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State of Minnesota

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Page No. **48**

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 1110

- 02/13/2017 Authored by West, Daniels and Albright
The bill was read for the first time and referred to the Committee on Health and Human Services Reform
- 02/27/2017 Adoption of Report: Placed on the General Register
Read for the Second Time
- 05/08/2017 Referred to the Chief Clerk for Comparison with S. F. No. 481
- 05/09/2017 Postponed Indefinitely

1.1 A bill for an act

1.2 relating to health licensing; clarifying waiver of examination, dental assisting

1.3 licensure, and allied dental professional restorative functions; making technical

1.4 changes; amending Minnesota Statutes 2016, sections 150A.06, subdivisions 3,

1.5 8; 150A.10, subdivision 4.

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

1.7 Section 1. Minnesota Statutes 2016, section 150A.06, subdivision 3, is amended to read:

1.8 Subd. 3. **Waiver of examination.** (a) All or any part of the examination for dentists ~~or~~₂

1.9 dental therapists, dental hygienists, or dental assistants, except that pertaining to the law of

1.10 Minnesota relating to dentistry and the rules of the board, may, at the discretion of the board,

1.11 be waived for an applicant who presents a certificate of having passed all components of

1.12 the National Board Dental Examinations or evidence of having maintained an adequate

1.13 scholastic standing as determined by the board, in dental school as to dentists, or dental

1.14 hygiene school as to dental hygienists.

1.15 (b) The board shall waive the clinical examination required for licensure for any dentist

1.16 applicant who is a graduate of a dental school accredited by the Commission on Dental

1.17 Accreditation, who has passed all components of the National Board Dental Examinations,

1.18 and who has satisfactorily completed a Minnesota-based postdoctoral general dentistry

1.19 residency program (GPR) or an advanced education in general dentistry (AEGD) program

1.20 after January 1, 2004. The postdoctoral program must be accredited by the Commission on

1.21 Dental Accreditation, be of at least one year's duration, and include an outcome assessment

1.22 evaluation assessing the resident's competence to practice dentistry. The board may require

1.23 the applicant to submit any information deemed necessary by the board to determine whether

1.24 the waiver is applicable.

2.1 Sec. 2. Minnesota Statutes 2016, section 150A.06, subdivision 8, is amended to read:

2.2 Subd. 8. **Licensure by credentials.** (a) Any dental assistant may, upon application and
2.3 payment of a fee established by the board, apply for licensure based on an evaluation of the
2.4 applicant's education, experience, and performance record in lieu of completing a
2.5 board-approved dental assisting program for expanded functions as defined in rule, and
2.6 may be interviewed by the board to determine if the applicant:

2.7 (1) has graduated from an accredited dental assisting program accredited by the
2.8 Commission on Dental Accreditation, ~~or~~ and is currently certified by the Dental Assisting
2.9 National Board;

2.10 (2) is not subject to any pending or final disciplinary action in another state or Canadian
2.11 province, or if not currently certified or registered, previously had a certification or
2.12 registration in another state or Canadian province in good standing that was not subject to
2.13 any final or pending disciplinary action at the time of surrender;

2.14 (3) is of good moral character and abides by professional ethical conduct requirements;

2.15 (4) at board discretion, has passed a board-approved English proficiency test if English
2.16 is not the applicant's primary language; and

2.17 (5) has met all expanded functions curriculum equivalency requirements of a Minnesota
2.18 board-approved dental assisting program.

2.19 (b) The board, at its discretion, may waive specific licensure requirements in paragraph
2.20 (a).

2.21 (c) An applicant who fulfills the conditions of this subdivision and demonstrates the
2.22 minimum knowledge in dental subjects required for licensure under subdivision 2a must
2.23 be licensed to practice the applicant's profession.

2.24 (d) If the applicant does not demonstrate the minimum knowledge in dental subjects
2.25 required for licensure under subdivision 2a, the application must be denied. If licensure is
2.26 denied, the board may notify the applicant of any specific remedy that the applicant could
2.27 take which, when passed, would qualify the applicant for licensure. A denial does not
2.28 prohibit the applicant from applying for licensure under subdivision 2a.

2.29 (e) A candidate whose application has been denied may appeal the decision to the board
2.30 according to subdivision 4a.

3.1 Sec. 3. Minnesota Statutes 2016, section 150A.10, subdivision 4, is amended to read:

3.2 Subd. 4. **Restorative procedures.** (a) Notwithstanding subdivisions 1, 1a, and 2, a
3.3 licensed dental hygienist or licensed dental assistant may perform the following restorative
3.4 procedures:

3.5 (1) place, contour, and adjust amalgam restorations;

3.6 (2) place, contour, and adjust glass ionomer;

3.7 (3) adapt and cement stainless steel crowns; and

3.8 ~~(4) place, contour, and adjust class I and class V supragingival composite restorations~~
3.9 ~~where the margins are entirely within the enamel; and~~

3.10 ~~(5)~~ (4) place, contour, and adjust class I, II, and class V supragingival composite
3.11 restorations on primary ~~teeth~~ and permanent dentition.

3.12 (b) The restorative procedures described in paragraph (a) may be performed only if:

3.13 (1) the licensed dental hygienist or licensed dental assistant has completed a
3.14 board-approved course on the specific procedures;

3.15 (2) the board-approved course includes a component that sufficiently prepares the licensed
3.16 dental hygienist or licensed dental assistant to adjust the occlusion on the newly placed
3.17 restoration;

3.18 (3) a licensed dentist or licensed advanced dental therapist has authorized the procedure
3.19 to be performed; and

3.20 (4) a licensed dentist or licensed advanced dental therapist is available in the clinic while
3.21 the procedure is being performed.

3.22 (c) The dental faculty who teaches the educators of the board-approved courses specified
3.23 in paragraph (b) must have prior experience teaching these procedures in an accredited
3.24 dental education program.