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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 785

02/07/2019 Authored by Zerwas The bill was read for the first time and referred to the Committee on Health and Human Services Policy

1.1 A bill for an act
1.2 relating to health-related licensing boards; creating emeritus dental licensure;
1.3 clarifying general practice residency requirements; making technical changes;
1.4 amending Minnesota Statutes 2018, sections 150A.06, subdivision 3, by adding
1.5 subdivisions; 150A.091, by adding subdivisions.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2018, section 150A.06, subdivision 3, is amended to read:

1.8 Subd. 3. Waiver of examination. (a) All or any part of the examination for dentists,
1.9 dental therapists, dental hygienists, or dental assistants, except that pertaining to the law of
1.10 Minnesota relating to dentistry and the rules of the board, may, at the discretion of the board,
1.11 be waived for an applicant who presents a certificate of having passed all components of
1.12 the National Board Dental Examinations or evidence of having maintained an adequate
1.13 scholastic standing as determined by the board.

1.14 (b) The board shall waive the clinical examination required for licensure for any dentist
1.15 applicant who is a graduate of a dental school accredited by the Commission on Dental
1.16 Accreditation, who has passed all components of the National Board Dental Examinations,
1.17 and who has satisfactorily completed a Minnesota-based postdoctoral general dentistry
1.18 residency program (GPR) or an advanced education in general dentistry (AEGD) program
1.19 after January 1, 2004. The postdoctoral program must be accredited by the Commission on
1.20 Dental Accreditation, be of at least one year's duration, and include an outcome assessment
1.21 evaluation assessing the resident's competence to practice dentistry. The board may require
1.22 the applicant to submit any information deemed necessary by the board to determine whether
1.23 the waiver is applicable.

2.1 Sec. 2. Minnesota Statutes 2018, section 150A.06, is amended by adding a subdivision to
2.2 read:

2.3 Subd. 10. **Emeritus inactive license.** A person licensed to practice dentistry, dental
2.4 therapy, dental hygiene, or dental assisting pursuant to section 150A.05 or Minnesota Rules,
2.5 part 3100.8500, who retires from active practice in the state may apply to the board for
2.6 emeritus inactive licensure. An application for emeritus inactive licensure may be made on
2.7 the biennial licensing form or by petitioning the board, and the applicant must pay a onetime
2.8 application fee pursuant to section 150A.091, subdivision 19. In order to receive emeritus
2.9 inactive licensure, the applicant must be in compliance with board requirements and cannot
2.10 be the subject of current disciplinary action resulting in suspension, revocation,
2.11 disqualification, condition, or restriction of the licensee to practice dentistry, dental therapy,
2.12 dental hygiene, or dental assisting. An emeritus inactive license is not a license to practice,
2.13 but is a formal recognition of completion of a person's dental career in good standing.

2.14 **EFFECTIVE DATE.** This section is effective July 1, 2019.

2.15 Sec. 3. Minnesota Statutes 2018, section 150A.06, is amended by adding a subdivision to
2.16 read:

2.17 Subd. 11. **Emeritus active licensure.** (a) A person licensed to practice dentistry, dental
2.18 therapy, dental hygiene, or dental assisting may apply for an emeritus active license if the
2.19 person is retired from active practice, is in compliance with board requirements, and is not
2.20 the subject of current disciplinary action resulting in suspension, revocation, disqualification,
2.21 condition, or restriction of the license to practice dentistry, dental therapy, dental hygiene,
2.22 or dental assisting.

2.23 (b) An emeritus active licensee may engage only in the following types of practice:

2.24 (1) pro bono or volunteer dental practice;

2.25 (2) paid practice not to exceed 500 hours per calendar year for the exclusive purpose of
2.26 providing licensing supervision to meet the board's requirements; or

2.27 (3) paid consulting services not to exceed 500 hours per calendar year.

2.28 (c) An emeritus active licensee shall not hold out as a full licensee and may only hold
2.29 out as authorized to practice as described in this subdivision. The board may take disciplinary
2.30 or corrective action against an emeritus active licensee based on violations of applicable
2.31 law or board requirements.

3.1 (d) A person may apply for an emeritus active license by completing an application form
 3.2 specified by the board and must pay the application fee pursuant to section 150A.091,
 3.3 subdivision 20.

3.4 (e) If an emeritus active license is not renewed every two years, the license expires. The
 3.5 renewal date is the same as the licensee's renewal date when the licensee was in active
 3.6 practice. In order to renew an emeritus active license, the licensee must:

3.7 (1) complete an application form as specified by the board;

3.8 (2) pay the required renewal fee pursuant to section 150A.091, subdivision 20; and

3.9 (3) report at least 25 continuing education hours completed since the last renewal, which
 3.10 must include:

3.11 (i) at least one hour in two different required CORE areas;

3.12 (ii) at least one hour of mandatory infection control;

3.13 (iii) for dentists and dental therapists, at least 15 hours of fundamental credits for dentists
 3.14 and dental therapists, and for dental hygienists and dental assistants, at least seven hours of
 3.15 fundamental credits; and

3.16 (iv) for dentists and dental therapists, no more than ten elective credits, and for dental
 3.17 hygienists and dental assistants, no more than six elective credits.

3.18 **EFFECTIVE DATE.** This section is effective July 1, 2019.

3.19 Sec. 4. Minnesota Statutes 2018, section 150A.091, is amended by adding a subdivision
 3.20 to read:

3.21 Subd. 19. **Emeritus inactive license.** An individual applying for emeritus inactive
 3.22 licensure under section 150A.06, subdivision 10, must pay a onetime fee of \$50. There is
 3.23 no renewal fee for an emeritus inactive license.

3.24 **EFFECTIVE DATE.** This section is effective July 1, 2019.

3.25 Sec. 5. Minnesota Statutes 2018, section 150A.091, is amended by adding a subdivision
 3.26 to read:

3.27 Subd. 20. **Emeritus active license.** An individual applying for emeritus active licensure
 3.28 under section 150A.06, subdivision 11, must pay a fee upon application and upon renewal
 3.29 every two years. The fees for emeritus active license application and renewal are as follows:
 3.30 dentist, \$212; dental therapist, \$100; dental hygienist, \$75; and dental assistant, \$55.

4.1 **EFFECTIVE DATE.** This section is effective July 1, 2019.