

ENROLLED

CS/HB 1461

2020 Legislature

1
 2 An act relating to health access dental licenses;
 3 reviving, reenacting, and amending s. 466.0067, F.S.,
 4 relating to the application for a health access dental
 5 license; reviving, reenacting, and amending s.
 6 466.00671, F.S., relating to the renewal of such a
 7 license; reviving and reenacting s. 466.00672, F.S.,
 8 relating to the revocation of such a license;
 9 providing for retroactive application; providing an
 10 effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

13
 14 Section 1. Notwithstanding the January 1, 2020, repeal of
 15 section 466.0067, Florida Statutes, that section is revived,
 16 reenacted, and amended, to read:

17 466.0067 Application for health access dental license.—The
 18 Legislature finds that there is an important state interest in
 19 attracting dentists to practice in underserved health access
 20 settings in this state and further, that allowing out-of-state
 21 dentists who meet certain criteria to practice in health access
 22 settings without the supervision of a dentist licensed in this
 23 state is substantially related to achieving this important state
 24 interest. Therefore, notwithstanding the requirements of s.
 25 466.006, the board shall grant a health access dental license to

ENROLLED

CS/HB 1461

2020 Legislature

26 | practice dentistry in this state in health access settings as
 27 | defined in s. 466.003 to an applicant who ~~that~~:

28 | (1) Files an appropriate application approved by the
 29 | board;

30 | (2) Pays an application license fee for a health access
 31 | dental license, laws-and-rule exam fee, and an initial licensure
 32 | fee. The fees specified in this subsection may not differ from
 33 | an applicant seeking licensure pursuant to s. 466.006;

34 | (3) Has not been convicted of or pled nolo contendere to,
 35 | regardless of adjudication, any felony or misdemeanor related to
 36 | the practice of a health care profession;

37 | (4) Submits proof of graduation from a dental school
 38 | accredited by the Commission on Dental Accreditation of the
 39 | American Dental Association or its successor agency;

40 | (5) Submits documentation that she or he has completed, or
 41 | will obtain before ~~prior to~~ licensure, continuing education
 42 | equivalent to this state's requirement for dentists licensed
 43 | under s. 466.006 for the last full reporting biennium before
 44 | applying for a health access dental license;

45 | (6) Submits proof of her or his successful completion of
 46 | parts I and II of the dental examination by the National Board
 47 | of Dental Examiners and a state or regional clinical dental
 48 | licensing examination that the board has determined effectively
 49 | measures the applicant's ability to practice safely;

50 | (7) Currently holds a valid, active, ~~7~~ dental license in

ENROLLED

CS/HB 1461

2020 Legislature

51 | good standing which has not been revoked, suspended, restricted,
52 | or otherwise disciplined from another of the United States, the
53 | District of Columbia, or a United States territory;

54 | (8) Has never had a license revoked from another of the
55 | United States, the District of Columbia, or a United States
56 | territory;

57 | (9) Has never failed the examination specified in s.
58 | 466.006, unless the applicant was reexamined pursuant to s.
59 | 466.006 and received a license to practice dentistry in this
60 | state;

61 | (10) Has not been reported to the National Practitioner
62 | Data Bank, unless the applicant successfully appealed to have
63 | his or her name removed from the data bank;

64 | (11) Submits proof that he or she has been engaged in the
65 | active, clinical practice of dentistry providing direct patient
66 | care for 5 years immediately preceding the date of application,
67 | or in instances when the applicant has graduated from an
68 | accredited dental school within the preceding 5 years, submits
69 | proof of continuous clinical practice providing direct patient
70 | care since graduation; and

71 | (12) Has passed an examination covering the laws and rules
72 | of the practice of dentistry in this state as described in s.
73 | 466.006(4)(a).

74 | Section 2. Notwithstanding the January 1, 2020, repeal of
75 | section 466.00671, Florida Statutes, that section is revived,

ENROLLED

CS/HB 1461

2020 Legislature

76 reenacted, and amended to read:

77 466.00671 Renewal of the health access dental license.—

78 (1) A health access dental licensee shall apply for
 79 renewal each biennium. At the time of renewal, the licensee
 80 shall sign a statement that she or he has complied with all
 81 continuing education requirements of an active dentist licensee.
 82 The board shall renew a health access dental license for an
 83 applicant who ~~that~~:

84 (a) Submits documentation, as approved by the board, from
 85 the employer in the health access setting that the licensee has
 86 at all times pertinent remained an employee;

87 (b) Has not been convicted of or pled nolo contendere to,
 88 regardless of adjudication, any felony or misdemeanor related to
 89 the practice of a health care profession;

90 (c) Has paid a renewal fee set by the board. The fee
 91 specified herein may not differ from the renewal fee adopted by
 92 the board pursuant to s. 466.013. The department may provide
 93 payment for these fees through the dentist's salary, benefits,
 94 or other department funds;

95 (d) Has not failed the examination specified in s. 466.006
 96 since initially receiving a health access dental license or
 97 since the last renewal; and

98 (e) Has not been reported to the National Practitioner
 99 Data Bank, unless the applicant successfully appealed to have
 100 his or her name removed from the data bank.

ENROLLED

CS/HB 1461

2020 Legislature

101 (2) The board may undertake measures to independently
 102 verify the health access dental licensee's ongoing employment
 103 status in the health access setting.

104 Section 3. Notwithstanding the January 1, 2020, repeal of
 105 section 466.00672, Florida Statutes, that section is revived and
 106 reenacted to read:

107 466.00672 Revocation of health access dental license.—

108 (1) The board shall revoke a health access dental license
 109 upon:

110 (a) The licensee's termination from employment from a
 111 qualifying health access setting;

112 (b) Final agency action determining that the licensee has
 113 violated any provision of s. 466.027 or s. 466.028, other than
 114 infractions constituting citation offenses or minor violations;
 115 or

116 (c) Failure of the Florida dental licensure examination.

117 (2) Failure of an individual licensed pursuant to s.
 118 466.0067 to limit the practice of dentistry to health access
 119 settings as defined in s. 466.003 constitutes the unlicensed
 120 practice of dentistry.

121 Section 4. The amendments and reenactments made by this
 122 act to ss. 466.0067, 466.00671, and 466.00672, Florida Statutes,
 123 are remedial in nature and apply retroactively to January 1,
 124 2020.

125 Section 5. This act shall take effect upon becoming a law.