

No. 2015-60

AN ACT

HB 1275

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 definitions, for public health dental hygiene practitioner and for restricted faculty license.

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 July 2, 2014 (P.L.828, No.89), 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" includes the practice of dentistry under a restricted faculty license. 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.
- (c) The 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 of demonstrating before any duly authorized dental society in this Commonwealth.
- (e) The practice of dentistry in clinical departments and laboratories of 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 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 admission into the program, after notification to the board.

(g) The practice of dentistry in a clinical continuing education course offered by a dental school in this Commonwealth for a duration of twenty days or less, either continuous or in several sessions, where dentists licensed in the United States or other countries work under the direct supervision of dentists licensed by the Commonwealth, and delivered within the educational facilities of a dental school in this Commonwealth that is approved by the American Dental Association Commission on Dental Accreditation.

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Section 2. Section 11.9(b)(10) of the act, added July 20, 2007 (P.L.327, No.51), is amended to read:

Section 11.9. Public Health Dental Hygiene Practitioner.—* * *

(b) The professional practice of a public health dental hygiene practitioner shall be limited to the following practice sites:

* * *

(10) Other [institutions] *locations* the board deems appropriate.

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Section 3. Section 11.11(a)(1) of the act, added July 2, 2014 (P.L.828, No.89), is amended to read:

Section 11.11. Restricted Faculty License.—(a) The board shall grant without examination a restricted faculty license to any qualified individual, not less than twenty-five years of age, of good moral character, not addicted to the use of intoxicating liquor or narcotic drugs, who satisfies the following criteria:

(1) Is licensed to practice or teach dentistry by the proper licensing authority of another state, *country* or United States territory.

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Section 4. This act shall take effect in 60 days.

APPROVED—The 4th day of November, A.D. 2015

TOM WOLF