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No. 1660

H.P. 1231

House of Representatives, May 5, 2021

An Act To Modify Dental Licensure Requirements To Consider Credentialed Individuals from Other Jurisdictions

(AFTER DEADLINE)

(EMERGENCY)

Submitted by the Department of Professional and Financial Regulation and approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Received by the Clerk of the House on May 3, 2021. Referred to the Committee on Health Coverage, Insurance and Financial Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative TEPLER of Topsham.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** the sole purpose of the Board of Dental Practice is to protect the public
4 health and welfare by ensuring that the public is served by competent and honest
5 practitioners and by establishing minimum standards of proficiency; and

6 **Whereas,** the sole reliance on the accreditation status provided by the American
7 Dental Association Commission on Dental Accreditation to doctoral degree programs in
8 dentistry and dental hygiene degree programs has created unnecessary barriers for
9 otherwise qualified applicants to obtain licensure in dentistry and dental hygiene; and

10 **Whereas,** the sole reliance on licensure in good standing from another state or
11 Canadian province has created unnecessary barriers for otherwise qualified applicants from
12 other jurisdictions to obtain licensure under the Dental Practice Act; and

13 **Whereas,** immediate enactment of this legislation is necessary to give the Board of
14 Dental Practice statutory authority to consider on a case-by-case basis an applicant's
15 educational equivalency in meeting the educational qualifications for licensure and to
16 consider on a case-by-case basis an applicant's licensure in good standing from another
17 jurisdiction; and

18 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
19 the meaning of the Constitution of Maine and require the following legislation as
20 immediately necessary for the preservation of the public peace, health and safety; now,
21 therefore,

22 **Be it enacted by the People of the State of Maine as follows:**

23 **Sec. 1. 32 MRSA §18342, sub-§1, ¶A,** as enacted by PL 2015, c. 429, §21, is
24 amended to read:

25 A. Verification of either a doctoral degree in dentistry from a dental school program
26 accredited by the American Dental Association Commission on Dental Accreditation
27 or its successor organization or the educational equivalent of a doctoral degree in
28 dentistry, as required determined by the board rule; and

29 **Sec. 2. 32 MRSA §18342, sub-§2, ¶A,** as enacted by PL 2015, c. 429, §21, is
30 amended to read:

31 A. Verification of an active dental license in good standing issued under the laws of
32 another state ~~or a Canadian province,~~ a United States territory, a foreign nation or a
33 foreign administrative division that issues licenses in the dental professions; and

34 **Sec. 3. 32 MRSA §18342, sub-§3, ¶A,** as enacted by PL 2015, c. 429, §21, is
35 amended to read:

36 A. Verification of either a doctoral degree in dentistry from a dental school program
37 accredited by the American Dental Association Commission on Dental Accreditation
38 or its successor organization or the educational equivalent of a doctoral degree in
39 dentistry, as required determined by the board rule;

40 **Sec. 4. 32 MRSA §18342, sub-§3, ¶B,** as enacted by PL 2015, c. 429, §21, is
41 amended to read:

1 B. Verification that the applicant has been licensed as a dentist in good standing issued
2 under the laws of this State or has an active dental license in good standing issued under
3 the laws of another state ~~or a Canadian province~~, a United States territory, a foreign
4 nation or a foreign administrative division that issues licenses in the dental professions;

5 **Sec. 5. 32 MRSA §18344, sub-§1, ¶B**, as corrected by RR 2015, c. 2, §22, is
6 amended by amending subparagraph (3) to read:

7 (3) An active dental hygiene license in good standing issued under the laws of
8 another state ~~or a Canadian province~~, a United States territory, a foreign nation or
9 a foreign administrative division that issues licenses in the dental professions;

10 **Sec. 6. 32 MRSA §18345, sub-§1, ¶A**, as amended by PL 2017, c. 388, §9, is
11 further amended by amending subparagraph (1) to read:

12 (1) Verification of an associate degree or higher in dental hygiene from a program
13 accredited by the American Dental Association Commission on Dental
14 Accreditation; or its successor organization or the educational equivalent of a
15 dental hygiene degree, as determined by the board; or

16 **Sec. 7. 32 MRSA §18345, sub-§3, ¶A**, as enacted by PL 2015, c. 429, §21, is
17 amended to read:

18 A. Verification of an active dental hygiene license in good standing issued under the
19 laws of another state ~~or a Canadian province~~, a United States territory, a foreign nation
20 or a foreign administrative division that issues licenses in the dental professions; and

21 **Sec. 8. 32 MRSA §18346, sub-§2, ¶A**, as enacted by PL 2015, c. 429, §21, is
22 amended to read:

23 A. Verification of an active denturist license in good standing issued under the laws
24 of another state ~~or a Canadian province~~, a United States territory, a foreign nation or a
25 foreign administrative division that issues licenses in the dental professions; and

26 **Sec. 9. 32 MRSA §18347**, as enacted by PL 2015, c. 429, §21, is amended to read:

27 **§18347. Endorsement; applicants authorized to practice in another jurisdiction**

28 The board is authorized, at its discretion, to waive the examination requirements and
29 issue a license or grant an authority to an applicant who is licensed under the laws of another
30 state ~~or a Canadian province~~, a United States territory, a foreign nation or a foreign
31 administrative division that issues licenses in the dental professions who furnishes proof,
32 satisfactory to the board, that the requirements for licensure under this chapter have been
33 met. Applicants must comply with the provisions set forth in section 18341.

34 **1. Applicants licensed in another jurisdiction.** An applicant for licensure or seeking
35 authority under this chapter who is licensed under the laws of another jurisdiction is
36 governed by this subsection.

37 A. An applicant who is licensed in good standing at the time of application to the board
38 under the laws of another state ~~or a Canadian province~~, a United States territory, a
39 foreign nation or a foreign administrative division that issues licenses in the dental
40 professions may qualify for licensure by submitting evidence to the board that the
41 applicant has held a substantially equivalent, valid license for at least 3 consecutive

1 years immediately preceding the application to the board at the level of licensure
2 applied for in this State.

3 B. An applicant who does not meet the requirements of paragraph A but is licensed in
4 good standing at the time of application to the board under the laws of another state or
5 a Canadian province, a United States territory, a foreign nation or a foreign
6 administrative division that issues licenses in the dental professions may qualify for
7 licensure by submitting evidence satisfactory to the board that the applicant's
8 qualifications for licensure are substantially similar to the requirements in this chapter
9 for the relevant license.

10 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
11 takes effect when approved.

12 **SUMMARY**

13 This bill authorizes the Board of Dental Practice on a case-by-case basis to grant
14 licensure to otherwise qualified applicants for dentist licenses, limited dentist licenses and
15 dental hygienist licenses who did not obtain either a doctoral degree in dentistry or a dental
16 hygiene degree from a program accredited by the American Dental Association
17 Commission on Dental Accreditation by authorizing the board to consider educational
18 equivalency in determining the educational qualifications. It also authorizes the Board of
19 Dental Practice on a case-by-case basis to grant licensure to otherwise qualified applicants
20 for dentist faculty licenses, limited dentist licenses, expanded function dental assistant
21 licenses, faculty dental hygiene licenses, faculty denturist licenses and licenses under the
22 Dental Practice Act endorsement provision who are licensed in good standing in a United
23 States territory, a foreign nation or a foreign administrative division that issues licenses in
24 the dental professions.