

**SENATE BILL No. 121**

By Committee on Public Health and Welfare

2-1

1 AN ACT concerning health professions and practices; relating to the  
2 regulation of dentists; Kansas dental board; disciplinary action;  
3 licensure; updating certain provisions of the Kansas dental practices  
4 act; amending K.S.A. 65-1430 and 65-1467 and repealing the existing  
5 sections.  
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 New Section 1. (a) The Kansas dental board may take any of the  
9 actions provided in K.S.A. 65-1436(b), and amendments thereto, with  
10 respect to any dental license for the failure by the treating dentist, prior to  
11 the initial diagnosis and correction of malpositions of human teeth or  
12 initial use of orthodontic appliances, to perform an examination including  
13 the review of the patient's most recent diagnostic digital or conventional  
14 radiographs or other equivalent bone imaging suitable for orthodontia.  
15 New radiographs or other equivalent bone imaging shall be ordered by the  
16 treating dentist unless the patient has had radiographs or other equivalent  
17 bone imaging performed within the previous six months.

18 (b) The provisions of this section shall be a part of and supplemental  
19 to the Kansas dental practices act.

20 Sec. 2. K.S.A. 65-1430 is hereby amended to read as follows: 65-  
21 1430. Every practitioner of dentistry within the meaning of this act shall  
22 post and keep conspicuously displayed the dentist's name, license and  
23 current license renewal certificate in each office in which the dentist  
24 practices, in plain sight of patients, and if there is more than one dentist  
25 practicing or employed in any office the manager or proprietor of such  
26 office shall post or display, or cause to be posted and displayed, in like  
27 manner the name and license of each dentist so practicing or employed in  
28 such office. *If a licensed dentist is providing dental services outside a  
29 dental office, each patient shall be provided with the dentist's name,  
30 contact telephone number, after hours contact information for emergencies  
31 and, upon the patient's request, the dentist's license information.*

32 Sec. 3. K.S.A. 65-1467 is hereby amended to read as follows: 65-  
33 1467. (a) Any complaint or report, record or other information relating to a  
34 complaint ~~which~~ *that* is received, obtained or maintained by the Kansas  
35 dental board shall be confidential and shall not be disclosed by the board  
36 or its employees in a manner ~~which~~ *that* identifies or enables identification

1 of the person who is the subject or source of the information except the  
2 information may be disclosed:

3 (1) In any proceeding conducted by the board under the law or in an  
4 appeal of an order of the board entered in a proceeding, or to any party to a  
5 proceeding or appeal or the party's attorney;

6 (2) to the person who is the subject of the information or to any  
7 person or entity when requested by the person who is the subject of the  
8 information, but the board may require disclosure in such a manner that  
9 will prevent identification of any other person who is the subject or source  
10 of the information; *or*

11 (3) to a state or federal licensing, regulatory or enforcement agency  
12 with jurisdiction over the subject or the information or to an agency with  
13 jurisdiction over acts or conduct similar to acts or conduct which would  
14 constitute grounds for action under this act. Any confidential complaint or  
15 report, record or other information disclosed by the board as authorized by  
16 this section shall not be redisclosed by the receiving agency except as  
17 otherwise authorized by law.

18 (b) *A dentist or contract for dental services shall not require a patient*  
19 *to sign an agreement that attempts to limit the patient's ability to file a*  
20 *complaint with the Kansas dental board.*

21 (c) This section shall be a part of and supplemental to the Kansas  
22 dental practices act.

23 Sec. 4. K.S.A. 65-1430 and 65-1467 are hereby repealed.

24 Sec. 5. This act shall take effect and be in force from and after its  
25 publication in the statute book.