HOUSE BILL NO. 1055

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

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

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

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

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

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

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

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

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

(a) Be of good moral character and have attained the age of twenty-one (21) years;
(b) Be proficient in oral and written communications in the English language;
(c) Have completed not less than six (6) academic years of postsecondary study and graduated from a foreign dental school that is recognized by the licensure authorities in that country;
(d) Have been licensed as a dentist or admitted to the practice of dentistry in the foreign country in which the applicant received foreign dental school training;
(e) Present documentation of having completed at least two (2) or more years of full-time postdoctoral dental education in a dental school accredited by the Commission on Dental Accreditation of the American Dental Association, or its successor commission, and has been certified by the dean of the accredited dental school as having achieved the same level of didactic and clinical competence as expected of a graduate of the school; and
(f) Have successfully completed Parts I and II of the National Board Examinations of the Joint Commission on National Dental Examinations, or its successor commission, unless the applicant graduated from an approved dental school before 1960.

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

(a) Be of good moral character, be possessed of a high school education and have attained the age of eighteen (18) years;
(b) Exhibit with the application a diploma or certificate of graduation from the ADA accredited dental hygiene school; and

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

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

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

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

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

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

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

(f) Have successfully completed the National Board Dental Hygiene Examinations of the Joint Commission on National Dental Examinations, or its successor commission.
(6) Applications shall be made in the form and content as required in this section and as shall be prescribed by the board, and each applicant shall submit upon request such proof as the board may require as to age, character and qualifications. Applications must be signed by two (2) citizens of the state of which the applicant is a resident, attesting under oath that the applicant is of good moral character. All applicants for licensure shall submit an endorsement from all states in which he or she is currently licensed or has ever been licensed to practice dentistry or dental hygiene. The board may disallow the licensure examination to any applicant who has been found guilty of any of the grounds for disciplinary action as enumerated in Section 73-9-61.

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

(8) The Board of Dental Examiners may, at its own discretion, accept certification of a licensure applicant, either dentist or dental hygienist, by the National Board Examinations of the Joint Commission on National Dental Examinations, or its successor commission, in lieu of the written examination.
However, in all such instances the board shall retain the right to administer such further written and practical examinations and demonstrations as it deems necessary.

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

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

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

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

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

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

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

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

(f) Is not the subject of a pending investigation in any other state or jurisdiction;
(g) Has passed a state or regional clinical licensure examination and, within the past five (5) years, has not failed a clinical licensure examination administered by another state, jurisdiction, or regional licensing board;

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

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

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

(k) Successfully passes a written jurisprudence examination;

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

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

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

   (ii) Questioning under oath.

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

   (iv) Substance abuse testing or treatment.

   (v) Background checks for criminal or fraudulent activities.

   (vi) Participation in continuing education.

   (vii) A current certificate in cardiopulmonary resuscitation.
(viii) Recent patient case reports and/or oral defense of diagnosis and treatment plans.
(ix) No physical or psychological impairment that would adversely affect the ability to deliver quality dental care.
(x) Agreement to initiate practice in the credentialing jurisdiction within a reasonable period of time.
(xi) Proof of professional liability coverage and that the coverage has not been refused, declined, canceled, nonrenewed or modified.
(xii) Any additional information or documentation that the board may stipulate by rule or regulation as necessary to qualify for a license by credentialing.

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

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

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

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