

By: Representative Moody

To: Public Health and Welfare

HOUSE BILL NO. 1055

1 AN ACT TO AMEND SECTION 73-9-23, MISSISSIPPI CODE OF 1972, TO  
2 ALLOW FOR EITHER GENERAL OR SPECIALTY POSTDOCTORAL DENTAL  
3 EDUCATIONAL TRAINING AS A REQUIREMENT TO TAKE THE DENTAL LICENSURE  
4 EXAMINATION; TO AMEND SECTION 73-9-24, MISSISSIPPI CODE OF 1972,  
5 TO REQUIRE SUCCESSFUL COMPLETION OF A CLINICAL LICENSURE  
6 EXAMINATION IN ORDER TO QUALIFY FOR LICENSURE BY CREDENTIALS; AND  
7 FOR RELATED PURPOSES.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 **SECTION 1.** Section 73-9-23, Mississippi Code of 1972, is  
10 amended as follows:

11 73-9-23. (1) No person who desires to practice dentistry or  
12 dental hygiene in the State of Mississippi shall be licensed until  
13 that person has passed an examination by the board. Applicants  
14 for examination shall apply in writing to the board for an  
15 examination at least thirty (30) days before the examination and  
16 shall upon application pay a nonrefundable fee as elsewhere  
17 provided in this chapter.

18 (2) An applicant for licensure by examination as a dentist  
19 who is a graduate of a dental school accredited by the Commission  
20 on Dental Accreditation of the American Dental Association (ADA),  
21 or its successor commission, shall:

22 (a) Be of good moral character, be possessed of a high  
23 school education, and have attained the age of twenty-one (21)  
24 years;

25 (b) Exhibit with the application a diploma or  
26 certificate of graduation from the ADA accredited dental school;  
27 and

28 (c) Have successfully completed Parts I and II of the  
29 National Board Examinations of the Joint Commission on National



30 Dental Examinations, or its successor commission, unless the  
31 applicant graduated from an accredited dental school before 1960.

32 (3) An applicant for licensure by examination as a dentist  
33 who is a graduate of a non-ADA accredited foreign country dental  
34 school shall:

35 (a) Be of good moral character and have attained the  
36 age of twenty-one (21) years;

37 (b) Be proficient in oral and written communications in  
38 the English language;

39 (c) Have completed not less than six (6) academic years  
40 of postsecondary study and graduated from a foreign dental school  
41 that is recognized by the licensure authorities in that country;

42 (d) Have been licensed as a dentist or admitted to the  
43 practice of dentistry in the foreign country in which the  
44 applicant received foreign dental school training;

45 (e) Present documentation of having completed at least  
46 two (2) or more years of full-time postdoctoral \* \* \* dental  
47 education in a dental school accredited by the Commission on  
48 Dental Accreditation of the American Dental Association, or its  
49 successor commission, and has been certified by the dean of the  
50 accredited dental school as having achieved the same level of  
51 didactic and clinical competence as expected of a graduate of the  
52 school; and

53 (f) Have successfully completed Parts I and II of the  
54 National Board Examinations of the Joint Commission on National  
55 Dental Examinations, or its successor commission, unless the  
56 applicant graduated from an approved dental school before 1960.

57 (4) An applicant for licensure by examination as a dental  
58 hygienist who is a graduate of a dental hygiene school accredited  
59 by the Commission on Dental Accreditation of the American Dental  
60 Association (ADA), or its successor commission, shall:

61 (a) Be of good moral character, be possessed of a high  
62 school education and have attained the age of eighteen (18) years;



63                   (b) Exhibit with the application a diploma or  
64 certificate of graduation from the ADA accredited dental hygiene  
65 school; and

66                   (c) Have successfully completed the National Board  
67 Dental Hygiene Examinations of the Joint Commission on National  
68 Dental Examinations, or its successor commission.

69           (5) An applicant for licensure by examination as a dental  
70 hygienist who is a graduate of a non-ADA accredited foreign  
71 country dental hygiene school shall:

72                   (a) Be of good moral character and have attained the  
73 age of eighteen (18) years;

74                   (b) Be proficient in oral and written communications in  
75 the English language;

76                   (c) Have completed not less than two (2) academic years  
77 of postsecondary study and graduated from a foreign dental hygiene  
78 school that is recognized by the licensure authorities in that  
79 country;

80                   (d) Have been licensed as a dental hygienist or  
81 admitted to the practice of dental hygiene in the foreign country  
82 in which the applicant received foreign dental hygiene school  
83 training;

84                   (e) Present documentation of having completed at least  
85 one or more years of full-time postgraduate clinical education in  
86 a dental hygiene school accredited by the Commission on Dental  
87 Accreditation of the American Dental Association, or its successor  
88 commission, and has been certified by the dean of the accredited  
89 dental hygiene school as having achieved the same level of  
90 didactic and clinical competence as expected of a graduate of the  
91 school; and

92                   (f) Have successfully completed the National Board  
93 Dental Hygiene Examinations of the Joint Commission on National  
94 Dental Examinations, or its successor commission.



95           (6) Applications shall be made in the form and content as  
96 required in this section and as shall be prescribed by the board,  
97 and each applicant shall submit upon request such proof as the  
98 board may require as to age, character and qualifications.  
99 Applications must be signed by two (2) citizens of the state of  
100 which the applicant is a resident, attesting under oath that the  
101 applicant is of good moral character. All applicants for  
102 licensure shall submit an endorsement from all states in which he  
103 or she is currently licensed or has ever been licensed to practice  
104 dentistry or dental hygiene. The board may disallow the licensure  
105 examination to any applicant who has been found guilty of any of  
106 the grounds for disciplinary action as enumerated in Section  
107 73-9-61.

108           (7) Examination shall be as elsewhere provided in this  
109 chapter and the board may by its rules and regulations prescribe  
110 reasonable professional standards for oral, written, clinical and  
111 other examinations given to applicants, and, if deemed necessary  
112 by the board, include a requirement that licensure examinations of  
113 applicants be conducted utilizing live human subjects. Each  
114 applicant shall appear before the board and be examined to  
115 determine his or her learning and skill in dentistry or dental  
116 hygiene. If found by the members of the board conducting the  
117 examination to possess sufficient learning and skill therein and  
118 to be of good moral character, the board shall, as early as  
119 practicable, grant to the person a license to practice dentistry  
120 or dental hygiene, as the case may be, which shall be signed by  
121 each member of the board who attended the examination and approved  
122 the issuance of a license.

123           (8) The Board of Dental Examiners may, at its own  
124 discretion, accept certification of a licensure applicant, either  
125 dentist or dental hygienist, by the National Board Examinations of  
126 the Joint Commission on National Dental Examinations, or its  
127 successor commission, in lieu of the written examination.



128 However, in all such instances the board shall retain the right to  
129 administer such further written and practical examinations and  
130 demonstrations as it deems necessary.

131 (9) Each application or filing made under this section shall  
132 include the social security number(s) of the applicant in  
133 accordance with Section 93-11-64.

134 **SECTION 2.** Section 73-9-24, Mississippi Code of 1972, is  
135 amended as follows:

136 73-9-24. (1) In addition to the method for obtaining a  
137 license to practice dentistry or dental hygiene by way of  
138 examination as provided by Section 73-9-23, the board, in its sole  
139 discretion, may grant a license to a candidate who meets the  
140 following criteria:

141 (a) Submit proof of graduation from a dental school or  
142 school of dental hygiene accredited by the Commission on Dental  
143 Accreditation of the American Dental Association (ADA), or its  
144 successor commission;

145 (b) Be engaged in the active practice of dentistry or  
146 dental hygiene or in full-time dental education or dental hygiene  
147 education for the past five (5) years;

148 (c) Currently hold a valid, unrestricted and unexpired  
149 license in a state whose standards for licensure are determined by  
150 the board as equivalent to Mississippi's standards, and which  
151 state grants reciprocity or licensure by credentials to licensees  
152 of the State of Mississippi;

153 (d) Provides an endorsement from all states in which he  
154 or she is currently licensed or has ever been licensed to practice  
155 dentistry or dental hygiene;

156 (e) Has not been the subject of pending or final  
157 disciplinary action in any state in which the applicant has been  
158 licensed;

159 (f) Is not the subject of a pending investigation in  
160 any other state or jurisdiction;



161 (g) Has passed a state or regional clinical licensure  
162 examination and, within the past five (5) years, has not failed a  
163 clinical licensure examination administered by another state,  
164 jurisdiction, or regional licensing board;

165 (h) Has not failed at any time, a licensure examination  
166 administered by the Mississippi State Board of Dental Examiners;

167 (i) Provides a written statement agreeing to appear for  
168 interviews at the request of the board;

169 (j) Has successfully completed all parts of the  
170 National Board Examinations of the Joint Commission on National  
171 Dental Examinations, or its successor commission, unless the  
172 applicant graduated from an accredited dental or dental hygiene  
173 school before 1960;

174 (k) Successfully passes a written jurisprudence  
175 examination;

176 (l) Provides payment of a nonrefundable application fee  
177 as provided in Section 73-9-43; and

178 (m) In addition, the State Board of Dental Examiners  
179 may consider the following in accepting, rejecting or denying an  
180 application for licensure by credentialing:

181 (i) Information from the National Practitioner  
182 Data Bank, the Healthcare Integrity and Protection Data Bank  
183 and/or the American Association of Dental Examiners Clearinghouse  
184 for Disciplinary Information.

185 (ii) Questioning under oath.

186 (iii) Results of peer review reports from  
187 constituent societies and/or federal dental services.

188 (iv) Substance abuse testing or treatment.

189 (v) Background checks for criminal or fraudulent  
190 activities.

191 (vi) Participation in continuing education.

192 (vii) A current certificate in cardiopulmonary  
193 resuscitation.



194 (viii) Recent patient case reports and/or oral  
195 defense of diagnosis and treatment plans.

196 (ix) No physical or psychological impairment that  
197 would adversely affect the ability to deliver quality dental care.

198 (x) Agreement to initiate practice in the  
199 credentialing jurisdiction within a reasonable period of time.

200 (xi) Proof of professional liability coverage and  
201 that the coverage has not been refused, declined, canceled,  
202 nonrenewed or modified.

203 (xii) Any additional information or documentation  
204 that the board may stipulate by rule or regulation as necessary to  
205 qualify for a license by credentialing.

206 (2) The board shall be granted sufficient time to conduct a  
207 complete inquiry into the applicant's qualifications for licensure  
208 by credentials, and the board may adopt such rules and regulations  
209 pertaining to the time needed to conduct investigations and the  
210 responsibility of applicants to produce verifiable documentation.

211 (3) Any applicant failing to meet the criteria in subsection  
212 (1) of this section shall not be eligible for a license based on  
213 credentials. Upon meeting the criteria in subsection (1) of this  
214 section, the Mississippi State Board of Dental Examiners may, in  
215 its discretion, issue to the applicant a license to practice  
216 dentistry, or dental hygiene, unless grounds for denial of  
217 licensure exist as enumerated in Section 73-9-61. Evidence of  
218 falsification in the application for licensure through  
219 credentialing will result in revocation of the license.

220 (4) Any applicant applying for a specialty license by  
221 credentials must stay within his or her board recognized specialty  
222 and must practice only that specialty within the State of  
223 Mississippi. A specialty license holder must hold a general  
224 dentistry license before obtaining a specialty license.

225 **SECTION 3.** This act shall take effect and be in force from  
226 and after July 1, 2003.

