

AMENDED IN SENATE APRIL 16, 2001

SENATE BILL

No. 573

Introduced by Senator Chesbro

February 22, 2001

~~An act to amend Section 1640 of, and to repeal and add Section 1642~~
An act to add Article 2.55 (commencing with Section 1643) to Chapter 4 of Division 2 of, the Business and Professions Code, relating to dentistry, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 573, as amended, Chesbro. Dentistry: special permits.

Existing law, the Dental Practice Act, ~~authorizes~~ *provides for the licensure and regulation of dentists by the Dental Board of California. Under this act, licensees are required to pay fees, including a fee for the initial issuance and renewal of their licenses, and are subject to criminal prosecution for engaging in specified conduct relating to the practice of dentistry. Under the act, 75% of the fees and fines imposed for engaging in criminal conduct are deposited into the State Dentistry Fund, which is continuously appropriated. Under the act's provisions, a person with a pending employment contract with a California dental college who meets certain requirements, including the payment of an examination fee that is deposited into the State Dentistry Fund, is authorized to apply for a special permit examination. Under the act, a person with a special permit and* may practice that specialty or discipline *under a special permit* while employed full time at the dental college.

This bill would ~~additionally~~ *authorize the board to issue a special permit to a person licensed to practice dentistry in another state or country who has not taken a board examination but has a pending*

1 (a) He or she holds a license to practice dentistry issued by
2 another state and that license is not expired, revoked, or restricted.

3 (b) He or she furnishes the board with certification of licensure
4 to practice dentistry from each state in which he or she is presently
5 licensed or has been licensed to practice dentistry.

6 (c) He or she has practiced dentistry continuously in another
7 state or country since the time of being licensed to practice.

8 (d) He or she has not been the subject of a disciplinary action
9 by an entity that regulates the practice of dentistry.

10 (e) His or her license to practice dentistry has not been
11 suspended, revoked, or otherwise restricted.

12 (f) He or she has practiced dentistry continuously for a period
13 of at least two years immediately preceding the date of application
14 for a special permit.

15 (g) He or she provides the board with a declaration under
16 penalty of perjury, attesting to the matters described in paragraphs
17 (c) to (f), inclusive.

18 (h) He or she furnishes the board with documentation showing
19 the completion of 50 units of continuing education during the two
20 years immediately preceding the date of application for a special
21 permit. These units shall include the mandatory continuing
22 education coursework prescribed by the board pursuant to
23 subdivision (b) of Section 1645. An applicant who has been
24 licensed to practice dentistry in another state or country for more
25 than two years but less than four years shall not be required to
26 comply with the requirements of this subdivision.

27 (i) He or she files with the board a copy of a pending contract
28 to practice dentistry full time in a primary care clinic licensed
29 under subdivision (a) of Section 1204 of the Health and Safety
30 Code or in a primary care clinic exempt from licensure pursuant
31 to subdivision (c) of Section 1206 of the Health and Safety Code.

32 For purposes of this article, “full time” means a minimum of
33 four days per week.

34 (j) He or she furnishes the board with any other additional
35 information it requests.

36 (k) He or she pays the fee for applicants for a special permit
37 established by the board.

38 1644. (a) Every person to whom a special permit is issued
39 under this article shall be entitled to practice dentistry at the
40 primary care clinic with which he or she has a contract as



1 *described in subdivision (i) of Section 1643 and the affiliated*
2 *institutions of that clinic that are approved by the board.*

3 *(b) The special permit shall be automatically revoked upon the*
4 *termination of the holder’s full-time practice of dentistry at the*
5 *primary care clinic described in subdivision (a), and he or she*
6 *shall voluntarily surrender the permit to the board. The holder*
7 *shall no longer be eligible to practice dentistry until he or she*
8 *satisfies the requirements of Section 1643 and is issued another*
9 *special permit by the board.*

10 *1644.5. (a) The holder of a special permit shall annually*
11 *apply to the board to renew the permit.*

12 *(b) The holder of a special permit shall be subject to all of the*
13 *provisions of this chapter that apply to licensed dentists.*

14 *SEC. 2. No reimbursement is required by this act pursuant to*
15 *Section 6 of Article XIII B of the California Constitution because*
16 *the only costs that may be incurred by a local agency or school*
17 *district will be incurred because this act creates a new crime or*
18 *infraction, eliminates a crime or infraction, or changes the penalty*
19 *for a crime or infraction, within the meaning of Section 17556 of*
20 *the Government Code, or changes the definition of a crime within*
21 *the meaning of Section 6 of Article XIII B of the California*
22 *Constitution.*

23 *Code is amended to read:*

24 ~~1640. (a) Any person meeting the following eligibility~~
25 ~~requirements may apply for a special permit examination:~~

26 ~~(1) He or she furnishes satisfactory evidence of having a~~
27 ~~pending contract with a California dental college approved by the~~
28 ~~board as a full-time professor, an associate professor, or an~~
29 ~~assistant professor.~~

30 ~~(2) He or she furnishes satisfactory evidence of having~~
31 ~~graduated from a dental college approved by the board.~~

32 ~~(3) He or she furnishes satisfactory evidence of having been~~
33 ~~certified as a diplomate of a specialty board or, in lieu thereof,~~
34 ~~establishes his or her qualifications to take a specialty board~~
35 ~~examination, or furnishes satisfactory evidence of having~~
36 ~~completed an advanced educational program in a discipline from~~
37 ~~a dental college approved by the board.~~

38 ~~(4) He or she pays the fee for applicants for examination~~
39 ~~provided by this chapter.~~



1 ~~(b) Every person to whom a special permit is issued under this~~
2 ~~section shall be entitled to practice in the specialty or discipline in~~
3 ~~which he or she has been examined by the board at the dental~~
4 ~~college at which he or she is employed and its affiliated institutions~~
5 ~~as approved by the board on the following terms and conditions:~~

6 ~~(1) The special permitholder shall file a copy of his or her~~
7 ~~employment contract with the board. The contract shall contain the~~
8 ~~following provision:~~

9 ~~That the holder understands and acknowledges that when his or~~
10 ~~her full-time employment is terminated at the dental college, his~~
11 ~~or her special permit will be automatically revoked and that he or~~
12 ~~she will voluntarily surrender the permit to the board and will no~~
13 ~~longer be eligible to practice unless or until he or she has~~
14 ~~successfully passed the required licensure examination as~~
15 ~~provided in Article 2 (commencing with Section 1625).~~

16 ~~(2) The holder shall be employed as a full-time professor, an~~
17 ~~associate professor, or an assistant professor at a California dental~~
18 ~~college approved by the board. "Full-time employment" as used~~
19 ~~in this section shall be considered a minimum of four days per~~
20 ~~week.~~

21 ~~(3) The holder shall be subject to all the provisions of this~~
22 ~~chapter applicable to licensed dentists with the exception that the~~
23 ~~special permit shall be renewed annually.~~

24 ~~SEC. 2. Section 1642 of the Business and Professions Code~~
25 ~~is repealed.~~

26 ~~SEC. 3. Section 1642 is added to the Business and Professions~~
27 ~~Code, to read:~~

28 ~~1642. (a) Notwithstanding Section 1640, any person meeting~~
29 ~~the following eligibility requirements may apply for a special~~
30 ~~permit examination:~~

31 ~~(1) He or she holds a valid license to practice dentistry issued~~
32 ~~by another state and furnishes satisfactory evidence of that~~
33 ~~licensure.~~

34 ~~(2) He or she furnishes satisfactory evidence of having a~~
35 ~~pending contract with a primary care clinic licensed under~~
36 ~~subdivision (a) of Section 1204 of the Health and Safety Code or~~
37 ~~with a primary care clinic exempt from licensure pursuant to~~
38 ~~subdivision (c) of Section 1206 of the Health and Safety Code.~~

39 ~~(3) He or she furnishes satisfactory evidence of having been~~
40 ~~certified as a diplomate of a specialty board or, in lieu thereof,~~



1 establishes his or her qualifications to take a specialty board
2 examination, or furnishes satisfactory evidence of having
3 completed an advanced educational program in a discipline from
4 a dental college approved by the board.

5 (4) He or she pays the fee for applicants for examination
6 provided by this chapter.

7 (b) Every person to whom a special permit is issued under this
8 section shall be entitled to practice in the specialty or discipline in
9 which he or she has been examined by the board at the primary care
10 clinic at which he or she is employed and its affiliated institutions
11 as approved by the board on the following terms and conditions:

12 (1) The special permitholder shall file a copy of his or her
13 employment contract with the board. The contract shall contain the
14 following provision:

15 That the holder understands and acknowledges that when his or
16 her full-time employment is terminated at the primary care clinic,
17 his or her special permit will be automatically revoked and that he
18 or she will voluntarily surrender the permit to the board and will
19 no longer be eligible to practice unless or until he or she has
20 successfully passed the required licensure examination as
21 provided in Article 2 (commencing with Section 1625).

22 (b) The holder shall be employed full time at the primary care
23 clinic to provide dental services. "Full-time employment" as used
24 in this section shall be considered a minimum of four days per
25 week.

26 (c) The holder shall be subject to all the provisions of this
27 chapter applicable to licensed dentists with the exception that the
28 special permit shall be renewed annually.

29 (d) A person is not precluded from reapplying for a special
30 permit examination pursuant to this section if after the expiration
31 and voluntary surrender of a special permit, he or she obtains a
32 contract for employment with a primary care clinic described in
33 paragraph (2) of subdivision (a).

