

No. 1996-113

AN ACT

HB 1855

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 the general powers of the State Board of Dentistry.

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

Section 1. Section 3(j) of the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, amended December 17, 1994 (P.L.1361, No.160), is amended and the section is amended by adding subsections to read:

Section 3. General Powers of the State Board of Dentistry.—The State Board of Dentistry (hereinafter called the board) shall have the following powers and duties:

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(g.1) To receive and record all filings of the names and fictitious names of providers of dental services but shall not make determinations or judgments as to the appropriateness of such names.

* * *

(j) To provide for, regulate, and require biennial renewals of all persons licensed or certified in accordance with the provisions of this act; to prescribe the form of such renewals; to require, as a condition precedent to such biennial renewal, the payment of such biennial renewal fee as shall be fixed by regulation of the board, the maintenance of certification in cardiopulmonary resuscitation and the demonstration of continuing education credits required under this act; to issue biennial renewals to such persons; and to suspend or revoke the license or certificate of such persons as fail, refuse or neglect to renew biennially, [or pay such fee.] comply with the requirements of subsection (j.2), or pay the appropriate fee.

(j.1) To require, as a condition of renewal of any license or certificate, the maintenance of current certification to administer cardiopulmonary resuscitation (CPR). The board may recognize the maintenance of certification in CPR or basic life support offered by a bona fide charitable organization.

(j.2) (1) To adopt, promulgate and enforce rules and regulations establishing requirements for continuing dental education to be met by persons licensed or certified under this act. The board shall approve sponsors of continuing education courses within one year of the effective

date of regulations adopted to enforce this subsection. No credit may be given for courses in office management or practice building. The board may waive all or part of the continuing education requirement to a licensee who shows to the satisfaction of the board that he or she was unable to complete the requirement due to illness, emergency or hardship.

(2) The following requirements shall be satisfactorily completed in accordance with board regulations as a precedent to biennial renewal of a license or certification:

(i) Thirty credit hours for a person licensed to practice dentistry.

(ii) Twenty credit hours for a person licensed to practice dental hygiene.

(iii) Ten credit hours for a person certified to practice expanded function dental assisting.

(3) For the purposes of this subsection, one credit hour shall be defined as one clock hour of instruction.

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

Section 3.1. Restoration of Expired License.—(a) Any person whose license or certificate issued under this act has expired for failure to make biennial registration over a period not exceeding five years may have the license or certificate reinstated upon presentation to the board of satisfactory evidence of having completed the biennial educational requirements which he or she would have been required to complete if the license or certificate had not expired, and payment of the biennial registration fee as established by regulation of the board.

(b) Any person whose license or certificate has expired for failure to make biennial registration over a period of more than five years shall apply to the board and may be required to submit to a reexamination in accordance with section 3.

Section 3. The board shall promulgate regulations to implement this act. The requirement to demonstrate the completion of continuing education shall take effect beginning with the biennial renewal period to be designated by regulation of the board, after notice to licensees and certificate holders on the commencement of the biennial renewal period in which the requirement shall be effective.

Section 4. The addition of section 3(g.1) of the act shall apply retroactively to January 1, 1990.

Section 5. This act shall take effect in 60 days.

APPROVED—The 11th day of July, A.D. 1996.

THOMAS J. RIDGE