

**SENATE . . . . . No. 891**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Marc R. Pacheco**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to volunteer dentistry.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Marc R. Pacheco	First Plymouth and Bristol
John W. Scibak	2nd Hampshire
Harriette L. Chandler	First Worcester
Susan C. Tucker	Second Essex and Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S01323 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT RELATIVE TO 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. Said chapter 112 is hereby further amended by inserting after section 45A, as so  
2 appearing, the following section: -

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

8           (b) In order to qualify for a license for volunteer practice, an applicant shall meet the  
9 requirements for a regular license under this chapter, in addition to the requirements set forth below. An  
10 applicant shall submit to the board a completed application on a form prescribed by the board and any  
11 additional information that the board requests. An applicant shall agree to the conditions on practice  
12 promulgated by the board.

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

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

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

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

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

28 SECTION 2. The board of registration in dentistry shall promulgate regulations to carry out  
29 section 2 not later than 3 months following the effective date of this act.

30 SECTION 3. The commissioner of public health, or his designee, shall study the impact of the  
31 Federal Volunteer Protection Act of 1997 and the Free Clinics Federal Tort Claims Act Medical  
32 Malpractice Program on health care volunteers in the commonwealth. The commissioner shall review  
33 ways in which the commonwealth may act to provide legal counsel and defense to volunteers who may be  
34 eligible for the protections afforded in the Volunteer Protection Act of 1997 or the Free Clinics Federal  
35 Tort Claims Act Medical Malpractice Program. The commissioner shall report the results of the review by

36 filing the same with the joint committee on health care, together with recommendation for legislation, if  
37 any, by December 31, 2007.