

1 Board of Dentistry RULE AMENDMENTS AS ADOPTED

2

3 Adopted Rules Relating to General Licensing Provisions of the
4 Board of Dentistry

5

6 Rules as Adopted

7 3100.0100 DEFINITIONS.

8 Subpart 1. Scope. For the purpose of these rules and
9 unless the context otherwise requires, the terms in subparts 2
10 to 21 have the meanings given them.

11 Subp. 2. to 9. [Unchanged.]

12 Subp. 9a. Dental hygienist. "Dental hygienist" means a
13 person holding a license as a dental hygienist issued by the
14 board pursuant to the act.

15 Subp. 10. and 11. [Unchanged.]

16 Subp. 12. [See repealer.]

17 Subp. 13. to 18. [Unchanged.]

18 Subp. 19. [See repealer.]

19 Subp. 20. and 21. [Unchanged.]

20 3100.3100 CONDUCT OF EXAMINATIONS.

21 The following rules govern the conduct of examinations
22 given to those applicants for licensure as a dentist or dental
23 hygienist or for registration as a registered dental assistant
24 and must be strictly adhered to throughout the entire
25 examination. An examinee who violates any of the rules or
26 instructions applicable may be declared by the board to have
27 failed the examination.

28 A. to M. [Unchanged.]

29 3100.3200 CLINICAL EXAMINATIONS.

30 Every dentist and dental hygienist applicant shall give a
31 demonstration of skill in those operations appropriate for his
32 level of licensure or registration prescribed by the board.
33 Registered dental assistant applicants may also be so examined.
34 All operations shall be performed in the presence of a board
35 member qualified for the particular examination being given or

1 consultant appointed by the board for that purpose.

2 3100.6200 CONDUCT UNBECOMING A LICENSEE OR REGISTRANT.

3 "Conduct unbecoming a person licensed to practice dentistry
4 or dental hygiene or registered as a dental assistant or conduct
5 contrary to the best interests of the public," as used in
6 Minnesota Statutes, section 150A.08, subdivision 1, clause (6),
7 shall include the act of a dentist, dental hygienist, registered
8 dental assistant, or applicant in:

9 A. to G. [Unchanged.]

10 H. falsifying records relating to payment for
11 services rendered, participation in a CDE course; or other
12 records with respect to licensure, registration, CDE, and the
13 practice of dentistry;

14 I. perpetrating fraud upon patients, third party
15 payers, or others relating to the practice of dentistry;

16 J. failing to cooperate with the board, its agents,
17 or those working on behalf of the board as required by part
18 3100.6300; and

19 K. failing to maintain adequate safety and sanitary
20 conditions for a dental office as specified in part 3100.6300.

21 3100.6325 VOLUNTARY TERMINATION OF LICENSURE OR REGISTRATION.

22 The board may refuse to accept a licensee's or registrant's
23 voluntary termination of license or registration if the board
24 has reason to believe that the licensee or registrant has
25 violated any of the provisions of Minnesota Statutes, chapter
26 150A or board rules, and has determined that allegations are
27 serious enough to warrant resolution other than by voluntary
28 termination.

29 3100.6350 REQUIRED COOPERATION.

30 Any licensee, registrant, or applicant who is the subject
31 of an investigation or proceeding under these parts or under
32 Minnesota Statutes, sections 150A.08 and 214.10 shall cooperate
33 with the board, its agents, or those working on behalf of the
34 board by complying with any reasonable request including
35 requests to:

1 A. furnish designated papers, documents, or tangible
2 objects;

3 B. furnish in writing a full and complete explanation
4 covering the matter under consideration;

5 C. appear for conferences and hearings at the time
6 and places designated.

7 Violation of this part is conduct unbecoming a licensee or
8 registrant or conduct contrary to the best interests of the
9 public. Good faith challenges to requests of the board will not
10 be deemed a failure to cooperate. These challenges shall be
11 brought before the appropriate agency or court.

12 3100.9100 ANNUAL REPORTS.

13 Annual reports of professional corporations organized under
14 Minnesota Statutes, sections 319A.01 to 319A.22, inclusive, must
15 be submitted upon forms furnished by the board and must require
16 submission of the following information under oath:

17 A. and B. [Unchanged.]

18 C. name and address of each director, officer, and
19 shareholder, and the corporate title of each officer; and

20 D. a certification as to the licensure status of each
21 shareholder, director, officer, employee, and agent as required
22 by Minnesota Statutes, section 319A.21, paragraph (b).

23 3100.9200 REVIEW OF ANNUAL REPORT.

24 The board will review its licensure records and conduct
25 such further investigation as it may deem necessary and, if it
26 finds that the annual report does not conform to the
27 requirements of the Minnesota Professional Corporations Act and
28 the rules promulgated thereunder, it shall inform the applicant
29 of the necessary requirements for conformity.

30 The board may delegate the review and investigation of
31 annual reports to the executive secretary so that annual reports
32 will be acted upon in a timely manner in the intervals between
33 meetings of the board. Any annual reports which are not
34 approved by the executive secretary must be considered by the
35 full board at its next meeting.

1 3100.9300 REVOCATION OF REGISTRATION.

2 The board shall revoke or, if appropriate, refuse to renew
3 the registration of any corporation which no longer meets all
4 the requirements of the Minnesota Professional Corporations
5 Act. The corporation's eligibility to be registered or to
6 continue registration must be adjudicated under the applicable
7 provisions of the Administrative Procedure Act, Minnesota
8 Statutes, chapter 14, and the rules of the Office of
9 Administrative Hearings, parts 1400.5100 to 1400.8500.

10 3100.9500 CORPORATE NAMES.

11 The names of professional corporations are governed by
12 Minnesota Statutes, section 319A.07 and part 3100.6400.

13
14 REPEALER. Minnesota Rules, part 3100.0100, subparts 12 and 19,
15 are repealed.