



**ARIZONA STATE SENATE**  
*Fifty-Sixth Legislature, Second Regular Session*

**AMENDED**  
FACT SHEET FOR S.B. 1159

~~technical correction; home health agencies~~  
(NOW: dentists; restricted permits; continuing education)

Purpose

Allows a person to apply for a restricted dental permit if the person will be practicing dentistry for educational purposes in connection with and while enrolled in a continuing dental education program recognized by the Arizona Board of Dental Examiners (BODEX).

Background

A person may be granted a restricted dental permit if the person demonstrates to BODEX that the person: 1) has a pending contract with a recognized charitable dental clinic or organization that offers dental services without compensation or at a rate that only reimburses the clinic for dental supplies and overhead costs, and the applicant receives no compensation for dental services; 2) has a license to practice dentistry in another state or territory of United States; 3) has been actively engaged, for at least three years immediately preceding the application, in the practice of dentistry, an approved dental residency training program or equivalent postgraduate training; 4) is competent and proficient to practice dentistry; and 5) hold a degree in dental medicine or dental surgery from a recognized dental school ([A.R.S. § 32-1237](#)). A restricted permittee may practice dentistry only in the course of employment by a recognized charitable dental clinic or organization, on specified conditions ([A.R.S. § 32-1239](#)).

*Recognized continuing dental education* means a program whose content directly relates to the art and science of oral health and treatment that is: 1) provided by a recognized dental school, dental therapy school, dental hygiene school or denturist school; 2) is sponsored by a national or state dental, dental therapy, dental hygiene or denturist association, the American Dental Association Continuing Education Recognition Program, the Academy of General Dentistry Program Approval for Continuing Education, a dental, dental therapy, dental hygiene or denturist Study Club, governmental agency, commercial dental supplier, non-profit organization or accredited hospital; or 3) programs or courses approved by other state, district or territorial dental licensing boards ([A.A.C. R4-11-101](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires a dentist practicing in concert with a recognized continuing dental education program to:
  - a) not receive compensation for provided dental services;

- b) be subject to the jurisdiction and discipline of BODEX to the same extent as licensed dentists; and
  - c) file a restricted permit application with the recognized continuing dental education program before providing any dental care or services.
2. Requires the continuing dental education program to retain the dentist's restricted permit for at least five years.
  3. Requires recognized continuing dental education providers, before commencing education, to notify BODEX of the restricted permit applicants accepted that meet all requirements for licensure and for BODEX to acknowledge receipt within five business days.
  4. Specifies that acknowledgement of receipt of the list of accepted restricted permit applicants in a continuing dental education program serves as the issuance of an applicable restricted permit.
  5. Allows a person to apply for a restricted dental permit if the person demonstrates to BODEX that the person will be practicing for educational purposes in connection with and while enrolled in a recognized continuing dental education program and meets other prescribed criteria.
  6. Requires BODEX to issue a restricted permit within 30 days of the date of receipt of a completed application that meets all requirements.
  7. Removes the stipulation that the length of a restricted permit, issued without examination or payment of a fee, be limited to the following June 30, if it is less than one year away.
  8. Allows a restricted permittee enrolled in a continuing dental education program to practice dentistry only in connection with and while enrolled in the program.
  9. Prohibits restricted permittees operating in connection with a continuing dental education program from receiving any compensation for charitable dental services provided to an organization exempted from taxes under section 501(c)(3) of the Internal Revenue Code.
  10. Prohibits restricted permittees practicing in concert with a recognized continuing dental education program from providing dental care to any person whose primary residence is:
    - a) an emergency shelter;
    - b) an institution that provides temporary residence to individuals intended to be institutionalized; or
    - c) a public or private place that is not designed for or used as a regular sleeping accommodation for humans.
  11. Specifies that statute does not prohibit a dentist who holds an active, unrestricted license in a state, territory or possession of the United States from practicing for educational purposes in connection with a continuing dental education program recognized by BODEX
  12. Subjects restricted permittees to BODEX jurisdiction and discipline for all care and services provided under the permit.

13. Requires BODEX to waive the Arizona jurisprudence examination fee for candidates applying for a restricted permit.
14. Requires BODEX to waive the fingerprint clearance card requirements for restricted permit applicants who will be practicing for education purposes in connection with and while enrolled in a recognized continuing dental education program.
15. States that *recognized continuing dental education* means continuing dental education as prescribed by BODEX in rule.
16. Makes technical and conforming changes.
17. Becomes effective on the general effective date.

Amendments Adopted by Committee

- Adopted the strike-everything amendment.

Amendments Adopted by Committee of the Whole

1. Prohibits restricted permittees practicing in concert with a recognized continuing dental education program from providing dental care to any person whose primary residence is:
  - a) an emergency shelter;
  - b) an institution that provides temporary residence to individuals intended to be institutionalized; or
  - c) a public or private place that is not designed for or used as a regular sleeping accommodation for humans.
2. States that *recognized continuing dental education* means continuing dental education as prescribed by BODEX in rule.

Senate Action

HHS            2/13/24    DPA/SE    5-2-0

Prepared by Senate Research

March 6, 2024

MM/slp