

## Session 121 - (2015-2016)

### S 0245 General Bill, By Davis

#### Summary: Dental Therapists

A BILL TO AMEND CHAPTER 15, TITLE 40 OF THE 1976 CODE, RELATING TO DENTISTS, DENTAL HYGIENISTS, AND DENTAL TECHNICIANS, TO PROVIDE THAT DENTAL THERAPISTS ARE AUTHORIZED TO PRACTICE IN SOUTH CAROLINA, TO PROVIDE FOR DEFINITIONS AND THE SCOPE OF AUTHORIZATION, TO PROVIDE THAT NO PERSON SHALL REPRESENT HIMSELF AS A DENTAL THERAPIST WITHOUT A LICENSE, TO PROVIDE FOR THE SERVICES AND PROCEDURES THAT MAY BE PERFORMED BY LICENSED DENTAL THERAPISTS, TO PROVIDE FOR THE LIMITATIONS OF DENTAL THERAPY PRACTICE, INCLUDING PUBLIC SETTINGS AUTHORIZED UNDER FEDERAL LAW AND PRIVATE DENTAL PRACTICES THAT SERVE A POPULATION OF AT LEAST TWENTY-FIVE PERCENT MEDICAID PATIENTS, TO PROVIDE THAT A DENTAL THERAPIST MAY ONLY PRACTICE PURSUANT TO A WRITTEN COLLABORATIVE AGREEMENT WITH A LICENSED DENTIST AND TO SPECIFY THE REQUIRED TERMS OF EACH COLLABORATIVE AGREEMENT, TO PROVIDE THE PROCEDURE FOR APPLYING FOR A LICENSE TO BE A DENTAL THERAPIST, TO PROVIDE FOR THE CONDITIONS FOR GRANTING A LICENSE TO BE A DENTAL THERAPIST, TO PROVIDE FOR THE PROCEDURE UPON TERMINATION OF A COLLABORATIVE AGREEMENT BETWEEN A DENTAL THERAPIST AND A COLLABORATING DENTIST, TO PROVIDE THAT A DENTAL THERAPIST MUST PERFORM CONTINUING EDUCATION TO BE ELIGIBLE FOR A LICENSE RENEWAL, TO PROVIDE FOR THE FEES FOR LICENSURE, AND TO PROVIDE THAT DENTAL THERAPISTS ARE TO BE RECOGNIZED AS PROVIDERS AND ARE ELIGIBLE TO RECEIVE REIMBURSEMENT FROM THIRD PARTIES; TO AMEND SECTION 40-15-120(A) OF THE 1976 CODE, RELATING TO PENALTIES FOR THE PRACTICE OF DENTISTRY OR DENTAL HYGIENE WITHOUT A LICENSE, TO PROVIDE THAT IT IS UNLAWFUL TO PRACTICE DENTAL THERAPY WITHOUT BEING LICENSED BY THE BOARD, OR DURING A PERIOD OF SUSPENSION OR REVOCATION; TO AMEND SECTION 40-15-140, RELATING TO THE EXAMINATION OF APPLICANTS FOR LICENSES, TO PROVIDE THAT IT IS THE DUTY OF THE BOARD TO EXAMINE ALL QUALIFIED APPLICANTS FOR A LICENSE TO PRACTICE DENTAL THERAPY; TO AMEND SECTION 40-15-170 TO REQUIRE THAT DENTAL THERAPISTS PAY AN ANNUAL REGISTRATION FEE, TO BE SET BY THE BOARD, NOT LATER THAN THE THIRTY-FIRST OF DECEMBER, AND TO PROVIDE THAT IF AN INDIVIDUAL'S LICENSE TO PRACTICE DENTAL THERAPY IS REVOKED BY ANOTHER STATE FOR CAUSE IT CONSTITUTES GROUNDS FOR REVOCATION IN THIS STATE, AND TO PROVIDE THAT IF A DENTAL THERAPIST FAILS TO RESIDE OR PRACTICE IN SOUTH CAROLINA FOR SIX YEARS HIS LICENSE IS DEEMED INACTIVE; TO AMEND SECTION 40-15-180(1), TO PROVIDE THAT THE BOARD MAY RECEIVE COMPLAINTS AGAINST A DENTAL THERAPIST AND MAY PROCEED TO FILE A FORMAL ACCUSATION; TO AMEND SECTION 40-15-190, TO PROVIDE FOR MISCONDUCT WHICH CONSTITUTES GROUNDS FOR REVOCATION, SUSPENSION, PROBATION, REPRIMAND, OR OTHER RESTRICTION OF A LICENSE FOR A DENTAL THERAPIST, AND TO PROVIDE REASONABLE ACTIONS THE BOARD MAY TAKE WHEN INVESTIGATING A COMPLAINT AGAINST A DENTAL THERAPIST; TO AMEND SECTION 40-15-200, TO PROVIDE THAT IF THE BOARD IS SATISFIED THAT A DENTAL THERAPIST IS GUILTY OF AN OFFENSE CHARGED IN THE FORMAL ACCUSATION, IT MAY REVOKE OR SUSPEND THE LICENSE OR THE REGISTRATION CERTIFICATE, OR ISSUE A PUBLIC OR PRIVATE REPRIMAND, OR TAKE OTHER REASONABLE ACTION; TO AMEND SECTION 40-15-212, TO PROVIDE THAT A PERSON WHO PRACTICES DENTAL THERAPY IN VIOLATION OF THIS CHAPTER OR WHO AIDS OR ABETS A PERSON IN VIOLATING THIS CHAPTER, UPON CONVICTION, MUST BE FINED NOT MORE THAN ONE THOUSAND DOLLARS OR IMPRISONED FOR NOT MORE THAN TWO YEARS, OR BOTH; AND TO AMEND SECTION 40-15-215, TO PROVIDE THAT ANY FINAL ORDER OF THE BOARD FINDING THAT A DENTAL THERAPIST IS GUILTY OF ANY OFFENSE CHARGED IN A FORMAL ACCUSATION IS PUBLIC KNOWLEDGE, EXCEPT FOR A FINAL ORDER DISMISSING THE ACCUSATION OR DETERMINING THAT A PUBLIC REPRIMAND IS IN ORDER, OR UNLESS STAYED BY THE ADMINISTRATIVE LAW JUDGE.

12/10/14 Senate Prefiled

12/10/14 Senate Referred to Committee on Medical Affairs

01/13/15 Senate Introduced and read first time (Senate Journal-page 149)

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