

AMENDED IN SENATE AUGUST 19, 2016
AMENDED IN SENATE JUNE 16, 2016
AMENDED IN ASSEMBLY MAY 27, 2016
AMENDED IN ASSEMBLY APRIL 12, 2016
AMENDED IN ASSEMBLY MARCH 28, 2016
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2331

Introduced by Assembly Member Dababneh

February 18, 2016

An act to amend Section 1632 of, and to add Sections 1632.55 and 1632.7 to, the Business and Professions Code, relating to dentistry, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2331, as amended, Dababneh. Dentistry: applicants to practice.

The Dental Practice Act provides for the licensure and regulation of dentists and associated professions by the Dental Board of California within the Department of Consumer Affairs. The act requires each applicant for a license to practice dentistry to successfully complete specified examinations, including receiving a passing score on either a portfolio examination, as specified, or a clinical and written examination administered by the Western Regional Examining Board, which determines the passing score for that examination.

This bill would additionally allow an applicant to satisfy that examination requirement by receiving a passing score on the clinical and written examination developed by the American Board of Dental

Examiners, Inc., subject to prior review and approval of the examination by the Office of Professional Examination Services, as provided, delivery of this review to the Dental Board of California, and payment of specified expenses incurred by the board.

Existing law authorizes the Director of Finance to accept on behalf of the state any gift of real or personal property whenever he or she deems the gift and the terms and conditions thereof to be in the best interest of the state. Existing law establishes the Special Deposit Fund, a continuously appropriated fund, which consists of money that is paid into it in trust pursuant to law when no other fund has been created to receive that money.

This bill would authorize the Director of Finance to accept funds for the purposes of reviewing and analyzing the dental examination developed by the American Board of Dental Examiners, Inc., described above. Because these funds would be deposited in the Special Deposit Fund, a continuously appropriated fund, this bill would make an appropriation.

This bill would incorporate additional changes to Section 1632 of the Business and Professions Code proposed by SB 1478 that would become operative if this bill and SB 1478 are enacted and this bill is enacted last.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
 State-mandated local program: no.

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

1 SECTION 1. Section 1632 of the Business and Professions
 2 Code is amended to read:
 3 1632. (a) The board shall require each applicant to successfully
 4 complete the Part I and Part II written examinations of the National
 5 Board Dental Examination of the Joint Commission on National
 6 Dental Examinations.
 7 (b) The board shall require each applicant to successfully
 8 complete an examination in California law and ethics developed
 9 and administered by the board. The board shall provide a separate
 10 application for this examination. The board shall ensure that the
 11 law and ethics examination reflects current law and regulations,
 12 and ensure that the examinations are randomized. Applicants shall
 13 submit this application and required fee to the board in order to
 14 take this examination. In addition to the aforementioned

1 application, the only other requirement for taking this examination
2 shall be certification from the dean of the qualifying dental school
3 attended by the applicant that the applicant has graduated, or will
4 graduate, or is expected to graduate. Applicants who submit
5 completed applications and certification from the dean at least 15
6 days prior to a scheduled examination shall be scheduled to take
7 the examination. Successful results of the examination shall, as
8 established by board regulation, remain valid for two years from
9 the date that the applicant is notified of having passed the
10 examination.

11 (c) Except as otherwise provided in Section 1632.5, the board
12 shall require each applicant to have taken and received a passing
13 score on one of the following:

14 (1) A portfolio examination of the applicant's competence to
15 enter the practice of dentistry. This examination shall be conducted
16 while the applicant is enrolled in a dental school program at a
17 board-approved school located in California. This examination
18 shall utilize uniform standards of clinical experiences and
19 competencies, as approved by the board pursuant to Section 1632.1.
20 The applicant shall pass a final assessment of the submitted
21 portfolio at the end of his or her dental school program. Before
22 any portfolio assessment may be submitted to the board, the
23 applicant shall remit the required fee to the board to be deposited
24 into the State Dentistry Fund, and a letter of good standing signed
25 by the dean of his or her dental school or his or her delegate stating
26 that the applicant has graduated or will graduate with no pending
27 ethical issues.

28 (A) The portfolio examination shall not be conducted until the
29 board adopts regulations to carry out this paragraph. The board
30 shall post notice on its Internet Web site when these regulations
31 have been adopted.

32 (B) The board shall also provide written notice to the Legislature
33 and the Legislative Counsel when these regulations have been
34 adopted.

35 (2) Either one of the following examinations:

36 (A) A clinical and written examination administered by the
37 Western Regional Examining Board.

38 (B) The clinical and written examination developed by the
39 American Board of Dental Examiners, Inc.

1 (d) Notwithstanding subdivision (b) of Section 1628, the board
2 is authorized to do either of the following:

3 (1) Approve an application for examination from, and to
4 examine an applicant who is enrolled in, but has not yet graduated
5 from, a reputable dental school approved by the board.

6 (2) Accept the results of an examination described in paragraph
7 (2) of subdivision (c) submitted by an applicant who was enrolled
8 in, but had not graduated from, a reputable dental school approved
9 by the board at the time the examination was administered.

10 In either case, the board shall require the dean of that school or
11 his or her delegate to furnish satisfactory proof that the applicant
12 will graduate within one year of the date the examination was
13 administered or as provided in paragraph (1) of subdivision (c).

14 (e) The board may determine the testing format, as related to
15 patients, for the examination provided pursuant to subparagraph
16 (B) of paragraph (2) of subdivision (c).

17 *SEC. 1.5. Section 1632 of the Business and Professions Code*
18 *is amended to read:*

19 1632. (a) The board shall require each applicant to successfully
20 complete the ~~Part I and Part II written examinations~~ *written*
21 *examination* of the National Board Dental Examination of the Joint
22 Commission on National Dental Examinations.

23 (b) The board shall require each applicant to successfully
24 complete an examination in California law and ethics developed
25 and administered by the board. The board shall provide a separate
26 application for this examination. The board shall ensure that the
27 law and ethics examination reflects current law and regulations,
28 and ensure that the examinations are randomized. Applicants shall
29 submit this application and required fee to the board in order to
30 take this examination. In addition to the aforementioned
31 application, the only other requirement for taking this examination
32 shall be certification from the dean of the qualifying dental school
33 attended by the applicant that the applicant has graduated, or will
34 graduate, or is expected to graduate. Applicants who submit
35 completed applications and certification from the dean at least 15
36 days prior to a scheduled examination shall be scheduled to take
37 the examination. Successful results of the examination shall, as
38 established by board regulation, remain valid for two years from
39 the date that the applicant is notified of having passed the
40 examination.

1 (c) Except as otherwise provided in Section 1632.5, the board
2 shall require each applicant to have taken and received a passing
3 score on one of the following:

4 (1) A portfolio examination of the applicant's competence to
5 enter the practice of dentistry. This examination shall be conducted
6 while the applicant is enrolled in a dental school program at a
7 board-approved school located in California. This examination
8 shall utilize uniform standards of clinical experiences and
9 competencies, as approved by the board pursuant to Section 1632.1.

10 The applicant shall pass a final assessment of the submitted
11 portfolio at the end of his or her dental school program. Before
12 any portfolio assessment may be submitted to the board, the
13 applicant shall remit the required fee to the board to be deposited
14 into the State Dentistry Fund, and a letter of good standing signed
15 by the dean of his or her dental school or his or her delegate stating
16 that the applicant has graduated or will graduate with no pending
17 ethical issues.

18 (A) The portfolio examination shall not be conducted until the
19 board adopts regulations to carry out this paragraph. The board
20 shall post notice on its Internet Web site when these regulations
21 have been adopted.

22 (B) The board shall also provide written notice to the Legislature
23 and the Legislative Counsel when these regulations have been
24 adopted.

25 (2) *Either one of the following examinations:*

26 ~~(2)~~

27 (A) A clinical and written examination administered by the
28 Western Regional Examining Board, which board shall determine
29 the passing score for that examination. *Board.*

30 (B) *The clinical and written examination developed by the*
31 *American Board of Dental Examiners, Inc.*

32 (d) Notwithstanding subdivision (b) of Section 1628, the board
33 is authorized to do either of the following:

34 (1) Approve an application for examination from, and to
35 examine an applicant who is enrolled in, but has not yet graduated
36 from, a reputable dental school approved by the board.

37 (2) Accept the results of an examination described in paragraph
38 (2) of subdivision (c) submitted by an applicant who was enrolled
39 in, but had not graduated from, a reputable dental school approved
40 by the board at the time the examination was administered.

1 In either case, the board shall require the dean of that school or
2 his or her delegate to furnish satisfactory proof that the applicant
3 will graduate within one year of the date the examination was
4 administered or as provided in paragraph (1) of subdivision (c).

5 (e) *The board may determine the testing format, as related to*
6 *patients, for the examination provided pursuant to subparagraph*
7 *(B) of paragraph (2) of subdivision (c).*

8 SEC. 2. Section 1632.55 is added to the Business and
9 Professions Code, to read:

10 1632.55. (a) Prior to implementation of subparagraph (B) of
11 paragraph (2) of subdivision (c) of Section 1632, the department's
12 Office of Professional Examination Services shall review the
13 American Board of Dental Examiners, Inc. examination to ensure
14 compliance with the requirements of Section 139 and to certify
15 that the examination process meets those standards, and deliver
16 this review to the Dental Board of California. If the department
17 determines that the examination process fails to meet those
18 standards, does not deliver the review to the Dental Board of
19 California, or if the American Board of Dental Examiners, Inc.
20 fails to pay the costs and expenses the board incurs, as described
21 in subdivision (d), subparagraph (B) of paragraph (2) of subdivision
22 (c) of Section 1632 shall not be implemented.

23 (b) The American Board of Dental Examiners, Inc. examination
24 process shall be regularly reviewed by the department pursuant to
25 Section 139.

26 (c) The American Board of Dental Examiners, Inc. examination
27 shall meet the mandates of subdivision (a) of Section 12944 of the
28 Government Code.

29 (d) The American Board of Dental Examiners, Inc. shall pay
30 all reasonable costs and expenses the board incurs for the purposes
31 of implementing this section.

32 (e) The American Board of Dental Examiners, Inc. examination
33 may only be accepted for licensure by a candidate after it is
34 determined that the examination has met the requirements of this
35 section. Examinations taken prior to that date may not be used for
36 licensure.

37 SEC. 3. Section 1632.7 is added to the Business and Professions
38 Code, to read:

39 1632.7. The Department of Finance may accept funds pursuant
40 to Sections 11005.1 and 16302 of the Government Code for the

1 purposes of reviewing and analyzing the examination developed
2 by the American Board of Dental Examiners, Inc., as described in
3 Section 1632.55.

4 *SEC. 4. Section 1.5 of this bill incorporates amendments to*
5 *Section 1632 of the Business and Professions Code proposed by*
6 *both this bill and Senate Bill 1478. It shall only become operative*
7 *if (1) both bills are enacted and become effective on or before*
8 *January 1, 2017, (2) each bill amends Section 1632 of the Business*
9 *and Professions Code, and (3) this bill is enacted after Senate Bill*
10 *1478, in which case Section 1 of this bill shall not become*
11 *operative.*

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