

This Document can be made available in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 3715

03/12/2018 Authored by Zerwas, Daniels and Kiel
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to health; modifying certain licensing provisions for dentists; clarifying
1.3 faculty licensure; creating emeritus licensure; making technical changes; amending
1.4 Minnesota Statutes 2016, sections 150A.06, subdivision 1a, by adding subdivisions;
1.5 150A.091, by adding subdivisions.

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

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

1.8 Subd. 1a. **Faculty dentists.** (a) Faculty members of a school of dentistry must be licensed
1.9 in order to practice dentistry as defined in section 150A.05. The board may issue to members
1.10 of the faculty of a school of dentistry a license designated as either a "limited faculty license"
1.11 or a "full faculty license" entitling the holder to practice dentistry within the terms described
1.12 in paragraph (b) or (c). The dean of a school of dentistry and program directors of a
1.13 Minnesota dental hygiene, dental therapy, or dental assisting school accredited by the
1.14 Commission on Dental Accreditation shall certify to the board those members of the school's
1.15 faculty who practice dentistry but are not licensed to practice dentistry in Minnesota. A
1.16 faculty member who practices dentistry as defined in section 150A.05, before beginning
1.17 duties in a school of dentistry ~~or a~~, dental therapy, dental hygiene₂, or dental assisting ~~school~~,
1.18 shall apply to the board for a limited or full faculty license. Pursuant to Minnesota Rules,
1.19 chapter 3100, and at the discretion of the board, a limited faculty license must be renewed
1.20 annually and a full faculty license must be renewed biennially. The faculty applicant shall
1.21 pay a nonrefundable fee set by the board for issuing and renewing the faculty license. The
1.22 faculty license is valid during the time the holder remains a member of the faculty of a
1.23 school of dentistry ~~or a~~, dental therapy, dental hygiene₂, or dental assisting ~~school~~ and subjects
1.24 the holder to this chapter.

2.1 (b) The board may issue to dentist members of the faculty of a Minnesota school of
 2.2 dentistry, dental therapy, dental hygiene, or dental assisting accredited by the Commission
 2.3 on Dental Accreditation, a license designated as a limited faculty license entitling the holder
 2.4 to practice dentistry within the school and its affiliated teaching facilities, but only for the
 2.5 purposes of teaching or conducting research. The practice of dentistry at a school facility
 2.6 for purposes other than teaching or research is not allowed unless the dentist was a faculty
 2.7 member on August 1, 1993.

2.8 (c) The board may issue to dentist members of the faculty of a Minnesota school of
 2.9 dentistry, dental therapy, dental hygiene, or dental assisting accredited by the Commission
 2.10 on Dental Accreditation a license designated as a full faculty license entitling the holder to
 2.11 practice dentistry within the school and its affiliated ~~teaching~~ facilities ~~and elsewhere~~ if the
 2.12 holder of the license is employed ~~50 percent time or more~~ full time by the school in the
 2.13 practice of teaching, supervising, or research, and upon successful review by the board of
 2.14 the applicant's qualifications as described in subdivisions 1, 1c, and 4 and board rule. The
 2.15 board, at its discretion, may waive specific licensing prerequisites.

2.16 Sec. 2. Minnesota Statutes 2016, section 150A.06, is amended by adding a subdivision to
 2.17 read:

2.18 Subd. 10. Emeritus inactive license. (a) A dental professional licensed under this chapter
 2.19 to practice dentistry, dental therapy, dental hygiene, or dental assisting who retires from
 2.20 active practice in the state may apply to the board for an emeritus inactive license. An
 2.21 applicant must apply for an emeritus inactive license on the biennial licensing form or by
 2.22 petitioning the board.

2.23 (b) The board shall not grant an emeritus inactive license to an applicant who is the
 2.24 subject of a disciplinary action resulting in the current suspension, revocation,
 2.25 disqualification, condition, or restriction of the applicant's license to practice dentistry,
 2.26 dental therapy, dental hygiene, or dental assisting.

2.27 (c) An emeritus inactive licensee is prohibited from practicing dentistry, dental therapy,
 2.28 dental hygiene, or dental assisting. An emeritus inactive license is a formal recognition of
 2.29 completion of the licensee's dental career in good standing.

2.30 (d) The board shall charge a onetime fee for issuance of an emeritus inactive license,
 2.31 pursuant to section 150A.091.

3.1 Sec. 3. Minnesota Statutes 2016, section 150A.06, is amended by adding a subdivision to
3.2 read:

3.3 Subd. 11. **Emeritus active license.** (a) A dental professional licensed to practice dentistry,
3.4 dental therapy, dental hygiene, or dental assisting, pursuant to section 150A.05 and Minnesota
3.5 Rules, part 3100.8500, who declares retirement from active practice in the state may apply
3.6 to the board for an emeritus active license. An applicant must apply for an emeritus active
3.7 license on a form as required by the board.

3.8 (b) An emeritus active licensee may engage only in pro bono or volunteer practice, paid
3.9 practice not to exceed 240 hours per calendar year for the purpose of providing license
3.10 supervision to meet board requirements, and paid consulting services not to exceed 240
3.11 hours per calendar year.

3.12 (c) An emeritus active licensee is prohibited from representing that the licensee is
3.13 authorized to engage in any practice except as provided in paragraph (b). The board may
3.14 take disciplinary or corrective action against an emeritus active licensee as provided in
3.15 section 150A.08.

3.16 (d) An emeritus active license must be renewed biennially. The renewal requirements
3.17 for an emeritus active license are:

3.18 (1) completion of a renewal form as required by the board;

3.19 (2) payment of a renewal fee pursuant to section 150A.091; and

3.20 (3) reporting of 25 completed continuing education hours, which must include:

3.21 (i) courses in two required CORE areas;

3.22 (ii) one hour of credit on infection control;

3.23 (iii) for emeritus active licenses in dentistry and dental therapy, at least 15 fundamental
3.24 credits and no more than ten elective credits; and

3.25 (iv) for emeritus active licenses in dental hygiene and dental assisting, at least seven
3.26 fundamental credits and no more than six elective credits.

3.27 Sec. 4. Minnesota Statutes 2016, section 150A.091, is amended by adding a subdivision
3.28 to read:

3.29 Subd. 19. **Emeritus inactive license.** Each applicant shall submit with an application
3.30 for an emeritus inactive license a onetime, nonrefundable fee in the amount of \$50.

4.1 Sec. 5. Minnesota Statutes 2016, section 150A.091, is amended by adding a subdivision
4.2 to read:

4.3 Subd. 20. **Emeritus active license.** Each applicant shall submit with an application for
4.4 an emeritus inactive license, and each emeritus active licensee shall submit with a renewal
4.5 application, a nonrefundable fee as follows:

4.6 (1) for an emeritus active license in dentistry, \$212;

4.7 (2) for an emeritus active license in dental therapy, \$100;

4.8 (3) for an emeritus active license in dental hygiene, \$75; and

4.9 (4) for an emeritus active license in dental assisting, \$55.