practicing medical physics without a license.
1051	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
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1053	484.053	3rd	Dispensing hearing aids without a license.
1054	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
1055	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
1056	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
	655.50 (10) (b) 1.	3rd	Failure to report

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1057	775.21 (10) (a)	3rd	<p>financial transactions exceeding \$300 but less than \$20,000 by financial institution.</p> <p>Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.</p>
1058	775.21 (10) (b)	3rd	<p>Sexual predator working where children regularly congregate.</p>
1059	775.21 (10) (g)	3rd	<p>Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.</p>
1060	782.051 (3)	2nd	<p>Attempted felony murder of a person by a person other than the perpetrator or the</p>

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1061	782.07(1)	2nd	perpetrator of an attempted felony. Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1062	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1063	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1064	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1065	784.045(1)(a)2.	2nd	Aggravated battery;



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1066			using deadly weapon.
	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1067			
	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1068			
	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1069			
	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1070			
	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1071			
	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1072			

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1073	784.081 (1)	1st	Aggravated battery on specified official or employee.
1074	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1075	784.083 (1)	1st	Aggravated battery on code inspector.
1076	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
1077	787.06 (3) (e) 2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1)

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1078			or (2).
1078	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.
1079	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1080	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1081	790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1082	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1083			

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1084	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1085	794.08 (4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
1086	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
1087	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1088	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.

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1089	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
1090	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
1091	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1092	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1092	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.

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1093	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1094	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1095	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
1096	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1097	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical

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1098	812.014 (2) (b) 4.	2nd	equipment; 2nd degree grand theft. Property stolen, law enforcement equipment from authorized emergency vehicle.
1099	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1100	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1101	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1102	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.

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1103	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
1104	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1105	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1106	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1107	817.2341  (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the



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1108			insolvency of that entity.
	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
1109			
	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
1110			
	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1111			
	825.103 (3) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.
1112			
	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm,

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1113			disability, or disfigurement.
	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1114			
	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1115			
	838.015	2nd	Bribery.
1116			
	838.016	2nd	Unlawful compensation or reward for official behavior.
1117			
	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1118			
	838.22	2nd	Bid tampering.
1119			
	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1120			
	843.0855 (3)	3rd	Unlawful simulation of

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1121			legal process.
1121	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1122	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1123	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1124	872.06	2nd	Abuse of a dead human body.
1125	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
1126	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises

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1127	893.13(1)(c)1.	1st	<p>criminal gang-related activity.</p> <p>Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.</p>
1128	893.13(1)(e)1.	1st	<p>Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5., within 1,000 feet of property used for religious services or a</p>

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1129			specified business site.
	893.13 (4) (a)	1st	Use or hire of minor; deliver to minor other controlled substance.
1130			
	893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1131			
	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1132			
	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1133			
	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
1134			
	893.135	1st	Trafficking in hydrocodone, 50 grams or more, less than

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1135	(1) (c) 2.b.	100 grams.
1136	893.135 (1) (c) 3.a.	1st Trafficking in oxycodone, 7 grams or more, less than 14 grams.
1137	893.135 (1) (c) 3.b.	1st Trafficking in oxycodone, 14 grams or more, less than 25 grams.
1138	893.135 (1) (c) 4.b. (I)	1st Trafficking in fentanyl, 4 grams or more, less than 14 grams.
1139	893.135 (1) (d) 1.a.	1st Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
1140	893.135 (1) (e) 1.  893.135 (1) (f) 1.	1st Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.  1st Trafficking in amphetamine, 14 grams or

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			more, less than 28 grams.
1141	893.135	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
	(1) (g) 1.a.		
1142	893.135	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
	(1) (h) 1.a.		
1143	893.135	1st	Trafficking in 1,4- Butanediol, 1 kilogram or more, less than 5 kilograms.
	(1) (j) 1.a.		
1144	893.135	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
	(1) (k) 2.a.		
1145	893.135	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.
	(1) (m) 2.a.		
1146			

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1147	893.135 (1) (m) 2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
1148	893.135 (1) (n) 2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
1149	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1150	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.



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1151	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1152	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1153	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
1154	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1155	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to

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1156	944.607(9)	3rd	<p>address verification;          providing false registration          information.</p> <p>Sexual offender; failure to          comply with reporting          requirements.</p>
1157	944.607(10)(a)	3rd	<p>Sexual offender; failure          to submit to the taking          of a digitized          photograph.</p>
1158	944.607(12)	3rd	<p>Failure to report or          providing false          information about a sexual          offender; harbor or          conceal a sexual offender.</p>
1159	944.607(13)	3rd	<p>Sexual offender; failure to          report and reregister;          failure to respond to address          verification; providing false          registration information.</p>
1160			

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1161	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1162	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1163	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

1165        Section 19. The Department of Health, in consultation with  
 1166 the Board of Dentistry and the Agency for Health Care  
 1167 Administration, shall submit a progress report to the President  
 1168 of the Senate and the Speaker of the House of Representatives by  
 1169 July 1, 2024, and shall submit a final report 3 years after the

1170 first dental therapy license is issued. The reports must include  
1171 all of the following components:

1172 (1) The progress that has been made in this state to  
1173 implement training programs, licensing, and Medicaid  
1174 reimbursement for dental therapists.

1175 (2) Data demonstrating the effects of authorizing the  
1176 practice of dental therapy in this state on:

1177 (a) Patient access to dental services;

1178 (b) The use of primary and preventive dental services in  
1179 underserved regions and populations, including the Medicaid  
1180 population;

1181 (c) Costs to dental providers, patients, dental insurance  
1182 carriers, and the state; and

1183 (d) The quality and safety of dental services.

1184 (3) Specific recommendations for any necessary  
1185 legislative, administrative, or regulatory reforms relating to  
1186 the practice of dental therapy.

1187 (4) Any other information the department deems  
1188 appropriate.

1189 Section 20. This act shall take effect July 1, 2021.