

By: Representative Guice

To: Public Health and Human Services

HOUSE BILL NO. 335

1 AN ACT TO CODIFY NEW SECTION 73-9-30, MISSISSIPPI CODE OF  
2 1972, TO AUTHORIZE THE STATE BOARD OF DENTAL EXAMINERS TO GRANT  
3 LIMITED INSTITUTIONAL LICENSES FOR THE PRACTICE OF DENTISTRY OR  
4 DENTAL HYGIENE IN STATE SUPPORTED INSTITUTIONS TO GRADUATES OF  
5 RECOGNIZED FOREIGN DENTAL SCHOOLS OR DENTAL HYGIENE SCHOOLS; TO  
6 PRESCRIBE THE PROCEDURE AND CONDITIONS FOR THE ISSUANCE OF LIMITED  
7 INSTITUTIONAL LICENSES FOR THE PRACTICE OF DENTISTRY OR DENTAL  
8 HYGIENE; TO AMEND SECTION 73-9-23, MISSISSIPPI CODE OF 1972, TO  
9 CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** The following shall be codified as Section  
12 73-9-30, Mississippi Code of 1972:

13 73-9-30. The State Board of Dental Examiners may grant  
14 limited institutional licenses for the practice of dentistry or  
15 dental hygiene in state institutions to graduates of foreign  
16 dental schools or dental hygiene schools that are recognized by  
17 the licensure authorities of the countries in which the schools  
18 are located, subject to the conditions as set out in this section.

19 Any graduate of such a recognized foreign dental school or  
20 dental hygiene school who is employed or is being considered for  
21 employment to practice dentistry or dental hygiene in one or more  
22 Mississippi state-supported institutions located in the same  
23 county shall make application for the license to the State Board  
24 of Dental Examiners on a form prescribed by the board. The  
25 application shall state the institution or institutions in which  
26 the applicant has assurance of employment. The board may  
27 establish minimum standards of qualifications including moral,  
28 experience and proficiency for those applicants. The application  
29 and the board's recommendation shall be forwarded to the governing

30 body and director of the institution or institutions in which the  
31 applicant wishes to practice.

32       Upon receipt of an approved application from the board, the  
33 governing body and director of the institution shall submit the  
34 application for review to the local dental or dental hygiene  
35 society, the member of the governing board of the Mississippi  
36 Dental Association or the Mississippi Dental Hygienists'  
37 Association of the district in which the institution is located  
38 and the member of the State Board of Dental Examiners of the  
39 district in which the institution is located. A formal  
40 recommendation from each of these, along with that of the  
41 governing body and director of the institution, shall become a  
42 part of the application, and shall then be returned to the board.  
43 If a majority of the recommendations are in favor of the  
44 applicant, the board may, in its discretion, issue a limited  
45 license to practice dentistry or dental hygiene in that  
46 institution. The holder of such a license shall be subject to all  
47 the laws of the State of Mississippi governing the practice of  
48 dentistry or dental hygiene.

49       The license shall be for one (1) year and shall be in such  
50 form as the board prescribes, and shall be issued for practice in  
51 a particular institution and shall not be endorsable to another  
52 state. The license must be renewed annually, after such review as  
53 the board considers necessary. A graduate of a foreign dental  
54 school or dental hygiene school so licensed may hold a limited  
55 institutional license for not more than five (5) years; however,  
56 the board, in its discretion, may waive the five-year limitation  
57 on limited institutional licenses for any graduate of a foreign  
58 dental school or dental hygiene school who holds the license.

59       It is the intent of this section to enable Mississippi state  
60 supported institutions to utilize the services of qualified  
61 graduates of foreign dental schools and dental hygiene schools  
62 during the period necessary for them to secure citizenship papers,

63 and to meet other requirements for a regular dental or dental  
64 hygiene license. The board may, in its discretion, refuse to  
65 renew, or revoke a limited license if the holder of the license  
66 has failed to avail himself or herself of the opportunity to take  
67 the examination for regular licensure after becoming eligible for  
68 the examination.

69 The board may establish reasonable and uniform license fees  
70 and shall make such rules and regulations as it considers  
71 necessary to carry out the purposes of this section.

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

74 73-9-23. (1) No person who desires to practice dentistry or  
75 dental hygiene in the State of Mississippi shall be licensed until  
76 that person has passed an examination by the board, except as  
77 otherwise provided in Section 73-9-30. Applicants for examination  
78 shall apply in writing to the board for an examination at least  
79 thirty (30) days before the examination and shall upon application  
80 pay a nonrefundable fee as elsewhere provided in this chapter.

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

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

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

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

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

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

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

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

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

108                (e) Present documentation of having completed at least  
109 two (2) or more years of full-time postdoctoral dental education  
110 in a dental school accredited by the Commission on Dental  
111 Accreditation of the American Dental Association, or its successor  
112 commission, and has been certified by the dean of the accredited  
113 dental school as having achieved the same level of didactic and  
114 clinical competence as expected of a graduate of the school; and

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

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

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

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

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

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

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

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

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

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

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

154           (f) Have successfully completed the National Board  
155 Dental Hygiene Examinations of the Joint Commission on National  
156 Dental Examinations, or its successor commission.

157           (6) Applications shall be made in the form and content as  
158 required in this section and as shall be prescribed by the board,  
159 and each applicant shall submit upon request such proof as the  
160 board may require as to age, character and qualifications.

161 Applications must be signed by two (2) citizens of the state of  
162 which the applicant is a resident, attesting under oath that the  
163 applicant is of good moral character. All applicants for  
164 licensure shall submit an endorsement from all states in which he  
165 or she is currently licensed or has ever been licensed to practice  
166 dentistry or dental hygiene. The board may disallow the licensure  
167 examination to any applicant who has been found guilty of any of  
168 the grounds for disciplinary action as enumerated in Section  
169 73-9-61.

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

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

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

196           **SECTION 3.** This act shall take effect and be in force from  
197 and after July 1, 2006.