

No. 1992-160

AN ACT

HB 1402

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 defining the "practice of dentistry."

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

Section 1. The definition of "practice of dentistry" in section 2 of the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, amended February 9, 1984 (P.L.23, No.9), is amended to read:

Section 2. Definitions.—A person engages in the "Practice of Dentistry," within the meaning of this act, who diagnoses, treats, operates on, or prescribes for any disease, pain or injury, or regulates any deformity or physical condition, of the human teeth, jaws, or associated structures, or conducts a physical evaluation, or administers anesthetic agents, or uses ionizing radiation in the course of dental practice, or who fits, constructs, and inserts any artificial appliance, plate, or denture for the human teeth or jaws, or who holds himself or herself out as being able or legally authorized to do so. The term "Practice of Dentistry" does not include:

(a) The practice of any of the healing arts by duly licensed practitioners.

(b) The extracting of teeth or relieving pain by a licensed physician or surgeon in emergencies, or the making of applications for such purposes.

[(d)] (c) The [calling into this Commonwealth of] *practice of dentistry* by a duly licensed practitioner of dentistry of any other state or country, for *the limited purpose of* consultation with respect to any case under treatment *in this Commonwealth*, or [for] *of* demonstrating before any duly authorized dental society[,], in this Commonwealth[,], or for the purpose of teaching in any dental school approved by the board in the Commonwealth].

(d) The practice of dentistry by a duly licensed practitioner of dentistry of any other state or country for the limited purpose of teaching, including clinical teaching, in a dental school or advanced dental education program in the Commonwealth approved by the board after notification to the board and in accordance with board regulations. Appointments shall not exceed four (4) years and may only be extended if the practitioner receives a license from the board.

(e) The practice of dentistry **[by bona fide students of dentistry]** in clinical departments and laboratories of **[approved dental colleges]** *dental schools and their affiliated facilities approved by the board in the Commonwealth, by bona fide students pursuing a course of study leading to the degree of Doctor of Dental Surgery or Doctor of Dental Medicine.*

(f) The practice of dentistry in a dental clinic operated not for profit **[and under the direct supervision of a licensed and registered dentist during a period of internship, not to exceed two (2) years]** *for the duration of an internship, residency or other graduate training program approved by the American Dental Association Commission on Dental Accreditation or a dental anesthesiology training program that meets the standards of an accrediting body acceptable to the board*, by persons having acquired the preliminary and professional education required for **[licensure to practice dentistry in this Commonwealth]** *admission into the program*, after notification to the board.

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Section 2. The amendment of section 2(f) shall be retroactive to and shall apply to all persons enrolled in such programs on or after January 1, 1991.

Section 3. This act shall take effect in 60 days.

APPROVED—The 16th day of December, A. D. 1992.

ROBERT P. CASEY