

By: Senator(s) Huggins

To: Public Health and Welfare

SENATE BILL NO. 2497

1 AN ACT TO AMEND SECTIONS 73-9-23 AND 73-9-24, MISSISSIPPI
2 CODE OF 1972, TO CLARIFY CERTAIN REQUIREMENTS FOR LICENSURE BY THE
3 MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS, TO ALLOW FOR EITHER
4 GENERAL OR SPECIALTY POST-DOCTORAL DENTAL EDUCATIONAL TRAINING,
5 AND TO REQUIRE SUCCESSFUL COMPLETION OF A CLINICAL LICENSURE
6 EXAMINATION TO QUALIFY FOR LICENSURE BY CREDENTIALS; AND FOR
7 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 post-doctoral * * * 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 post-graduate 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.

