

3100.1130 LIMITED GENERAL DENTIST.**Subpart 1. Credential review to determine educational equivalency and eligibility to take a board-approved clinical examination for limited licensure.**

A. A person who is a graduate of a nonaccredited dental program seeking a limited license to practice general dentistry in Minnesota must submit to a onetime credential review by the board to determine educational equivalency and eligibility to take a board-approved clinical examination. For the credential review, the applicant must provide the board:

- (1) the credential review fee in Minnesota Statutes, section 150A.091, subdivision 9a;
- (2) a completed board-approved evaluation of all international education;
- (3) 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;
- (4) an original affidavit of licensure;
- (5) a completed dental questionnaire;
- (6) a personal letter, curriculum vitae, or resume;
- (7) an original or notarized copy of dental diploma and, if necessary, professional translation;
- (8) proof of clinical practice in dentistry;
- (9) an original or notarized copy of other credentials in dentistry and, if necessary, professional translation;
- (10) completed board-approved infection control training; and
- (11) evidence of passing all parts of a national board examination for the practice of dentistry.

B. If, after reviewing the applicant's credentials, the board determines the applicant's credentials are nonequivalent, the board shall deny the application to take a board-approved clinical examination for limited licensure. The board shall notify the applicant of the denial. An applicant denied permission to take a board-approved clinical examination may appeal the decision to the board within 60 days from the notification date.

C. If, after reviewing the applicant's credentials, the board determines the applicant's credentials are equivalent, the board shall require that the applicant complete one or more of the following requirements:

- (1) schedule and complete an interview with the board;
- (2) submit a specified number of patient records to the board; or
- (3) take a board-approved dental simulation course to test competency.

D. After the applicant completes the requirements in item C, the board shall notify the applicant as to whether permission to take a board-approved clinical examination for limited licensure has been denied or granted. An applicant denied permission to take a board-approved clinical examination may appeal the decision to the board within 60 days from the notification date.

E. If the applicant is granted permission by the board to take a board-approved clinical examination, the applicant must take a board-approved clinical examination, successfully pass the board-approved clinical examination, and submit evidence of passing the board-approved clinical examination within 18 months from the receipt date of the board's notification letter granting permission to take the board-approved clinical examination.

Subp. 1a. **Additional education for two failed clinical examinations.** If an applicant fails twice any part of a board-approved clinical examination, the applicant must not retake the clinical examination 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 the board information specifying the areas failed in the previous examinations and the education provided to address the areas failed, and certifies that the applicant has successfully completed the education. 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.

Subp. 1b. **Limited general license application and examination requirements.** After passing a board-approved clinical examination, an applicant may apply for a limited general license. The applicant must provide the board:

- A. a completed application;
- B. the application fee in Minnesota Statutes, section 150A.091, subdivision 9b, clause (1);
- C. evidence of passing a board-approved clinical examination within the past five years;
- D. evidence of passing the board's jurisprudence examination within the past five years;
- E. a written agreement between the applicant and a board-approved Minnesota licensed supervising dentist. The written agreement must include:
 - (1) all information requested by the board relating to the applicant's written agreement;
 - (2) any practice limitations; and
 - (3) an acknowledgment that the applicant agrees to practice clinical dentistry at least 1,100 hours annually for a period of three consecutive years after beginning clinical practice in Minnesota;
- F. documentation of current CPR certification; and
- G. a criminal background check as required by Minnesota Statutes, section 214.075.

Subp. 2. Terms of limited licensure.

A. 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 this subpart:

(1) submit the renewal fee in Minnesota Statutes, section 150A.091, subdivision 9b, clause (2);

(2) maintain a consecutive and current CPR certification;

(3) 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 must include:

(a) all information requested by the board relating to the applicant's written agreement;

(b) any practice limitations; and

(c) 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;

(4) 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;

(5) 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

(6) maintain a professional development portfolio containing:

(a) documentation of required hours in professional development activities; and

(b) at least two different fundamental courses as part of the fundamental activities.

B. The total required hours of professional development activities required in item A, subitem (6), is 75 hours with at least 45 hours in fundamental activities and no more than 30 hours in elective activities. Completing at least 25 hours each year toward 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 a 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 must include:

- (1) all information requested by the board relating to the applicant's written agreement;
- (2) any practice limitations; and
- (3) 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 providing the board:

(1) 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) the fees in Minnesota Statutes, section 150A.091, subdivisions 2 and 3;

(3) documentation of current CPR certification;

(4) a professional development portfolio for the three consecutive years preceding the license application date as described in subpart 2, item A, subitem (6); and

(5) a written performance evaluation from each supervising dentist regarding the applicant while practicing as a limited license dentist.

B. A dentist applying for a dental license under item A must not have been subject to corrective or disciplinary action by the board while holding a limited license during the three consecutive years.

C. 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; 150A.06*

History: *37 SR 1849; 46 SR 908*

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