

**3100.1130 LICENSE TO PRACTICE DENTISTRY AS A LIMITED GENERAL DENTIST.**

Subpart 1. **Initial requirements for limited licensure.** A person who is a graduate of a nonaccredited dental program will be granted a limited license to practice general dentistry within Minnesota upon successfully complying with the requirements in items A to E.

A. The applicant must initially submit to a credential review by the board and pay the nonrefundable fee in Minnesota Statutes, section 150A.091, subdivision 9a. The applicant shall provide the following documentation:

- (1) a completed board-approved evaluation of all international education;
- (2) an original or notarized copy of passing board-approved language testing within the previous two years if English is not the applicant's primary language;
- (3) an original affidavit of licensure;
- (4) a completed dental questionnaire;
- (5) a personal letter/curriculum vitae/resume;
- (6) an original or notarized copy of dental diploma and, if necessary, professional translation;
- (7) proof of clinical practice in dentistry;
- (8) an original or notarized copy of other credentials in dentistry and, if necessary, professional translation;
- (9) completed board-approved infection control training; and
- (10) an original or notarized copy of National Board Dental Examinations Report - Part I and Part II.

The applicant is allowed to submit to one credential review by the board.

B. Once a credential review has been completed by the board, the committee shall officially notify the applicant by letter as to whether permission to take the regional clinical examination has been denied or granted by the board. The board may also request that the applicant schedule an interview with the credential review committee, then notify the applicant by letter as to whether permission to take the regional clinical examination has been denied or granted by the committee. An applicant denied permission to take the regional clinical examination has the option to appeal the decision to the board within 60 days from the notification date.

C. If the applicant is granted permission by the board to take the regional clinical examination, the applicant must take a board-approved regional clinical examination, successfully pass the regional clinical examination, and submit evidence of the results of

the regional clinical examination within 18 months from the receipt date of the board's notification letter granting permission to take the regional clinical examination.

D. When an applicant fails twice any part of a board-approved regional clinical examination, the applicant may not take it again until the applicant successfully completes additional education provided by an institution accredited by the Commission on Dental Accreditation. The education must cover all of the subject areas failed by the applicant in each of the two clinical examinations. The applicant may retake the examination only after the institution provides to the board information specifying the areas failed in the previous examinations and the instruction provided to address the areas failed, and certifies that the applicant has successfully completed the instruction. The applicant shall be allowed to retake the clinical examination one time following this additional educational instruction. If the applicant fails the clinical examination for a third time, the applicant is prohibited from retaking the clinical examination.

E. An applicant must complete and submit a limited license application for review by an appropriate committee of the board. The application must include:

(1) the initial and annual application fees in Minnesota Statutes, section 150A.091, subdivision 9b;

(2) evidence of having passed a board-approved regional clinical examination within five years preceding the limited license application;

(3) evidence of having passed an examination designed to test knowledge of Minnesota laws relating to the practice of dentistry and the rules of the board within five years preceding the limited license application;

(4) an acceptable written agreement between the applicant and a board-approved Minnesota licensed supervising dentist. The written agreement shall include all information requested by the board. The written agreement shall also include any practice limitations, and an acknowledgment that the applicant agrees to practice clinical dentistry at least 1,100 hours annually, for a period of three consecutive years after clinical practice in Minnesota begins;

(5) documentation of current CPR certification;

(6) a statement from a licensed physician attesting to the applicant's physical and mental condition completed within 12 months preceding the limited license application; and

(7) a statement from a licensed ophthalmologist or optometrist attesting to the applicant's visual acuity completed within 12 months preceding the limited license application.

Subp. 2. **Terms of limited licensure.** Throughout the three consecutive years while practicing general dentistry in Minnesota under the general supervision of a Minnesota licensed dentist, the limited license dentist must maintain and comply with the requirements in items A to F:

A. submit annual payment of the renewal fee in Minnesota Statutes, section 150A.091, subdivision 9b;

B. maintain a consecutive and current CPR certification as required to renew a limited license;

C. submit written correspondence and agreement to the board requesting approval of a subsequent supervising dentist and written agreement, within 14 days prior to employment start date with subsequent supervising dentist. The written agreement shall include all information requested by the board. The written agreement shall also include any practice limitations, and an acknowledgment that the limited license dentist agrees to practice clinical dentistry at least 1,100 hours annually, for a period of three consecutive years or any remaining portion thereof;

D. within seven business days of an unforeseen event, submit written correspondence for review by an appropriate committee of the board regarding the unforeseen circumstance that may interrupt the three consecutive years of supervision;

E. maintain with the board a correct and current mailing address and electronic mail address and properly notify the board within 30 days of any changes as described in Minnesota Statutes, section 150A.09, subdivision 3; and

F. maintain a professional development portfolio containing:

- (1) acceptable documentation of required hours in professional development activities;
- (2) a minimum of two different core subjects as part of the fundamental activities;
- (3) one completed self-assessment examination; and
- (4) a consecutive and current CPR certification.

The total required hours of professional development activities is 75 hours with a minimum of 45 hours in fundamental activities and a maximum of 30 hours in elective activities. Completing at least 25 hours each year towards the total of 75 hours is required for compliance.

Subp. 3. **Terms of supervising dentist.** A supervising dentist must be licensed in Minnesota and provide general supervision to a limited license dentist. The supervising dentist is not required to be present in the office or on the premises when supervising

the limited license dentist, but does require the supervising dentist to have knowledge and authorize the procedures being performed by the limited license dentist. For the three consecutive years or any portion thereof, the supervising dentist must be eligible to participate and comply with the requirements in items A to I.

A. A supervising dentist must be a board-approved Minnesota licensed dentist for at least five consecutive years.

B. A supervising dentist's license shall not be subject to, or pending, corrective or disciplinary action within the previous five years according to Minnesota Statutes, sections 214.10 and 214.103.

C. A supervising dentist must have an acceptable written agreement between the limited license dentist and the supervising dentist, and the supervising dentist may only supervise one limited license dentist for the duration of the agreement. The written agreement shall include all information requested by the board. The written agreement shall also include any practice limitations, and an acknowledgment that the limited license dentist agrees to practice clinical dentistry at least 1,100 hours annually, for a period of three consecutive years.

D. No more than two limited license dentists are allowed to practice general dentistry under general supervision in one dental facility.

E. Any subsequent modifications to a written agreement must be submitted in writing to the board by the supervising dentist within seven business days of the modification.

F. A supervising dentist must inform the board in writing about the termination of a written agreement with a limited license dentist within seven business days of the termination.

G. A supervising dentist must inform the board in writing about any known disciplinary or malpractice proceedings involving the limited license dentist within seven business days of the proceeding.

H. The supervising dentist must submit to the board a written performance evaluation of the limited license dentist in regards to employment including practicing clinical dentistry at least 1,100 hours annually, patient care, allied dental personnel, professionalism, billing practices, and make a general recommendation. The supervising dentist's evaluation must be submitted to the board no earlier than 90 days before completion of the limited license dentist's practice period and no later than seven business days following completion of the limited license dentist's practice period.

I. A supervising dentist who fails to comply with this subpart is subject to disciplinary proceedings on grounds specified in parts 3100.6100 and 3100.6200, and Minnesota Statutes, section 150A.08, subdivision 1.

**Subp. 4. Requirements for licensure.**

A. Upon completion of the three consecutive years, a dentist with a limited license to practice general dentistry in Minnesota shall be prohibited from practicing general dentistry in Minnesota due to expiration of the limited license. A dentist who has an expired or nearly expired limited license may apply for a dental license to practice general dentistry in Minnesota by presenting a license application to the board and meeting the following requirements in subitems (1) to (6). An applicant:

(1) must submit a completed application for a dental license in Minnesota no sooner than 90 days preceding the expiration date of the applicant's limited license or no later than one year after the expiration date of the applicant's limited license;

(2) must submit with the application the nonrefundable fees in Minnesota Statutes, section 150A.091, subdivisions 2 and 3;

(3) must submit required documentation of a consecutive and current CPR certification;

(4) shall provide a professional development portfolio for the three consecutive years preceding the license application date as described in subpart 2, item F;

(5) must submit a written performance evaluation from each supervising dentist regarding the applicant while practicing as a limited license dentist; and

(6) must not have been subject to corrective or disciplinary action by the board while holding a limited license during the three consecutive years.

B. An applicant whose license application has been denied may appeal the denial by initiating a contested case hearing pursuant to Minnesota Statutes, chapter 14.

**Statutory Authority:** *MS s 150A.04*

**History:** *37 SR 1849*

**Published Electronically:** *July 8, 2013*