

SECOND REGULAR SESSION

HOUSE BILL NO. 1682

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TREADWAY.

Read 1st time January 29, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4188L.011

AN ACT

To repeal sections 332.181 and 332.261, RSMo, and to enact in lieu thereof three new sections relating to the practice of dentistry.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 332.181 and 332.261, RSMo, are repealed and three new sections
2 enacted in lieu thereof, to be known as sections 332.181, 332.261, and 332.342, to read as
3 follows:

332.181. 1. No person shall engage in the practice of dentistry in Missouri without
2 having first secured a license as provided for in this chapter.

3 2. Any person desiring a license to practice dentistry in Missouri shall make application
4 to the board on a form prescribed by the board pursuant to section 332.141. An application for
5 licensure shall be active for one year after the date it is received by the board. The application
6 becomes void if not completed within such one-year period.

7 3. All persons once licensed to practice dentistry in Missouri shall renew his or her
8 license to practice dentistry in Missouri on or before the license renewal date and shall display
9 his or her license for each current licensing period in the office in which he or she practices or
10 offers to practice dentistry.

11 4. Effective with the licensing period beginning on December 1, 2002, a license shall be
12 renewed every two years. [The board shall not renew the license of any dentist unless the
13 licensee provides satisfactory evidence that he or she has completed fifty hours of continuing
14 education within a two-year period.] **To renew a license, each dentist shall submit satisfactory
15 evidence of completion of fifty hours of continuing education during the two-year period**

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

16 **immediately preceding the renewal period. Each dentist shall maintain documentation of**
17 **completion of the required continuing education hours as provided by rule. Failure to**
18 **obtain the required continuing education hours, failure to submit satisfactory evidence, or**
19 **failure to maintain documentation is a violation of section 332.321. As provided by rule,**
20 the board may extend the time requirements for completion of continuing education up to six
21 months for reasons related to health, military service, foreign residency or for other good cause.
22 All requests for extensions of time shall be made in writing and submitted to the board before
23 the renewal date. [The board may waive the requirements for continuing education for retired
24 or disabled dentists or for other good cause.]

25 5. Any licensed dentist who fails to renew his or her license on or before the renewal
26 date may apply to the board for renewal of his or her license within four years subsequent to the
27 date of the license expiration, provided that any such applicant shall pay a reinstatement fee for
28 the license.

29 6. The license of any dentist who fails to renew within four years of the time his or her
30 license has expired shall be void. The dentist may reapply for a license, provided that, unless
31 application is made pursuant to section 332.211, he or she shall pay the same fees and be
32 examined in the same manner as an original applicant for licensure as a dentist. A currently
33 licensed dentist in Missouri may apply to the board to be placed on an inactive list of dentists,
34 and during the time his or her name remains on the inactive list, he or she shall not practice
35 dentistry. If a dentist wishes to be removed from the inactive list, unless he or she applies
36 pursuant to section 332.211, he or she shall apply for a current license and pay the license fees
37 for the years between the date of the entry of his or her name on the inactive list and the date of
38 issuance of his current license. If the dentist has been on the inactive list for more than four
39 years, he or she shall be examined in the same manner as an original applicant for licensure as
40 a dentist.

41 7. A currently licensed dentist in Missouri who does not maintain a practice in this state
42 or does not reside in this state may apply to the board to be placed on an out-of-state licensee list
43 of dentists. Any dentist applying to be so licensed shall accompany his or her application with
44 a fee not greater than the licensure fee for a licensee who maintains a practice in this state or who
45 resides in this state. The required fee shall be established by the board, by rule, as with other
46 licensing fees.

332.261. 1. No person shall engage in the practice of dental hygiene without having first
2 secured a license as provided for in this chapter.

3 2. Any person desiring a license to practice dental hygiene in Missouri shall make
4 application to the board on a form prescribed by the board pursuant to section 332.241. An
5 application for licensure shall be active for one year after the date it is received by the board.

6 The application becomes void if not completed within such one-year period.

7 3. All persons once licensed to practice as a dental hygienist in Missouri shall renew his
8 or her license to practice on or before the renewal date and shall display his or her license for
9 each current licensing period in the office in which he or she practices or offers to practice as a
10 dental hygienist.

11 4. Effective with the licensing period beginning on December 1, 2002, a license shall be
12 renewed every two years. [The board shall not renew the license of any hygienist unless the
13 licensee provides satisfactory evidence that he or she has completed thirty hours of continuing
14 education within a two-year period.] **To renew a license, each dental hygienist shall submit**
15 **satisfactory evidence of completion of thirty hours of continuing education during the two-**
16 **year period immediately preceding the renewal period. Each dental hygienist shall**
17 **maintain documentation of completion of the required continuing education hours as**
18 **provided by rule. Failure to obtain the required continuing education hours, failure to**
19 **submit satisfactory evidence, or failure to maintain documentation is a violation of section**
20 **332.321. As provided by rule,** the board may extend the time requirements for completion of
21 the continuing education up to six months for reasons related to health, military service, foreign
22 residency or for other good cause. All requests for extensions of time shall be made in writing
23 and submitted to the board before the renewal date. [The board may waive the requirements for
24 continuing education for retired or disabled hygienists or for other good cause.]

25 5. Any licensed dental hygienist who fails to renew his or her license on or before the
26 renewal date may apply to the board for renewal of his or her license within four years
27 subsequent to the date of the license expiration, provided that any such applicant shall pay a
28 reinstatement fee for the license.

29 6. The license of any dental hygienist who fails to renew within four years of the time
30 that his or her license expired shall be void. The dental hygienist may apply for a new license,
31 provided that, unless application is made pursuant to section 332.281, he or she shall pay the
32 same fees and be examined in the same manner as an original applicant for licensure as a dental
33 hygienist. A currently licensed dental hygienist in Missouri may apply to the board to be placed
34 on an inactive list of dental hygienists, and during the time his or her name remains on the
35 inactive list, he or she shall not practice as a dental hygienist. If a dental hygienist wishes to be
36 removed from the inactive list, unless he or she applies pursuant to section 332.281, he or she
37 shall apply for a current license and pay the license fees for the years between the date of the
38 entry of his or her name on the inactive list and the date of issuance of his or her current license.
39 If the dental hygienist has been on the inactive list for more than four years, he or she shall be
40 examined in the same manner as an original applicant for licensure as a dental hygienist.

41 7. A currently licensed dental hygienist in Missouri who does not practice in this state

42 or who does not reside in this state may apply to the board to be placed on an out-of-state
43 registration list of dental hygienists. Any dental hygienist applying to be so licensed shall
44 accompany his or her application with a fee not greater than the license fee for a licensee who
45 practices in this state or resides in this state. The required fee shall be established by the board,
46 by rule, as with other licensing fees.

**332.342. 1. Any person or entity that believes a registered and licensed dentist or
2 a registered and licensed dental hygienist has acted or failed to act so that his or her
3 certificate of registration, or license, or both, should be suspended or revoked pursuant to
4 this chapter, or who believes that any applicant for a certificate of registration or license
5 to practice dentistry or to practice as a dental hygienist is not entitled to practice pursuant
6 to this chapter may file a complaint with the secretary-treasurer of the board.**

7 **2. If the filed complaint does not contain statements of fact which, if true, would
8 authorize suspension or revocation of the accused certificate or license pursuant to this
9 chapter, or does not contain statements of fact which, if true, would authorize the refusal
10 to issue a certificate or license to an applicant pursuant to this chapter, the board shall
11 dismiss the charge or charges, or conduct an investigation of the charges contained in the
12 complaint, after which investigation the board shall dismiss the charge or charges or
13 proceed against the accused by written complaint.**

14 **3. If the filed complaint contains statements of fact which, if true, would authorize
15 the revocation or suspension of an accused's certificate or license pursuant to this chapter,
16 the board shall conduct an investigation of the charge or charges contained in the
17 complaint and unless the investigation discloses the falsity of the facts upon which the
18 charge or charges in the complaint are based, the board shall file with the administrative
19 hearing commission a written complaint against the accused which sets forth the cause or
20 causes for which the certificate of registration or license should be suspended or revoked.
21 For all written complaints, the board shall be governed by and proceed in accordance with
22 the provisions of chapter 621, RSMo.**

23 **4. If the charges contained in the complaint filed with the board, if true, would
24 constitute a cause or causes for which an accused's license or certificate of registration
25 should not be issued or renewed pursuant to this chapter, the board shall conduct an
26 investigation of the charge or charges and unless the investigation discloses the falsity of
27 the facts upon which the charge or charges are based, the board shall refuse to permit an
28 applicant to be examined on their qualifications for licensure or shall refuse to issue a
29 certificate or renew a license.**

30 **5. The provisions of this section shall not be construed to prevent the board from
31 instituting and conducting investigations and from making written complaints to the**

32 **commission.**

33 **6. If the provisions of chapter 621, RSMo, become inapplicable to the board, then**
34 **the board shall proceed to charge, adjudicate, or otherwise act in accordance with the**
35 **provisions of chapter 536, RSMo.**