

AMENDED IN ASSEMBLY APRIL 18, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1428

Introduced by Assembly Member Aanestad

February 23, 2001

An act to ~~amend Section 1634 of~~ *add Section 1635.5* to the Business and Professions Code, relating to dentistry, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1428, as amended, Aanestad. Dentistry: licensure.

~~The Existing law, the Dental Practice Act requires that applicants to, provides for the licensure and regulation of dentists by the Dental Board of California. The act specifies requirements for a license licensure to practice dentistry in this state satisfy specified requirements, including successfully passing an examination before the board. Under that the act, licensees are required to pay fees, including a fee for the initial issuance and renewal of their licenses, that are deposited into the State Dentistry Fund, which is continuously appropriated. This act makes it a crime, among other matters, to engage in specified conduct relating to the practice of dentistry.~~

This bill would ~~require~~ *authorize* the board to issue a license to a person who is currently licensed to practice dentistry in another state *and who satisfies other specified requirements*, without ~~satisfying requiring that person to take the board examination or other requirements~~. Because the bill would increase the number of dentists paying license issuance and renewal fees and fines and forfeitures for

violations, it would make an appropriation by adding revenue that would be deposited in a continuously appropriated fund.

Because this bill would increase the number of persons subject to criminal prosecution for engaging in conduct prohibited by the Dental Practice Act, it would expand the scope of existing crimes, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1.—Section 1634 of the Business and Professions~~
- 2 *SECTION 1. Section 1635.5 is added to the Business and*
- 3 *Professions Code, to read:*
- 4 *1635.5. Notwithstanding Section 1634, the board may grant*
- 5 *a license to practice dentistry to an applicant who has not taken*
- 6 *an examination before the board, if the applicant submits all of the*
- 7 *following to the board:*
- 8 *(a) A completed application form and all fees required by the*
- 9 *board.*
- 10 *(b) Proof of a current license issued by another state to practice*
- 11 *dentistry that is not revoked or suspended or otherwise restricted.*
- 12 *(c) Proof that the applicant has been in clinical practice for at*
- 13 *least five years preceding the date of his or her application under*
- 14 *this section.*
- 15 *(d) Proof that the applicant has not been subject to disciplinary*
- 16 *action by any state in which he or she is or has been previously*
- 17 *licensed to practice dentistry. If the applicant has been subject to*
- 18 *disciplinary action, the board shall review that action to determine*
- 19 *if it warrants refusal to issue a license to the applicant.*
- 20 *(e) A signed release allowing the disclosure of information*
- 21 *from the National Practitioner Data Bank and the verification of*
- 22 *registration status with the federal Drug Enforcement*



1 Administration. The board shall review this information to
2 determine if it warrants refusal to issue a license to the applicant.

3 (f) Proof that the applicant has not failed the examination for
4 licensure to practice dentistry under this chapter within five years
5 prior to the date of his or her application for a license under this
6 section.

7 (g) Documentation of 50 units of continuing education
8 completed within two years of the date of his or her application
9 under this section. The continuing education shall include the
10 mandatory coursework prescribed by the board pursuant to
11 subdivision (b) of Section 1645.

12 (h) Any other information as specified by the board to the extent
13 it is required of applicants for licensure by examination under this
14 article.

15 Code is amended to read:

16 ~~1634. (a) A person successfully passing the examination~~
17 ~~shall be registered as a licensed dentist on the board register, as~~
18 ~~provided in Section 1612, and shall be granted by the board a~~
19 ~~license to practice dentistry in the State of California.~~

20 ~~(b) Notwithstanding any provision of this article, a person who~~
21 ~~is licensed to practice dentistry by another state, and whose license~~
22 ~~has not been revoked or suspended or has not lapsed, shall be~~
23 ~~registered as a licensed dentist on the board register, as provided~~
24 ~~in Section 1612, and shall be granted by the board a license to~~
25 ~~practice dentistry in the State of California.~~

26 SEC. 2. No reimbursement is required by this act pursuant to
27 Section 6 of Article XIII B of the California Constitution because
28 the only costs that may be incurred by a local agency or school
29 district will be incurred because this act creates a new crime or
30 infraction, eliminates a crime or infraction, or changes the penalty
31 for a crime or infraction, within the meaning of Section 17556 of
32 the Government Code, or changes the definition of a crime within
33 the meaning of Section 6 of Article XIII B of the California
34 Constitution.

