

Regular Session, 2010

HOUSE BILL NO. 440

BY REPRESENTATIVE MILLS

DENTISTRY: Establishes a deadline for the adoption of rules by the La. State Board of Dentistry

1 AN ACT

2 To enact R.S. 37:796(E) and (F), relative to the Louisiana State Board of Dentistry; to  
3 establish a deadline for the adoption of rules by the Louisiana State Board of  
4 Dentistry; to provide for the removal of board members for the failure to timely  
5 adopt rules relating to the provision of dental services at mobile dental clinics and  
6 locations other than the dental office; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 37:796(E) and (F) are hereby enacted to read as follows:

9 §796. Louisiana State Board of Dentistry; adoption of rules relating to the  
10 providing of dental services at mobile dental clinics and locations other than  
11 the dental office

12 \* \* \*

13 E. The rules provided for by this Section shall be adopted by January 1,  
14 2011.

15 F. Notwithstanding any other provision of law to the contrary, the failure to  
16 adopt rules as provided by the provisions of Subsection B of this Section by January  
17 1, 2011, shall be grounds for the immediate removal of the members of the Louisiana  
18 State Board of Dentistry.

19 Section 2. This Act shall become effective upon signature by the governor or, if not  
20 signed by the governor, upon expiration of the time for bills to become law without signature  
21 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 2 effective on the day following such approval.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Mills

HB No. 440

**Abstract:** Requires the La. State Board of Dentistry to adopt rules by Jan. 1, 2011, or be subject to penalty.

Present law requires the La. State Board of Dentistry to adopt rules relative to providing dental services at mobile dental clinics and locations other than the dental office. Specifies that the rules must include but not be limited to the following:

- (1) Guidelines and criteria for the permitting of dentists who wish to provide dental services at mobile dental clinics and locations other than their office.
- (2) Guidelines and criteria for recordkeeping regarding the services provided.
- (3) Guidelines and criteria for the practice standards and the types of dental services which may be provided at mobile dental clinics and locations other than the dental office.
- (4) Guidelines and criteria requiring a signed consent form from the parent or guardian prior to providing dental services to a minor.
- (5) Guidelines and criteria providing for parental consultation and involvement regarding the provision of dental services to a minor.
- (6) Guidelines and criteria regarding the equipment and standards which shall be maintained in order to provide dental services at mobile dental clinics and locations offering dental services other than the dental office.
- (7) Provisions for the inspection of mobile dental clinics and locations offering dental services other than the dental office by the La. State Board of Dentistry.
- (8) Guidelines and criteria for the disposal of infectious waste associated with providing dental services at mobile dental clinics and locations other than the dental office.

Specifies that all the rules shall be adopted in accordance with the Administrative Procedure Act. Further, provides that present law shall not be construed to prohibit the La. State Board of Dentistry from adopting emergency rules as otherwise provided for in the Administrative Procedure Act.

Proposed law requires the adoption of the rules established in present law by Jan. 1, 2011. Proposed law also provides that the failure to adopt the rules by Jan. 1, 2011, are grounds for the immediate removal of the members of the La. State Board of Dentistry.

Effective upon signature of governor or lapse of the time for gubernatorial action.

(Adds R.S. 37:796(E) and (F))