

By: Senator(s) Blackwell

To: Public Health and
Welfare

SENATE BILL NO. 2674

1 AN ACT TO AMEND SECTION 73-9-13, MISSISSIPPI CODE OF 1972, TO
2 CLARIFY THE POWERS AND DUTIES OF THE STATE BOARD OF DENTAL
3 EXAMINERS RELATING TO THE REGULATION OF THE PRACTICE OF DENTISTRY
4 AND DENTAL HYGIENE; TO CLARIFY THE BOARD'S AUTHORITY TO PRESCRIBE
5 LIMITS ON THE ACTIVITIES OF LICENSED DENTAL HYGIENISTS OPERATING
6 UNDER THE SUPERVISION OF A DENTIST; AND FOR RELATED PURPOSES.

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

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

10 73-9-13. The State Board of Dental Examiners shall each year
11 elect from their number a president, vice president and
12 secretary-treasurer to serve for the coming year and until their
13 successors are qualified. Only dentist members of the board may
14 hold the offices of president and vice president. The board shall
15 have a seal with appropriate wording to be kept at the offices of
16 the board. The secretary and the executive director of the board
17 shall be required to make bond in such sum and with such surety as
18 the board may determine. It shall be the duty of the executive
19 director to keep a complete record of the acts and proceedings of



20 the board and to preserve all papers, documents and correspondence
21 received by the board relating to its duties and office.

22 The board shall have the following powers and duties:

23 (a) To carry out the purposes and provisions of the
24 state laws pertaining to dentistry and dental hygiene, and the
25 practice thereof and matters related thereto, particularly
26 Sections 73-9-1 through 73-9-117, together with all amendments and
27 additions thereto.

28 (b) To regulate the practice of dentistry and dental
29 hygiene * * * by prescribing those acts, services, procedures and
30 practices that may be performed and imposing such requirements and
31 restrictions on the performance of those acts, services,
32 procedures and practices which the board considers proper and
33 necessary to protect and promote the public health and welfare of
34 the citizens of this state. This authority includes the
35 authorization and regulation of licensed dental hygienists
36 operating under a dentist's direct or general supervision within
37 those limits prescribed by the board. However, the board shall
38 not adopt any rule or regulation or impose any requirement
39 regarding the licensing of dentists that conflicts with the
40 prohibitions in Section 73-49-3.

41 (c) To make rules and regulations by which clinical
42 facilities within institutions, schools, colleges, universities
43 and other agencies may be recognized and approved for the practice
44 of dentistry or of dental hygiene by unlicensed persons therein,



45 as a precondition to their being excepted from the dental practice
46 act and authorized in accordance with Section 73-9-3(g) and (h).

47 (d) To provide for the enforcement of and to enforce
48 the laws of the State of Mississippi and the rules and regulations
49 of the State Board of Dental Examiners.

50 (e) To compile at least once each calendar year and to
51 maintain an adequate list of prospective dentist and dental
52 hygienist appointees for approval by the Governor as provided for
53 elsewhere by law.

54 (f) To issue licenses and permits to applicants when
55 found to be qualified.

56 (g) To provide for reregistration of all licenses and
57 permits duly issued by the board.

58 (h) To maintain an up-to-date list of all licensees and
59 permit holders in the state, together with their addresses.

60 (i) To examine applicants for the practice of dentistry
61 or dental hygiene at least annually.

62 (j) To issue licenses or duplicates and
63 reregistration/renewal certificates, and to collect and account
64 for fees for same.

65 (k) To maintain an office adequately staffed insofar as
66 funds are available for the purposes of carrying out the powers
67 and duties of the board.

68 (l) To provide by appropriate rules and regulations,
69 within the provisions of the state laws, for revoking or

70 suspending licenses and permits and a system of fines for lesser
71 penalties.

72 (m) To prosecute, investigate or initiate prosecution
73 for violations of the laws of the state pertaining to practice of
74 dentistry or dental hygiene, or matters affecting the rights and
75 duties, or related thereto.

76 (n) To provide by rules for the conduct of as much
77 board business as practicable by mail, which, when so done, shall
78 be and have the same force and effect as if done in a regular
79 meeting duly organized.

80 (o) To adopt rules and regulations providing for the
81 reasonable regulation of advertising by dentists and dental
82 hygienists.

83 (p) To employ, in its discretion, a duly licensed
84 attorney to represent the board in individual cases.

85 (q) To employ, in its discretion, technical and
86 professional personnel to conduct dental office sedation site
87 visits, administer and monitor state board examinations and carry
88 out the powers and duties of the board.

89 (r) To adopt reasonable rules and regulations providing
90 for dentist practice records retention under the following minimum
91 standards:

92 (i) Dental records shall be retained by a dentist
93 in the original, microfilmed, or similarly reproduced form for a

94 minimum period of ten (10) years from the date a patient is last
95 treated by a dentist.

96 (ii) Graphic matter, images, X-ray films, and like
97 matter that were necessary to produce a diagnostic or therapeutic
98 report shall be retained, preserved and properly stored by a
99 dentist in the original microfilmed or similarly reproduced form
100 for a minimum period of three (3) years from the date a patient is
101 last treated by the dentist. Such graphic matter, images, X-ray
102 film, and like matter shall be retained for a longer period when
103 requested in writing by the patient.

104 (iii) Dental records in their original,
105 microfilmed, or similarly reproduced form shall be provided upon
106 request to a parent or guardian of an unemancipated minor under
107 eighteen (18) without the permission of such unemancipated minor.

108 **SECTION 2.** This act shall take effect and be in force from
109 and after July 1, 2025.

