

By: Representative Guice

To: Public Health and Human Services

HOUSE BILL NO. 692

1 AN ACT TO AMEND SECTION 73-9-24, MISSISSIPPI CODE OF 1972, TO  
 2 PROVIDE FOR THE ISSUANCE OF A LICENSE TO PRACTICE DENTAL HYGIENE  
 3 TO ANY GRADUATE OF A FOREIGN DENTAL SCHOOL OR DENTAL HYGIENE  
 4 SCHOOL WHO HAS SUCCESSFULLY COMPLETED THE NATIONAL BOARD DENTAL  
 5 HYGIENE EXAMINATIONS, HOLDS A CURRENT LICENSE TO PRACTICE  
 6 DENTISTRY OR DENTAL HYGIENE FROM ANOTHER STATE AND HAS  
 7 SUCCESSFULLY COMPLETED A PRACTICAL EXAMINATION OR DEMONSTRATION  
 8 ADMINISTERED BY THE STATE BOARD OF DENTAL EXAMINERS; TO AMEND  
 9 SECTION 73-9-23, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE  
 10 PRECEDING SECTION; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** Section 73-9-24, Mississippi Code of 1972, is  
 13 amended as follows:

14 73-9-24. (1) In addition to the method for obtaining a  
 15 license to practice dentistry or dental hygiene by way of  
 16 examination as provided by Section 73-9-23, the board, in its sole  
 17 discretion, may grant a license to a candidate who meets the  
 18 following criteria:

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

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

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

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

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

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

39 (g) Has passed a state or regional clinical licensure  
40 examination and, within the past five (5) years, has not failed a  
41 clinical licensure examination administered by another state,  
42 jurisdiction, or regional licensing board;

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

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

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

52 (k) Successfully passes a written jurisprudence  
53 examination;

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

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

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

63 (ii) Questioning under oath.

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

66 (iv) Substance abuse testing or treatment.

67 (v) Background checks for criminal or fraudulent  
68 activities.

69 (vi) Participation in continuing education.

70 (vii) A current certificate in cardiopulmonary  
71 resuscitation.

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

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

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

78 (xi) Proof of professional liability coverage and  
79 that the coverage has not been refused, declined, canceled,  
80 nonrenewed or modified.

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

84 (2) In addition to the method for obtaining a license to  
85 practice dental hygiene by way of examination as provided by  
86 Section 73-9-23, the board shall grant a license to an applicant  
87 who meets the following criteria:

88 (a) Is of good moral character and has attained the age  
89 of eighteen (18) years;

90 (b) Is proficient in oral and written communications in  
91 the English language;

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

96           (d) Has been licensed as a dentist or dental hygienist  
97 or admitted to the practice of dentistry or dental hygiene in the  
98 foreign country in which the applicant received foreign dental  
99 hygiene school training;

100           (e) Has successfully completed the National Board  
101 Dental Hygiene Examinations of the Joint Commission on National  
102 Dental Examinations, or its successor commission;

103           (f) Currently holds a valid, unrestricted and unexpired  
104 license to practice dentistry or dental hygiene in a state whose  
105 standards for licensure are determined by the board as equivalent  
106 to Mississippi's standards, and which state grants reciprocity or  
107 licensure by credentials to licensees of the State of Mississippi;

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

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

114           (i) Is not the subject of a pending investigation in  
115 any other state or jurisdiction;

116           (j) Has not failed, within the past five (5) years, a  
117 clinical licensure examination administered by another state,  
118 jurisdiction, or regional licensing board;

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

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

124           (m) Successfully completes a practical examination or  
125 demonstration administered by the Mississippi State Board of  
126 Dental Examiners to determine the applicant's learning and skill  
127 in dental hygiene.

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

133       (4) Any applicant failing to meet the criteria in subsection  
134 (1) or (2) of this section shall not be eligible for a license  
135 based on credentials. Upon meeting the criteria in subsection (1)  
136 of this section, the Mississippi State Board of Dental Examiners  
137 may, in its discretion, issue to the applicant a license to  
138 practice dentistry, or dental hygiene, unless grounds for denial  
139 of licensure exist as enumerated in Section 73-9-61. Upon meeting  
140 the criteria in subsection (2) of this section, the Mississippi  
141 State Board of Dental Examiners shall issue to the applicant a  
142 license to practice dental hygiene, unless grounds for denial of  
143 licensure exist as enumerated in Section 73-9-61. Evidence of  
144 falsification in the application for licensure through  
145 credentialing will result in revocation of the license.

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

151       **SECTION 2.** Section 73-9-23, Mississippi Code of 1972, is  
152 amended as follows:

153       73-9-23. (1) No person who desires to practice dentistry or  
154 dental hygiene in the State of Mississippi shall be licensed until  
155 that person has passed an examination by the board, except as  
156 otherwise provided in Section 73-9-24. Applicants for examination  
157 shall apply in writing to the board for an examination at least  
158 thirty (30) days before the examination and shall upon application  
159 pay a nonrefundable fee as elsewhere provided in this chapter.

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

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

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

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

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

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

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

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

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

187                 (e) Present documentation of having completed at least  
188 two (2) or more years of full-time postdoctoral dental education  
189 in a dental school accredited by the Commission on Dental  
190 Accreditation of the American Dental Association, or its successor  
191 commission, and has been certified by the dean of the accredited

192 dental school as having achieved the same level of didactic and  
193 clinical competence as expected of a graduate of the school; and

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

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

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

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

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

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

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

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

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

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

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

233           (f) Have successfully completed the National Board  
234 Dental Hygiene Examinations of the Joint Commission on National  
235 Dental Examinations, or its successor commission.

236           (6) Applications shall be made in the form and content as  
237 required in this section and as shall be prescribed by the board,  
238 and each applicant shall submit upon request such proof as the  
239 board may require as to age, character and qualifications.  
240 Applications must be signed by two (2) citizens of the state of  
241 which the applicant is a resident, attesting under oath that the  
242 applicant is of good moral character. All applicants for  
243 licensure shall submit an endorsement from all states in which he  
244 or she is currently licensed or has ever been licensed to practice  
245 dentistry or dental hygiene. The board may disallow the licensure  
246 examination to any applicant who has been found guilty of any of  
247 the grounds for disciplinary action as enumerated in Section  
248 73-9-61.

249           (7) Examination shall be as elsewhere provided in this  
250 chapter and the board may by its rules and regulations prescribe  
251 reasonable professional standards for oral, written, clinical and  
252 other examinations given to applicants, and, if deemed necessary  
253 by the board, include a requirement that licensure examinations of  
254 applicants be conducted utilizing live human subjects. Each  
255 applicant shall appear before the board and be examined to  
256 determine his or her learning and skill in dentistry or dental  
257 hygiene. If found by the members of the board conducting the



258 examination to possess sufficient learning and skill therein and  
259 to be of good moral character, the board shall, as early as  
260 practicable, grant to the person a license to practice dentistry  
261 or dental hygiene, as the case may be, which shall be signed by  
262 each member of the board who attended the examination and approved  
263 the issuance of a license.

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

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

275 **SECTION 3.** This act shall take effect and be in force from  
276 and after July 1, 2005.