



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

Senate: HHS DPA/SE 5-2-0-0 | 3rd Read 16-12-2-0

SB 1159: dentists; restricted permits; continuing education

Sponsor: Senator Shamp, LD 29

Committee on Health & Human Services

Overview

Permits 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 State Board of Dental Examiners (BODEX).

History

BODEX regulates and licenses dental professionals, including dentists, dental hygienists, dental consultants, dental therapists and denturists. Additionally, the Board reviews complaints against licensees and business entities, conducts investigations and is authorized to take disciplinary action for violations of state laws relating to the profession (A.R.S. §§ [32-1201](#) through [32-1299.26](#)).

BODEX may grant a restricted dental permit to an applicant that: 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. Restricted permittees are allowed to practice dentistry only in the course of employment by a recognized charitable dental clinic or organization on certain conditions (A.R.S. §§ [32-1237](#) and [32-1239](#)).

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

Provisions

1. Specifies that a dentist practicing in connection with a recognized continuing dental education program:

- a) may not receive compensation for provided dental services;
 - b) is subject to the jurisdiction and discipline of BODEX to the same extent as licensed dentists; and
 - c) must file a restricted permit application with the recognized continuing dental education program before providing any dental care or services. (Sec. 2)
2. Prohibits restricted permittees practicing in connection 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. (Sec. 2)
 3. Requires the provider of the recognized continuing dental education to retain the dentist's restricted permit application for a period of at least five years. (Sec. 2)
 4. Clarifies that this does not preclude a dentist practicing in connection with a recognized dental education program from providing dental care or services to a person who is participating in a long-term recovery or rehabilitative program. (Sec. 2)
 5. Directs BODEX to waive the Arizona jurisprudence examination fee for candidates applying for a restricted permit. (Sec. 3)
 6. Directs 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. (Sec. 3)
 7. Instructs 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. (Sec. 4)
 8. Permits a person to apply for a restricted permit if the applicant demonstrates to BODEX that the person will be practicing for educational purposes in connection with and while enrolled in recognized continuing dental education and meets other outlined requirements. (Sec. 4)
 9. Directs BODEX to issue a restricted permit within 30 days after the date BODEX receives a complete application that meets all requirements. (Sec. 5)
 10. States that acknowledgment from BODEX serves as the issuance of a restricted permit to an applicant who will be practicing for educational purposes in connection with and while enrolled in recognized continuing dental education. (Sec. 5)
 11. Repeals 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. (Sec. 5)
 12. Permits restricted permittees to practice dentistry only for educational purposes in connection with and while enrolled in recognized dental education. (Sec. 6)
 13. Requires a restricted permittee to file a copy of their confirmation of enrollment with recognized continuing dental education which contains specified provisions. (Sec. 6)

14. Forbids restricted permittees operating in connection with a continuing dental education program from receiving any compensation for charitable dental services provided to an organization exempt from taxes under section 501(c)(3) of the Internal Revenue Code. (Sec. 6)
15. Asserts that restricted permittees are subject to BODEX's jurisdiction and discipline for all care and services provided under the permit. (Sec. 6)
16. Defines *recognized continuing dental education*. (Sec. 1)
17. Makes technical and conforming changes. (Sec. 1-3, 5 and 6)

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note