
 CHAPTER 770-H.F.No.1950

[Coded in Part]

An act relating to the practice of dentistry; amending Minnesota Statutes 1976, Sections 150A.03, Subdivision 1; 150A.06, Subdivisions 1, 2, 2a, and 4; 150A.08, Subdivision 1; and 150A.09, by adding subdivisions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1976, Section 150A.03, Subdivision 1, is amended to read:

150A.03 OFFICERS; SALARIES; EQUIPMENT AND SUPPLIES. Subdivision 1. The board of dentistry shall elect from its members a president, a vice-president, and a ~~secretary-treasurer~~ secretary. The board shall have a common seal. It may hold meetings at such times as may be necessary and as it may determine. The board may hold ~~special meetings outside of the state for the purpose of conducting examinations in conjunction with the boards of dentistry of other states, provided that the cost of such examinations be borne entirely by those persons wishing to have the board of dentistry conduct such examinations affiliate and participate, both in and out-of-state, with regional and national testing agencies for the purpose of conducting examinations for licensure and registration.~~ The fee charged by such an agency for conducting the examination may be in addition to the application fee established by the board pursuant to section 150A.06.

Sec. 2. Minnesota Statutes 1976, Section 150A.06, Subdivision 1, is amended to read:

150A.06 LICENSURE. Subdivision 1. **DENTISTS.** A person of good moral character not already a licensed dentist of the state, ~~desiring to practice dentistry herein, shall apply to the state board of dentistry for examination and pay the fee established by the board for the first examination, and the same fee for each subsequent examination, which in no case shall be refunded. At the time and place designated by the board the applicant may present himself for examination and shall produce having submitted an application and fee as prescribed by the board and his diploma or equivalent from a dental college of good standing, of which standing the board shall be the sole judge, also satisfactory evidence showing that the applicant is of good moral character. The board shall give the applicant may be examined by the board or by an agency pursuant to section 150A.03, subdivision 1, in such an examination a manner as to test thoroughly his the applicant's fitness for the to practice of dentistry. In the case of examinations conducted pursuant to section 150A.03, subdivision 1, applicants may take the examination prior to applying to the board for licensure. Said The examination shall include an examination of the applicant's knowledge of the laws of Minnesota relating to dentistry and the rules of the state board of dentistry. A separate fee may be charged for each time a person applies which in no case shall be refunded. An applicant who successfully passes the examination and meets all other requirements of the board shall be licensed to practice dentistry and supplied with a license by the board. Rules of the board~~

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establishing an examination fee shall remain in effect and shall constitute the application fee provided for herein until such time as the board shall amend, repeal, or otherwise change the rules pursuant to Minnesota Statutes, Chapter 15.

Sec. 3. Minnesota Statutes 1976, Section 150A.06, Subdivision 2, is amended to read:

Subd. 2. **DENTAL HYGIENISTS.** A person of good moral character not already a licensed dental hygienist of this state, being a graduate of an accredited high school or its equivalent, who is a graduate of and having submitted an application and fee as prescribed by the board and his diploma or equivalent from a training school for dental hygienists of good standing, of which standing the board shall be the sole judge, or equivalent approved by the board, may, upon payment of the fee established by the board, be examined by the board or by an agency pursuant to section 150A.03, subdivision 1, in such manner as to thoroughly test the applicant's fitness to practice dental hygiene. In the case of examinations conducted pursuant to section 150A.03, subdivision 1, applicants may take the examination prior to applying to the board for licensure. Each applicant shall also be examined on the applicant's knowledge of the laws of Minnesota relating to dentistry and of the rules and regulations of the state board of dentistry. A separate fee may be charged for each time a person applies which in no case shall be refunded. An applicant who successfully passes the examination and meets all the other requirements of the board shall be licensed as a dental hygienist and supplied with a license by the board. Rules of the board establishing an examination fee shall remain in effect and shall constitute the application fee provided for herein until such time as the board shall amend, repeal, or otherwise change the rules pursuant to Minnesota Statutes, Chapter 15.

Sec. 4. Minnesota Statutes 1976, Section 150A.06, Subdivision 2a, is amended to read:

Subd. 2a. **REGISTERED DENTAL ASSISTANT.** Application for registration as a registered dental assistant shall be made in writing to the board upon a form furnished by the board, accompanied by satisfactory evidence that the applicant is of good moral character and is a graduate of a training program approved by the board by rule. The application shall be accompanied by a fee set by the board by rule. Upon filing the application, the board, if satisfied, shall examine the applicant on his skills, and his knowledge of the laws of Minnesota relating to dentistry and the rules of the board. An applicant who successfully passes the examination shall be registered as a dental assistant. A person of good moral character, having submitted an application and fee as prescribed by the board and his diploma or equivalent from a training school, of good standing, for dental assistants, of which standing the board shall be sole judge, or equivalent as approved by the board, may be examined by the board or by an agency pursuant to section 50A.03, subdivision 1, in such a manner as to test thoroughly the applicant's fitness to perform as a registered dental assistant. In the case of examinations conducted pursuant to section 150A.03, subdivision 1, applicants may take the examination prior to applying to the board for registration. The examination shall include an examination of the applicant's knowledge of the laws of Minnesota relating to dentistry and the rules of the board. A separate fee may be charged for each time a person applied which in no case

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shall be refunded. An applicant who passes the examination and meets all the other requirements of the board shall be registered as a dental assistant. Rules of the board establishing an examination fee shall remain in effect and shall constitute the application fee provided for herein until such time as the board shall amend, repeal, or otherwise change the rules pursuant to Minnesota Statutes, Chapter 15.

Sec. 5. Minnesota Statutes 1976, Section 150A.06, Subdivision 4, is amended to read:

Subd. 4. **RECIPROCITY.** Any person who is lawfully practicing dentistry or dental hygiene in another state or Canadian province having and maintaining a standard of examination for licensure and of laws regulating such practice within that state or Canadian province, substantially equivalent to Minnesota, of which fact the board shall be the sole judge, and who is a reputable dentist or dental hygienist of good moral character and desirous of removing to this state, and deposits, in person, with the board of dentistry a certificate from the board of dentistry of the state or Canadian province in which he is licensed, certifying to the fact of his licensure and that he is of good moral character and professional attainments, may, upon payment of the fee ~~for examination~~, established by the board and at the discretion of the board be granted a license to practice in this state without further examination, provided that he shall be examined in the laws of Minnesota relating to dentistry and the rules ~~and regulations~~ of the board of dentistry.

Sec. 6. Minnesota Statutes 1976, Section 150A.08, Subdivision 1, is amended to read:

150A.08 SUSPENSION, REVOCATION, LIMITATION, MODIFICATION OR DENIAL OF LICENSE. Subdivision 1. **GROUND.** The board may refuse or by order suspend or revoke, limit or modify by imposing such conditions as the board may deem necessary in the manner hereinafter provided, any license to practice dentistry or dental hygiene or the registration of any dental assistant issued heretofore or hereunder upon any of the following grounds:

(1) Fraud or deception in connection with the practice of dentistry or the securing of such license or annual registration certificate;

(2) Conviction of the holder in any court of a felony reasonably related to the practice of dentistry;

(3) Conviction of the holder in any court of an offense involving moral turpitude;

(4) Habitual indulgence in the use of narcotics or habitual overindulgence in the use of intoxicating liquors;

(5) Conduct unbecoming a person licensed to practice dentistry or dental hygiene or registered as a dental assistant, or conduct contrary to the best interest of the public, as such conduct is defined by the rules ~~and regulations~~ of the board;

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(6) Gross immorality;

(7) Advanced physical or mental disability;

(8) Failure to maintain adequate safety and sanitary conditions for a dental office in accordance with the standards established by the rules ~~and regulations~~ of the board;

(9) Employing, assisting, or enabling in any manner an unlicensed person to practice dentistry; or

(10) Violation of, or failure to comply with, any other provisions of sections 150A.01 to 150A.12 or the rules ~~and regulations~~ of the board of dentistry or any other just cause related to the practice of dentistry. Suspension ~~or~~, revocation, modification or limitation of any license shall not be based upon any judgment as to therapeutic or monetary value of any individual drug prescribed or any individual treatment rendered, but only upon a repeated pattern of conduct.

Sec. 7. Minnesota Statutes 1976, Section 150A.09, is amended by adding a subdivision to read:

Subd. 4. LATE FEE. A late fee established by the board shall be paid if the information and fee required by subdivision 1 of this section is not received by the executive secretary of the board on or before the registration or license renewal date.

Sec. 8. Minnesota Statutes 1976, Section 150A.09, is amended by adding a subdivision to read:

Subd. 5. EYE EXAMINATION. The board may establish by rules, requirements for eye examinations of individual dentists, dental hygienists or registered dental assistants if in the opinion of the board it is reasonably necessary, from licensed optometrists or ophthalmologists indicating that the licensee or registrant has visual acuity to perform the services required of such licensee or registrant.

Sec. 9. **EFFECTIVE DATE.** This act is effective the day following its final enactment.

Approved April 5, 1978.

CHAPTER 771-H.F.No.2017

[Coded in Part]

An act relating to cable communications; providing for line extension; amending Minnesota Statutes 1976, Sections 238.02, by adding subdivisions; 238.08, Subdivision 1; and Chapter 238, by adding a section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

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