

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3931S.02I
 Bill No.: SB 778
 Subject: Compacts; Dentists; Licenses - Miscellaneous; Professional Registration and
 Licensing
 Type: Original
 Date: January 9, 2024

Bill Summary: This proposal establishes provisions relating to the licensure of dentists and dental hygienists, including license reciprocity and the dental and dental hygienist compact.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Dental Board Fund (0677)	\$0 or (\$3,000 - \$6,000)	\$0 or (\$3,000 - \$6,000)	\$0 or (\$3,000 - \$6,000)
Total Estimated Net Effect on <u>Other</u> State Funds	\$0 or (\$3,000 - \$6,000)	\$0 or (\$3,000 - \$6,000)	\$0 or (\$3,000 - \$6,000)

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2025	FY 2026	FY 2027
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Section 332.700 – Dental and Dental Hygienist Compact

Officials from the **Department of Commerce and Insurance (DCI)** state that it is uncertain if the compact would be enacted in FY '25, FY '26 or FY '27. Once the compact is enacted, the Missouri Dental Board could be required to pay fees charged to member states including an annual assessment to cover costs of operations and activities of the compact commission. Costs are unknown at this time.

Oversight notes in response to similar legislation from 2023 (SB 70) (the Counseling Interstate Compact), DCI estimated a cost of \$3,000 - \$6,000 in annual fees to participate in the compact if the compact were to be enacted.

Therefore, **Oversight** will reflect the estimated fiscal impact as a range of \$0 (the compact is not enacted) to \$3,000 - \$6,000 (the compact is enacted) to the Dental Board Fund (0677).

Rule Promulgation

Officials from the **Joint Committee on Administrative Rules** assume this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

Officials from the **Office of the Secretary of State (SOS)** note many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$5,000. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with its core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

<u>FISCAL IMPACT – State Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
DENTAL BOARD FUND (0677)			
<u>Cost – DCI</u> Dental and Dental Hygienist Compact Fees	<u>\$0 or (\$3,000- \$6,000)</u>	<u>\$0 or (\$3,000- \$6,000)</u>	<u>\$0 or (\$3,000- \$6,000)</u>
ESTIMATED NET EFFECT TO THE DENTAL BOARD FUND (0677)	<u>\$0 or (\$3,000- \$6,000)</u>	<u>\$0 or (\$3,000- \$6,000)</u>	<u>\$0 or (\$3,000- \$6,000)</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

Licensed Dentist and Dental Hygienist could have a direct fiscal impact as a result of this proposal.

FISCAL DESCRIPTION

This act establishes provisions relating to licensure of dentists and dental hygienists, including license reciprocity and the Dental and Dental Hygienist Compact.

Current law provides that the Missouri Dental Board ("Board") shall grant without examination a license to a dentist who has been licensed in another state for at least five consecutive years immediately preceding the application for licensure in this state if the Board is satisfied that the qualifications are at least equivalent to the Missouri licensure requirements. Additionally, current law provides that the Board shall grant without examination a license to a dental hygienist who has been licensed in another state for at least two consecutive years immediately preceding the application for licensure in this state if the Board is satisfied that the qualifications are at least equivalent to the Missouri licensure requirements.

This act repeals this provision and provides the Board shall waive, within six months, any examination, educational, or experience requirements for licensure to any person who holds a valid current dentist, dental specialist, or dental hygienist license issued by another state or

territory of the United States or a branch or unit of the Armed Forces of the United States for at least one year if it determines that the person met the minimum requirements of the other state. The Board may require an applicant to take and pass an examination specific to Missouri law. For military spouses with licensure in another state, the Board shall waive such examination, educational, or experience requirements and issue a license within thirty days.

The Board shall not waive any examination, educational, or experience requirements for any person who has a revoked license, is currently under investigation or disciplinary action, has a complaint pending, does not hold a license in good standing, has a criminal record which would disqualify from licensure in this state, or does not hold a valid current license in the other jurisdiction on the date of receipt by the Board of his or her application.

This act establishes the Dental and Dental Hygienist Compact ("the Compact"), which facilitates the interstate practice of dentistry and dental hygiene and provides for dentists and dental hygienists licensed in a participating state the ability to practice in other participating states. The Compact sets forth the requirements to be met in order for a state to join and the requirements for a dentist or dental hygienist to obtain and exercise the ability to practice in other participating states.

The Compact further provides that a dentist or dental hygienist with compact privilege shall function within the scope of practice authorized by the participating state in which they seek to practice and shall be subject to that state's regulatory authority. A dentist or dental hygienist whose privilege in a participating state is encumbered or removed is not eligible for compact privilege in other participating state until the encumbrance or removal has passed and all requirements are met.

Additionally, the Compact creates a joint government agency ("the Commission") and provides for its powers and duties, including the development and maintenance of a coordinated database and reporting system containing licensure, adverse actions, and investigative information on all licensees and applicants.

Furthermore, the Compact shall come into effect on the date in which the seventh state enacts the Compact into law. Any participating state may withdraw from the Compact by repealing the Compact, but such withdrawal shall not take effect until 180 days after the enactment of the repeal. Finally, the Compact shall be binding upon participating states and shall supersede any conflict with state law.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

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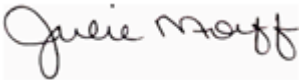
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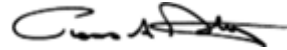
January 9, 2024

SOURCES OF INFORMATION

Department of Commerce and Insurance
Office of the Secretary of State
Joint Committee on Administrative Rules



Julie Morff
Director
January 9, 2024



Ross Strobe
Assistant Director
January 9, 2024