

# SENATE, No. 2567

[July 22, 2010 – Substituted by amendment by the Senate (Ethics and Rules) No. for Senate, No. 891.]

## The Commonwealth of Massachusetts

—————  
In the Year Two Thousand and Ten  
—————

### **AN ACT** RELATIVE TO CERTAIN TEMPORARY REGISTRATIONS AND VOLUNTEER DENTISTRY.

*Be it enacted by the Senate and House of Representatives in General Court assembled,*

*And by the authority of the same, as follows:*

1           **SECTION 1.** Chapter 112 of the General Laws is hereby amended by inserting after  
2 section 45A the following 2 sections:-

3           Section 45B. An applicant for temporary registration under this section who is 18 years  
4 of age or over and of good moral character who shall furnish the board with satisfactory proof  
5 that he has received a diploma from the faculty of a reputable dental college as defined in section  
6 46 and who shall furnish the board with satisfactory proof that he is receiving or providing  
7 continuing education or training in a private or commercial dental facility or dental convention  
8 that is approved for those purposes by the American Dental Association, the Academy of  
9 General Dentistry, a similar organization or an institution of higher education, may, upon  
10 payment of a fee to be determined annually by the commissioner of administration under section  
11 3B of chapter 7 be registered by the board as a temporary registrant for 2 years. The temporary

12 registration shall entitle the applicant to practice dentistry only in the facility designated on his  
13 registration and under the direction of a registered dentist employed therein. Temporary  
14 registration under this section may be revoked at any time by the board and a holder of a  
15 temporary registration shall not practice dentistry in a private or commercial dental facility or  
16 dental convention other than in connection with the aforementioned continuing education  
17 training.

18 Section 45C. (a) The board may grant to or renew a certificate of registration of a dentist  
19 qualified for registration or renewal of the same under this chapter without payment of a fee;  
20 provided, that the dentist has agreed to restrict his practice to that of a volunteer practitioner in a  
21 specified free care program operated by a nonprofit organization. The scope of practice of a  
22 dentist whose certificate of registration is granted or renewed pursuant to this section may be  
23 restricted as the board may provide by regulation.

24 (b) In order to qualify for a license for volunteer practice, an applicant shall meet the  
25 requirements for a regular license under this chapter, in addition to the requirements of this  
26 section. An applicant shall submit to the board a completed application on a form prescribed by  
27 the board and any additional information that the board requests. An applicant shall agree to the  
28 conditions on practice promulgated by the board.

29 (c) The board's application form for a license for volunteer practice shall include a  
30 request for the following information:

31 (1) a written statement from the applicant outlining the scope and duration of services  
32 to be provided by the applicant;

33 (2) a written statement from the director of the applicant's proposed work site  
34 outlining the scope and duration of the applicant's responsibilities; and

35 (3) evidence satisfactory to the board that, in the proposed work site, the volunteer  
36 dentist will be serving without compensation and providing free dental care to a low-  
37 income community, or a community with limited access to dental care.

38 (d) If an applicant has met all of the requirements of this section to the satisfaction of the  
39 board, the applicant shall be granted a license for volunteer practice and entitled to a certificate  
40 of registration signed by the chairman and the secretary of the board. A licensee engaged in  
41 volunteer practice may practice dentistry only at a work site approved in conjunction with his  
42 license application; shall be subject to the same conditions and responsibilities as a regular  
43 licensee; and may not accept any compensation for the practice of dental medicine.

44 **SECTION 2.** The board of registration in dentistry shall promulgate regulations  
45 necessary to carry out section 1 not later than 3 months following the effective date of this act.

46 **SECTION 3.** The commissioner of public health, or his designee, shall study the impact  
47 of the Federal Volunteer Protection Act of 1997 and the Free Clinics Federal Tort Claims Act  
48 Medical Malpractice Program on health care volunteers in the commonwealth. The  
49 commissioner shall also review ways in which the commonwealth may act to provide legal  
50 counsel and defense to volunteers who may be eligible for the protections afforded in the  
51 Volunteer Protection Act of 1997 or the Free Clinics Federal Tort Claims Act Medical  
52 Malpractice Program.

53 The commissioner shall report to the general court the results of the investigation and  
54 study and his recommendations, if any, together with drafts of legislation necessary to carry its  
55 recommendations into effect by filing the same with the clerk of the senate and the joint  
56 committee on health care no later than December 31, 2010.