

No. 1985-8

AN ACT

SB 339

Amending the act of May 1, 1933 (P.L.216, No.76), entitled "An act relating to dentistry; defining and providing for the licensing and registration of dentists and dental hygienists, and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws," further providing for qualifications for license and for suspension.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 3(c) of the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, is amended to read:

Section 3. General Powers of the State Dental Council and Examining Board.—The State Dental Council and Examining Board (hereinafter called the board), created, appointed, and organized in accordance with the provisions of the Administrative Code, and its amendments, shall have power:

* * *

(c) To provide for and to regulate the licensing, and to license to practice dentistry, after examination, any duly qualified applicant, at least twenty-one years of age, of good moral character, not addicted to the use of intoxicating liquor or narcotic drugs, who has obtained the required education, together with a diploma from an approved institution or college conferring upon him or her the degree of doctor of dental surgery or other established dental degree, *unless he has been convicted of a felonious act prohibited by the act of April 14, 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug, Device and Cosmetic Act," or convicted of a felony relating to a controlled substance in a court of law of the United States or any other state, territory or country. An applicant's statement on the application declaring the absence of a conviction shall be deemed satisfactory evidence of the absence of a conviction, unless the board has some evidence to the contrary.*

* * *

Section 2. The act is amended by adding a section to read:

Section 5.1. Automatic Suspension.—A license issued under this act shall automatically be suspended upon the legal commitment to an institution of a licensee because of mental incompetency from any cause upon filing with the board a certified copy of such commitment, conviction of a felony under the act of April 14, 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug, Device and Cosmetic Act," or conviction of an offense under the laws of another jurisdiction, which, if committed in Pennsylvania, would be a felony under "The Controlled Substance, Drug, Device and Cosmetic Act." As used in this section the term "conviction" shall include a

judgment, an admission of guilt or a plea of nolo contendere. Automatic suspension under this section shall not be stayed pending any appeal of a conviction. Restoration of such license shall be made as in the case of revocation or suspension of such license.

Section 3. This act shall take effect immediately.

APPROVED—The 2nd day of May, A. D. 1985.

DICK THORNBURGH