

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 669

By: Gillespie

6 AS INTRODUCED

7 An Act relating to the practice of dentistry;  
8 amending 59 O.S. 2021, Section 328.2, which relates  
9 to declarations; conforming language; updating  
statutory language; amending 59 O.S. 2021, Section  
10 328.3, as last amended by Section 1, Chapter 46,  
O.S.L. 2024 (59 O.S. Supp. 2024, Section 328.3),  
which relates to definitions; conforming language;  
amending 59 O.S. 2021, Section 328.17, which relates  
11 to standing committees; adding certain authorized  
programs; amending 59 O.S. 2021, Section 328.19, as  
amended by Section 2, Chapter 158, O.S.L. 2022 (59  
12 O.S. Supp. 2024, Section 328.19), which relates to  
acts constituting practice of dentistry; conforming  
language; amending 59 O.S. 2021, Section 328.21, as  
last amended by Section 3, Chapter 46, O.S.L. 2024  
(59 O.S. Supp. 2024, Section 328.21), which relates  
13 to application for license; updating statutory  
language; expanding eligibility for license by  
credentials; amending 59 O.S. 2021, Section 328.23a,  
as last amended by Section 4, Chapter 46, O.S.L. 2024  
(59 O.S. Supp. 2024, Section 328.23a), which relates  
14 to special volunteer licenses; modifying authority of  
volunteer licensees to use anesthesia; amending 59  
O.S. 2021, Section 328.24, as last amended by Section  
15 5, Chapter 46, O.S.L. 2024 (59 O.S. Supp. 2024,  
Section 328.24), which relates to dental assistant  
permits; modifying qualifications for dental  
assistant permit; eliminating oral maxillofacial  
16 permit; creating oral maxillofacial expanded duty  
permit for dental assistants; describing permit;  
modifying certain expanded duty qualifications;  
amending 59 O.S. 2021, Section 328.25, which relates  
17 to oral maxillofacial surgery expanded duty permit;  
modifying and removing requirements for permitting  
and supervision; conforming language; authorizing  
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1 certain collaborative practice agreement; stating  
2 minimum requirements; requiring certain maintenance  
3 of records; providing for certain recommendations;  
4 amending 59 O.S. 2021, Section 328.26, which relates  
5 to interns; adding dental hygiene students to certain  
6 provisions; authorizing dental student interns to  
7 perform certain services; amending 59 O.S. 2021,  
8 Section 328.27, which relates to faculty licenses;  
9 providing for research faculty permit; amending 59  
10 O.S. 2021, Section 328.28a, which relates to  
11 applicant criminal background check; modifying  
12 grounds for license denial; amending 59 O.S. 2021,  
13 Section 328.29a, as amended by Section 5, Chapter  
14 158, O.S.L. 2022 (59 O.S. Supp. 2024, Section  
15 328.29a), which relates to penalties for dental  
16 assistants; conforming language; amending 59 O.S.  
17 2021, Section 328.31a, which relates to use of trade  
18 names; removing certain conditions for use of trade  
19 names; amending 59 O.S. 2021, Section 328.31b, as  
20 amended by Section 6, Chapter 46, O.S.L. 2024 (59  
21 O.S. Supp. 2024, Section 328.31b), which relates to  
22 patient record keeping requirements; adding certain  
23 requirements; requiring certain notice of closure;  
24 amending 59 O.S. 2021, Section 328.32, as last  
25 amended by Section 7, Chapter 46, O.S.L. 2024 (59  
26 O.S. Supp. 2024, Section 328.32), which relates to  
27 penalties for dentists; conforming language; amending  
28 59 O.S. 2021, Section 328.41, as last amended by  
29 Section 8, Chapter 46, O.S.L. 2024 (59 O.S. Supp.  
30 2024, Section 328.41), which relates to license  
31 renewals; conforming language; amending 59 O.S. 2021,  
32 Section 328.44a, as amended by Section 10, Chapter  
33 46, O.S.L. 2024 (59 O.S. Supp. 2024, Section  
34 328.44a), which relates to penalties; conforming  
35 language; amending 59 O.S. 2021, Section 328.51a,  
36 which relates to fees; conforming language; amending  
37 59 O.S. 2021, Section 328.55, which relates to death  
38 of patient; limiting effect of certain requirement;  
39 providing for codification; and providing an  
40 effective date.

22  
23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. AMENDATORY 59 O.S. 2021, Section 328.2, is  
2 amended to read as follows:

3 Section 328.2. The practice of dentistry in the State of  
4 Oklahoma is hereby declared to affect the public health, safety and  
5 general welfare and to be subject to regulation and control in the  
6 public's best interest. It is further declared to be a matter of  
7 public interest and concern that the dental profession, through  
8 advancement and achievement, merits and receives the confidence of  
9 the public and that only properly qualified dentists be permitted to  
10 practice dentistry and supervise dental hygienists, and dental  
11 assistants ~~and oral maxillofacial surgery assistants in the State of~~  
12 ~~Oklahoma this state.~~ All provisions of this act relating to the  
13 practice of dentistry, the practice of dental hygiene, and the  
14 procedures performed by dental assistants ~~and oral maxillofacial~~  
15 ~~surgery assistants,~~ and the fabrication of dental appliances in  
16 dental laboratories by dental laboratory technicians shall be  
17 liberally construed to carry out these objects and purposes.

18 SECTION 2. AMENDATORY 59 O.S. 2021, Section 328.3, as  
19 last amended by Section 1, Chapter 46, O.S.L. 2024 (59 O.S. Supp.  
20 2024, Section 328.3), is amended to read as follows:

21 Section 328.3. As used in the State Dental Act, the following  
22 words, phrases, or terms, unless the context otherwise indicates,  
23 shall have the following meanings:

1       1. "Accredited dental college" means an institution whose  
2       dental educational program is accredited by the Commission on Dental  
3       Accreditation of the American Dental Association;

4       2. "Accredited dental hygiene program" means a dental hygiene  
5       educational program which is accredited by the Commission on Dental  
6       Accreditation of the American Dental Association;

7       3. "Accredited dental assisting program or class" means a  
8       dental assisting program which is accredited by the Commission on  
9       Dental Accreditation of the American Dental Association or a class  
10      approved by the Board of Dentistry;

11      4. "Advanced procedure" means a dental procedure for which a  
12      dental hygienist has received special training in a course of study  
13      approved by the Board;

14      5. "Board" means the Board of Dentistry;

15      6. "Certified dental assistant" means a dental assistant who  
16      has earned and maintains current certified dental assistant  
17      certification from the Dental Assisting National Board (DANB);

18      7. "Coronal polishing" means a procedure limited to the removal  
19      of plaque and stain from exposed tooth surfaces, utilizing a slow  
20      speed hand piece with a prophy/polishing cup or brush and polishing  
21      agent and is not prophylaxis. To be considered prophylaxis,  
22      examination for calculus and scaling must be done by a dental  
23      hygienist or dentist;

1       8. "Deep sedation" means a drug-induced depression of  
2 consciousness during which patients cannot be easily aroused but  
3 respond purposefully following repeated or painful stimulation. The  
4 ability to independently maintain ventilator function may be  
5 impaired. Patients may require assistance in maintaining a patent  
6 airway, and spontaneous ventilation may be inadequate.

7       Cardiovascular function is usually maintained;

8       9. "Dentistry" means the practice of dentistry in all of its  
9 branches;

10      10. "Dentist" means a graduate of an accredited dental college  
11 who has been issued a license by the Board to practice dentistry as  
12 defined in Section 328.19 of this title;

13      11. "Dental ambulatory surgical center (DASC)" means a facility  
14 that operates exclusively for the purpose of furnishing outpatient  
15 surgical services to patients. A DASC shall have the same  
16 privileges and requirements as a dental office and additionally must  
17 be an accredited facility by the appropriate entity;

18      12. "Dental office" means an establishment owned and operated  
19 by a dentist for the practice of dentistry, which may be composed of  
20 reception rooms, business offices, private offices, laboratories,  
21 and dental operating rooms where dental operations are performed;

22      13. "Dental hygiene" means the science and practice of the  
23 promotion of oral health and prevention and treatment of oral

1 disease through the provision of educational, therapeutic, clinical,  
2 and preventive services;

3       14. "Dental hygienist" means an individual who has fulfilled  
4 the educational requirements and is a graduate of an accredited  
5 dental hygiene program and who has passed an examination and has  
6 been issued a license by the Board and who is authorized to practice  
7 dental hygiene as defined in this section;

8       15. "Dental assistant" ~~or "oral maxillofacial surgery~~  
9 ~~assistant"~~ means an individual working for a dentist, under the  
10 dentist's direct supervision or direct visual supervision, and  
11 performing duties in the dental office or a treatment facility  
12 including the limited treatment of patients in accordance with the  
13 provisions of the State Dental Act. A dental assistant ~~or oral~~  
14 ~~maxillofacial surgery~~ ~~assistant~~ may assist a dentist with the  
15 patient; provided, this shall be done only under the direct  
16 supervision or direct visual supervision and control of the dentist  
17 and only in accordance with the educational requirements and rules  
18 promulgated by the Board;

19       16. "Dental laboratory" means a location, whether in a dental  
20 office or not, where a dentist or a dental laboratory technician  
21 performs dental laboratory technology;

22       17. "Dental laboratory technician" means an individual whose  
23 name is duly filed in the official records of the Board, which  
24 authorizes the technician, upon the laboratory prescription of a

1 dentist, to perform dental laboratory technology, which services  
2 must be rendered only to the prescribing dentist and not to the  
3 public;

4       18. "Dental laboratory technology" means using materials and  
5 mechanical devices for the construction, reproduction or repair of  
6 dental restorations, appliances or other devices to be worn in a  
7 human mouth;

8       19. "Dental specialty" means a specialized practice of a branch  
9 of dentistry, recognized by the Board, where the dental college and  
10 specialty program are accredited by the Commission on Dental  
11 Accreditation (CODA), or a dental specialty recognized by the Board,  
12 requiring a minimum number of hours of approved education and  
13 training and/or recognition by a nationally recognized association  
14 or accreditation board;

15       20. "Direct supervision" means the supervisory dentist is in  
16 the dental office or treatment facility and, during the appointment,  
17 personally examines the patient, diagnoses any conditions to be  
18 treated, and authorizes the procedures to be performed by a dental  
19 hygienist, or dental assistant, ~~or oral maxillofacial surgery~~  
20 ~~assistant.~~ The supervising dentist is continuously on-site and  
21 physically present in the dental office or treatment facility while  
22 the procedures are being performed and, before dismissal of the  
23 patient, evaluates the results of the dental treatment;

1       21. "Direct visual supervision" means the supervisory dentist  
2 has direct ongoing visual oversight which shall be maintained at all  
3 times during any procedure authorized to be performed by a dental  
4 assistant ~~or an oral maxillofacial surgery assistant;~~

5       22. "Expanded duty" means a dental procedure for which a dental  
6 assistant has received special training in a course of study  
7 approved by the Board;

8       23. "Fellowship" means a program designed for post-residency  
9 graduates to gain knowledge and experience in a specialized field;

10      24. "General anesthesia" means a drug-induced loss of  
11 consciousness during which patients are not arousable, even by  
12 painful stimulation. The ability to independently maintain  
13 ventilator function is often impaired. Patients often require  
14 assistance in maintaining a patent airway, and positive pressure  
15 ventilation may be required because of depressed spontaneous  
16 ventilation or drug-induced depression of neuromuscular function.  
17 Cardiovascular function may be impaired;

18      25. "General supervision" means the supervisory dentist has  
19 diagnosed any conditions to be treated within the past thirteen (13)  
20 months, has personally authorized the procedures to be performed by  
21 a dental hygienist, and will evaluate the results of the dental  
22 treatment within a reasonable time as determined by the nature of  
23 the procedures performed, the needs of the patient, and the  
24 professional judgment of the supervisory dentist. General

1 supervision may only be used to supervise a dental hygienist and may  
2 not be used to supervise ~~an oral maxillofacial surgery assistant or~~  
3 a dental assistant except as provided by Section 328.58 of this  
4 title;

5       26. "Indirect supervision" means the supervisory dentist is in  
6 the dental office or treatment facility and has personally diagnosed  
7 any conditions to be treated, authorizes the procedures to be  
8 performed by a dental hygienist, remains in the dental office or  
9 treatment facility while the procedures are being performed, and  
10 will evaluate the results of the dental treatment within a  
11 reasonable time as determined by the nature of the procedures  
12 performed, the needs of the patient, and the professional judgment  
13 of the supervisory dentist. Indirect supervision may not be used  
14 for ~~an oral maxillofacial surgery assistant or~~ a dental assistant;

15       27. "Investigations" means an investigation proceeding,  
16 authorized under Sections 328.15A and 328.43a of this title, to  
17 investigate alleged violations of the State Dental Act or the rules  
18 of the Board;

19       28. "Laboratory prescription" means a written description,  
20 dated and signed by a dentist, of dental laboratory technology to be  
21 performed by a dental laboratory technician;

22       29. "Minimal sedation" means a minimally depressed level of  
23 consciousness, produced by a pharmacological method, that retains  
24 the patient's ability to independently and continuously maintain an

1 airway and respond normally to tactile stimulation and verbal  
2 command. Although cognitive function and coordination may be  
3 modestly impaired, ventilator and cardiovascular functions are  
4 unaffected;

5       30. "Mobile dental anesthesia provider" means a licensed and  
6 anesthesia-permitted dentist, physician or Certified Registered  
7 Nurse Anesthetist (CRNA) that has a mobile dental unit and provides  
8 anesthesia in dental offices and facilities in the state;

9       31. "Mobile dental clinic" means a permitted motor vehicle or  
10 trailer utilized as a dental clinic, and/or that contains dental  
11 equipment and is used to provide dental services to patients on-site  
12 and shall not include a mobile dental anesthesia provider. A mobile  
13 dental clinic shall also mean and include a volunteer mobile dental  
14 facility that is directly affiliated with a church or religious  
15 organization as defined by Section 501(c) (3) or 501(d) of the United  
16 States Internal Revenue Code, the church or religious organization  
17 with which it is affiliated is clearly indicated on the exterior of  
18 the volunteer mobile dental facility, and such facility does not  
19 receive any form of payment either directly or indirectly for work  
20 provided to patients other than donations through the affiliated  
21 church or religious organization; provided, that the volunteer  
22 mobile dental facility shall be exempt from any registration fee  
23 required under the State Dental Act;

1       32. "Moderate sedation" means a drug-induced depression of  
2 consciousness during which patients respond purposefully to verbal  
3 commands, either alone or accompanied by light tactile stimulation.  
4 No interventions are required to maintain a patent airway, and  
5 spontaneous ventilation is adequate. Cardiovascular function is  
6 usually maintained;

7       33. "Prophylaxis" means the removal of any and all calcareous  
8 deposits, stains, accretions or concretions from the supragingival  
9 and subgingival surfaces of human teeth, utilizing instrumentation  
10 by scaler or periodontal curette on the crown and root surfaces of  
11 human teeth including rotary or power-driven instruments. This  
12 procedure may only be performed by a dentist or dental hygienist;

13       34. "Patient" or "patient of record" means an individual who  
14 has given a medical history and has been examined and accepted by a  
15 dentist for dental care;

16       35. "Residencies" are programs designed for advanced clinical  
17 and didactic training in general dentistry or other specialties or  
18 other specialists at the post-doctoral level recognized by the  
19 Commission on Dental Accreditation (CODA) or the Board;

20       36. "Supervision" means direct supervision, direct visual  
21 supervision, indirect supervision or general supervision;

22       37. "Teledentistry" means the remote delivery of dental patient  
23 care via telecommunications and other technology for the exchange of  
24

1 clinical information and images for dental consultation, preliminary  
2 treatment planning and patient monitoring; and

3 38. "Treatment facility" means:

- 4 a. a federal, tribal, state or local public health  
5 facility,
- 6 b. a Federally Qualified Health Center (FQHC),
- 7 c. a private health facility,
- 8 d. a group home or residential care facility serving the  
9 elderly, disabled or juveniles,
- 10 e. a hospital or dental ambulatory surgery center (DASC),
- 11 f. a nursing home,
- 12 g. a penal institution operated by or under contract with  
13 the federal or state government,
- 14 h. a public or private school,
- 15 i. a patient of record's private residence,
- 16 j. a mobile dental clinic,
- 17 k. a dental college, dental program, dental hygiene  
18 program or dental assisting program accredited by the  
19 Commission on Dental Accreditation, or
- 20 l. such other places as are authorized by the Board.

21 SECTION 3. AMENDATORY 59 O.S. 2021, Section 328.17, is

22 amended to read as follows:

23 Section 328.17. A. 1. The Board of Dentistry shall have the  
24 following standing committees that shall meet once per year and

1 other times as needed to study issues affecting the practice of  
2 dentistry and the safety of the public and to make recommendations  
3 to the Board:

- 4 a. Dental Practice Committee,
- 5 b. Anesthesia Committee,
- 6 c. Specialty Practice Committee,
- 7 d. Historical and Retirement Committee, and
- 8 e. Assistants, Dental Labs and Other Auxiliary Personnel  
Committee.

10 2. Each committee shall be cochaired by a current or past Board  
11 member to be appointed by the Board President with approval by the  
12 Board and a member of a statewide organization representing dentists  
13 as recommended by such organization.✓

14 3. Each committee may have up to ten committee members with the  
15 exception of the Anesthesia Committee which may have up to eighteen  
16 members, exclusive of the cochairs.✓

17 4. The Board President, with approval of the Board, shall  
18 appoint all committee members. One-half (1/2 or 50%) of the  
19 committee members shall be recommended by the Board and one-half  
20 (1/2 or 50%) of the committee members shall be recommended to the  
21 Board President by a statewide organization representing dentists,  
22 and.✓

23 5. Committee members shall be on staggered three-year terms and  
24 shall serve at the pleasure of the Board.  
25

1       B. There shall be a Dental Hygiene Advisory Committee to be  
2 composed of the following members:

3           1. One current dental hygiene member of the Board;  
4           2. Two dental hygienists recommended by the Board and two  
5 dental hygienists recommended by a statewide organization  
6 representing dental hygienists;

7           3. The Committee shall have the following functions:

- 8              a. to develop and propose recommendations to the Board  
9                          regarding the education, examination, licensure, and  
10                          regulation of dental hygienists,  
11              b. to advise the Board in rulemaking regarding dental  
12                          hygiene,  
13              c. to hold meetings at least annually, but not more than  
14                          six (6) times a year, and  
15              d. to work directly with the Allied Dental Education  
16                          Committee in reviews and recommendations for  
17                          equivalent dental hygiene programs; and

18           4. Members of the Committee shall be appointed by the Board and  
19 shall serve a term of three (3) years. Appointments shall be made  
20 so that approximately one-third (1/3 or 33%) of the Committee is  
21 reappointed at any given time. Members may be appointed for  
22 consecutive terms if recommended by the Board President and approved  
23 by the Board.

24           C. There shall be an Allied Dental Education Committee.  
25

- 1       1. The Board President shall appoint all members of the Allied  
2 Dental Education Committee upon approval by the Board;
- 3       2. The Allied Dental Education Committee shall:
- 4           a. review the standards and equivalency of in-state and  
5               out-of-state dental and auxiliary program requirements  
6               and make recommendations to the Board,
- 7           b. evaluate individual credentials and programs for the  
8               purpose of issuing dental assistant expanded duty  
9               permits and dental hygiene advanced procedure permits  
10              from persons holding out-of-state licenses and permits  
11              based on CODA or DANB programs and criteria as defined  
12              by the State Dental Act and other statutes and shall  
13              make recommendations to the Board,
- 14           c. recommend standards and guidelines and review criteria  
15              for all expanded duty programs or courses for dental  
16              assistants from CODA approved programs and non-CODA  
17              approved providers and advanced procedures of dental  
18              hygienists from CODA approved programs or training and  
19              non-CODA approved programs or training to the Board,  
20              and
- 21           d. recommend and develop guidelines for classroom,  
22              electronic media and other forms of education and  
23              testing;

1           3. The Committee shall meet as deemed necessary by the Board  
2 President; and

3           4. The Committee may have up to ten (10) members of whom three  
4 shall have a background in dental education. The Committee shall be  
5 composed of:

- 6           a. the Board President or his or her designee who must be  
7                 a current or past Board Member,
- 8           b. the hygiene member of the Board or their designee who  
9                 must be a current or past Board Member,
- 10          c. the Dean of the University of Oklahoma College of  
11                 Dentistry or his or her designee, and
- 12          d. up to seven at-large members, one of which must be an  
13                 educator and one of which must have a current  
14                 Certified Dental Assistant Permit.

15          D. The Board President shall have the authority to appoint  
16 other ad hoc committees as needed.

17          E. All Committee members of standing committees, the Hygiene  
18 Committee and the Allied Dental Education Committee shall serve  
19 staggered three-year terms and serve at the pleasure of the Board.

20          SECTION 4.       AMENDATORY       59 O.S. 2021, Section 328.19, as  
21 amended by Section 2, Chapter 158, O.S.L. 2022 (59 O.S. Supp. 2024,  
22 Section 328.19), is amended to read as follows:

1       Section 328.19. A. The following acts by any person shall be  
2       regarded as practicing dentistry within the meaning of the State  
3       Dental Act:

4           1. Representing oneself to the public as being a dentist or as  
5       one authorized to practice dentistry;

6           2. Representing oneself to the public as being able to diagnose  
7       or examine clinical material or contract for the treating thereof;

8           3. Representing oneself as treating or professing to treat by  
9       professional instructions or by advertised use of professional  
10      equipment or products;

11          4. Representing oneself to the public as treating any of the  
12      diseases or disorders or lesions of the oral cavity, teeth, gums,  
13      maxillary bones, and associate structures;

14          5. Removing human teeth;

15          6. Repairing or filling cavities in human teeth;

16          7. Correcting or attempting to correct malposed teeth;

17          8. Administering anesthetics, general or local;

18          9. Treating deformities of the jaws and adjacent structures;

19          10. Using x-ray and interpreting dental x-ray film;

20          11. Offering, undertaking or assisting, by any means or  
21      methods, to remove stains, discolorations, or concretions from the  
22      teeth; provided, that this paragraph shall not preclude or prohibit  
23      the sale of any teeth whitening kit designed for self-administration  
24      as approved by the United States Food and Drug Administration;

1       12. Operating or prescribing for any disease, pain, injury,  
2 deficiency, deformity, or any physical condition connected with the  
3 human mouth;

4       13. Taking impressions of the teeth and jaws;

5       14. Furnishing, supplying, constructing, reproducing, or  
6 repairing, or offering to furnish, supply, construct, reproduce, or  
7 repair, prosthetic dentures, sometimes known as plates, bridges, or  
8 other substitutes for natural teeth for the user or prospective user  
9 thereof;

10      15. Adjusting or attempting to adjust any prosthetic denture,  
11 bridge, appliance, or any other structure to be worn in the human  
12 mouth;

13      16. Diagnosing, making, and adjusting appliances to artificial  
14 casts of malposed teeth for treatment of the malposed teeth in the  
15 human mouth, without instructions;

16      17. Writing a laboratory prescription to a dental laboratory or  
17 dental laboratory technician for the construction, reproduction or  
18 repair of any appliance or structure to be worn in the human mouth;

19      18. Owning, maintaining, or operating an office or offices by  
20 holding a financial interest in same for the practice of dentistry;  
21 or

22      19. Any other procedure otherwise defined in the State Dental  
23 Act requiring a valid license or permit to perform while the person  
24 does not hold such valid license or permit issued by the Board.

1       B. The fact that a person uses any dental degree, or  
2 designation, or any card, device, directory, poster, sign or other  
3 media representing oneself to be a dentist shall be *prima facie*  
4 evidence that the person is engaged in the practice of dentistry;  
5 provided that nothing in this section shall be so construed as to  
6 prevent the following:

7           1. Physicians or surgeons, who are licensed under the laws of  
8 this state, from administering any kind of treatment coming within  
9 the province of medicine or surgery;

10          2. The practice of dentistry in the discharge of the person's  
11 official duties by dentists in the United States Army, the United  
12 States Navy, the United States Air Force, the United States Marine  
13 Corps, the United States Coast Guard, the United States Public  
14 Health Service, or the United States Veterans Administration;

15           3. Dental schools or colleges, as now conducted and approved,  
16 or as may be approved, and the practice of dentistry by students in  
17 dental schools, colleges or hospitals, approved by the Board, when  
18 acting under the direction and supervision of licensed dentists or  
19 dentists holding properly issued permits acting as instructors;

20           4. Acts of a dental clinician or other participant at a dental  
21 educational meeting or at an accredited dental college, when no fee  
22 is charged to or paid by a patient;

23           5. The practice of dental hygiene, as defined herein, by a  
24 person granted a license by the Board;

1       6. The performing of acts by a dental assistant ~~or oral~~  
2 ~~maxillofacial surgery assistant~~ who performs the acts under the  
3 direct supervision or direct visual supervision of a dentist and in  
4 accordance with the provisions of the State Dental Act and the rules  
5 promulgated by the Board; or

6       7. The fabrication of dental appliances pursuant to a  
7 laboratory prescription of a dentist, by a dental laboratory  
8 technician in a dental laboratory using inert materials and  
9 mechanical devices for the fabrication of any restoration, appliance  
10 or thing to be worn in the human mouth.

11       SECTION 5.       AMENDATORY       59 O.S. 2021, Section 328.21, as  
12 last amended by Section 3, Chapter 46, O.S.L. 2024 (59 O.S. Supp.  
13 2024, Section 328.21), is amended to read as follows:

14       Section 328.21. A. No person shall practice dentistry ~~or,~~  
15 dental hygiene, or dental assisting without first applying for and  
16 obtaining a license from the Board of Dentistry.

17       B. Application shall be made to the Board in writing and shall  
18 be accompanied by the fee established by the rules of the Board,  
19 together with satisfactory proof that the applicant:

20       1. Is of good moral character;  
21       2. Is twenty-one (21) years of age, or over, at the time of  
22 making application to practice dentistry or eighteen (18) years of  
23 age, or over, if the applicant is to practice dental hygiene;

1       3. Has passed a written theoretical examination and a clinical  
2 examination approved by the Board within the previous five (5)  
3 years; and

4       4. Has passed a written jurisprudence examination over the  
5 rules and laws affecting dentistry in this state.

6       C. An application from a candidate who desires to secure a  
7 license from the Board to practice dentistry or dental hygiene in  
8 this state shall be accompanied by satisfactory proof that the  
9 applicant:

10      1. Is a graduate of an accredited dental college, if the  
11 applicant is to practice dentistry;

12      2. Is a graduate of an accredited dental hygiene program, if  
13 the applicant is to practice dental hygiene; and

14      3. Has passed all portions of the National Board Dental  
15 Examination or the National Board Dental Hygiene Examination.

16       D. Pursuant to Section 328.15 of this title, the Board may  
17 affiliate as a member state, and accept regional exams from the  
18 Commission on Dental Competency Assessments (CDCA-WREB-CITA) if the  
19 following requirements are included:

20      1. For dental licensing the following components on a live  
21 patient or manikin:

22        a. a fixed prosthetic component of the preparation of an  
23                  anterior all porcelain crown and the preparation of a  
24                  three-unit posterior bridge,

- 1                   b. a periodontal component,
- 2                   c. an endodontic component,
- 3                   d. an anterior class III and posterior class II
- 4                   restorative component,
- 5                   e. a diagnosis and treatment planning section as approved
- 6                   by the Board, as specified in Section 328.15 of this
- 7                   title, and
- 8                   f. the Board may determine equivalencies based on
- 9                   components of other exams for the purpose of
- 10                  credentialing; or

11                 2. For dental hygienists licensing the following components on  
12                 a live patient or manikin:

- 13                 a. clinical patient treatments with an evaluation of  
14                   specific clinical skills, and
- 15                 b. evaluation of the candidate's compliance with  
16                   professional standards during the treatment as  
17                   approved by the Board in Section 328.15 of this title  
18                   and shall include:
- 19                   (1) extra/intra oral assessment,
- 20                   (2) periodontal probing, and
- 21                   (3) scaling/subgingival calculus removal and  
22                   supragingival deposit removal.

23                 E. When the applicant and the accompanying proof are found  
24                 satisfactory, the Board shall notify the applicant to appear for the

1 jurisprudence examination at the time and place to be fixed by the  
2 Board. A dental student or a dental hygiene student in the  
3 student's last semester of a dental or dental hygiene program,  
4 having met all other requirements, may make application and take the  
5 jurisprudence examination with a letter from the dean of the dental  
6 school or director of the hygiene program stating that the applicant  
7 is a candidate for graduation within the next six (6) months.

8 F. The Board shall require every applicant for a license to  
9 practice dentistry or dental hygiene to submit, for the files of the  
10 Board, a copy of a dental degree or dental hygiene degree, an  
11 official transcript, a recent photograph duly identified and  
12 attested, and any other information as required by the Board.

13 G. Any applicant who fails to pass the jurisprudence  
14 examination may apply for a second examination, in which case the  
15 applicant shall pay a reexamination fee as established by the  
16 statutes or rules of the State Dental Act.

17 H. A dentist or dental hygienist currently licensed in another  
18 state having met the qualifications in paragraphs 1 through 3 of  
19 subsections B and C of this section may apply for a license by  
20 credentials upon meeting the following:

21 1. A dentist holding a general dentist license in good standing  
22 and having practiced for at least five hundred (500) hours within  
23 the previous five (5) years immediately prior to application and

1 having passed a regional examination substantially equivalent to the  
2 requirements for this state may apply for licensure by credentials;

3       2. A dental hygienist holding a dental hygiene license in good  
4 standing and having practiced for at least four hundred twenty (420)  
5 hours within the previous five (5) years immediately prior to  
6 application and having passed a regional examination substantially  
7 equivalent to the requirements for this state may apply for  
8 licensure by credentials. Applicants for credentialing must  
9 include:

10       a. a letter of good standing from all states in which the  
11                   applicant has ever been licensed, and

12       b. any other requirements as set forth by the rules; and

13       3. An applicant applying for a dental or dental hygiene license  
14 by credentials shall only be required to pass the jurisprudence  
15 portion of the examination requirements as set forth in paragraph 4  
16 of subsection B of this section; and

17       4. The spouse of an active duty military member pursuant to a  
18 current permanent change of station order from the military who was  
19 actively licensed in another state for the previous two (2) years  
20 shall be eligible for a license or permit pursuant to the  
21 requirements listed in 50 U.S.C., Section 4025(a).

22       I. 1. There shall be seven types of advanced procedures  
23 available for dental hygienists upon completion of a Commission on  
24

1 Dental Accreditation (CODA) approved program, course, or  
2 certification program that has been approved by the Board:

- 3 a. administration of nitrous oxide,
- 4 b. administration of local anesthesia,
- 5 c. neuromodulator administration,
- 6 d. therapeutic use of lasers,
- 7 e. phlebotomy,
- 8 f. venipuncture, and
- 9 g. elder care and public health pursuant to Section  
10 328.58 of this title.

11 2. A dental hygienist holding an advanced procedure permit or  
12 credential in any other state for two (2) years shall be eligible  
13 for the advanced procedure permit by credentials; provided, that  
14 application for the advanced procedure permit by credentials for  
15 administration of local anesthesia shall additionally require proof  
16 of passage of such advanced procedure in a CDCA-WREB-CITA exam.

17 3. For all advanced procedures other than administration of  
18 local anesthesia, a dental hygienist may apply by filling out an  
19 application with required documentation of training as required by  
20 state law and rules of the Board. A dental hygienist licensed by  
21 the Board prior to January 30, 2024, shall be eligible for the  
22 advanced procedure of therapeutic use of lasers upon submission of  
23 an affidavit attesting to two (2) years of practice using lasers.

1       4. All advanced procedures shall be added to the dental hygiene  
2 license upon approval.

3           J. All licensees and permit holders shall display the current  
4 permit or license in a visible place within the dental office or  
5 treatment facility.

6           K. The Board shall have the authority to temporarily change  
7 requirements of an examination due to availability or changes in the  
8 examination format, not to exceed one (1) year.

9           L. During a year in which governmental officials have declared  
10 a health pandemic, a state or federal disaster, or other natural or  
11 man-made disaster, the Board shall have the authority through a  
12 resolution to change or make allowances in requirements of all  
13 candidates for licensure and issue temporary licenses for extended  
14 periods of time or as needed until the event passes. The resolution  
15 shall have a beginning and an end date and shall automatically  
16 expire no less than thirty (30) days after the end of the disaster  
17 is declared by governmental officials.

18           M. Every licensee or permit holder shall have an official  
19 address and email address listed with the Board. Every licensee or  
20 permit holder shall update the address within thirty (30) calendar  
21 days of moving. Official notification of any action of the Board  
22 adverse to a licensee or permit holder including but not limited to  
23 notification of license or permit cancellation due to nonrenewal,  
24 notice of a formal complaint, or a decision of the hearing panel or

1 board, shall be served to the licensee or permit holder by  
2 registered mail at the official address, in person, to the  
3 licensee's or permit holder's attorney, by agreement of the  
4 individual, by a process server, or by an investigator of the Board  
5 pursuant to Section 2004 of Title 12 of the Oklahoma Statutes.

6 SECTION 6. AMENDATORY 59 O.S. 2021, Section 328.23a, as  
7 last amended by Section 4, Chapter 46, O.S.L. 2024 (59 O.S. Supp.  
8 2024, Section 328.23a), is amended to read as follows:

9 Section 328.23a. A. There is established a special volunteer  
10 license for dentists and a special volunteer license for dental  
11 hygienists who are retired from active practice or out-of-state  
12 licensees in active practice who are in the Oklahoma Medical Reserve  
13 Corps or assisting with emergency management, emergency operations  
14 or hazard mitigation in response to any emergency, man-made disaster  
15 or natural disaster, or participating in public health initiatives,  
16 disaster drills and community service events that are endorsed by a  
17 city or county health department or the State Department of Health  
18 and wish to donate their expertise for the dental care and treatment  
19 of indigent and needy persons of the state. A special volunteer  
20 license may also be issued for any live patient training approved by  
21 the Board of Dentistry. The special volunteer license shall be:

- 22 1. Issued by the Board of Dentistry to eligible persons;  
23 2. Issued without the payment of an application fee, license  
24 fee or renewal fee;

1       3. Issued or renewed without any continuing education  
2 requirements for a period less than one (1) calendar year; and

3       4. Issued for one (1) calendar year or part thereof.

4           B. A special volunteer license may be issued for a dentist or  
5 dental hygienist who is on active duty military service. This  
6 license shall not be subject to paragraph 4 of subsection A of this  
7 section and may be issued for the time period of the tour of duty.

8           C. A dentist or dental hygienist must meet the following  
9 requirements to be eligible for a special volunteer license:

10           1. Completion of a special volunteer dental or dental hygiene  
11 license application including documentation of the dental or dental  
12 hygiene school graduation and practice history;

13           2. Documentation that the dentist or dental hygienist has been  
14 previously issued a full and unrestricted license to practice  
15 dentistry or dental hygiene in this state or in another state of the  
16 United States and that he or she has never been the subject of any  
17 reportable medical or dental disciplinary action in any  
18 jurisdiction. If the dentist or dental hygienist is licensed in  
19 more than one state and any license of the licensee is suspended,  
20 revoked, or subject to any agency order limiting or restricting  
21 practice privileges, or has been voluntarily terminated under threat  
22 of sanction, the dentist or dental hygienist shall be ineligible to  
23 receive a special volunteer license;

1       3. Acknowledgement and documentation that the dentist's or  
2 dental hygienist's practice under the special volunteer license will  
3 be exclusively and totally devoted to providing dental care to needy  
4 and indigent persons in this state;

5       4. Acknowledgement and documentation that the dentist or dental  
6 hygienist will not receive or have the expectation to receive any  
7 payment or compensation, either direct or indirect, for any dental  
8 services rendered under the special volunteer license; and

9       5. A listing of all locations and dates that the person will be  
10 completing volunteer work under the special volunteer license.

11      D. The Board of Dentistry shall have jurisdiction over  
12 dentists, dental hygienists, dental assistants and dental  
13 technicians who volunteer their professional services in the state.  
14 Dental assistants and dental technicians shall work under the direct  
15 supervision of a dentist.

16      E. Dental assistants may be issued a volunteer permit at the  
17 request of an entity that provides dental services to the needy.  
18 Volunteers in a volunteer initiative who are not dentists or dental  
19 hygienists shall be named and provided on a list to the Board by the  
20 entity hosting the volunteer initiative with any other requirements  
21 as set forth by the Board. The Board shall provide written  
22 documentation to the host entity designating all persons who may  
23 participate in the volunteer initiative including authorization of  
24 the timetable requested by the host entity for granting licensure

1 exemption. Any person working under a volunteer dental assistant  
2 permit shall not receive payment or compensation for any services  
3 rendered under the volunteer dental assistant permit. Volunteer  
4 dental assistant permits shall be limited to specific dates and  
5 locations of services to be provided.

6 F. All persons providing care shall do so under the provisions  
7 specified in Section 328.1 et seq. of this title or rules  
8 promulgated by the Board. Only those functions authorized by law or  
9 administrative rule shall be performed by the named person approved  
10 by the Board.

11 G. Volunteers shall ~~not use sedation or general~~ be limited to  
12 topical and local anesthesia during volunteer procedures.

13 H. Volunteers shall use a form to be provided by the Board for  
14 any patient with clear instructions for any and all follow-up care.

15 I. At any time, the Board shall revoke a volunteer license  
16 based on documentation of failure to participate according to state  
17 laws or administrative rules.

18 J. A special volunteer license shall be restricted to services  
19 provided at the locations listed on the application or for a  
20 specific not-for-profit treatment provider group as approved by the  
21 Board.

22 K. A special volunteer license may be issued to a dentist with  
23 an active license in good standing in another state for the purpose  
24

1 of participating in a continuing education class that includes live  
2 patient treatment as a part of the training program.

3 SECTION 7. AMENDATORY 59 O.S. 2021, Section 328.24, as  
4 last amended by Section 5, Chapter 46, O.S.L. 2024 (59 O.S. Supp.  
5 2024, Section 328.24), is amended to read as follows:

6 Section 328.24. A. No person shall practice as a dental  
7 assistant ~~or oral maxillofacial surgery assistant for more than one~~  
8 ~~(1) day in a calendar year without having applied for a permit as a~~  
9 ~~dental assistant or oral maxillofacial surgery assistant from the~~  
10 ~~Board of Dentistry within thirty (30) days of beginning employment.~~  
11 ~~During this time period, the dental assistant shall work under the~~  
12 ~~direct visual supervision of a dentist at all times without first~~  
13 applying for and obtaining a permit from the Board of Dentistry.

14 B. The application shall be made to the Board in writing and  
15 shall be accompanied by the fee established by the Board, together  
16 with satisfactory proof that the applicant passes a background check  
17 with criteria established by the Board.

18 C. ~~Beginning January 1, 2020, every~~ Every dental assistant  
19 receiving a permit shall complete a class on infection control as  
20 approved by the Board within one (1) year from the date of receipt  
21 of the permit. ~~Any person holding a valid dental assistant permit~~  
22 ~~prior to January 1, 2020, shall complete an infection control class~~  
23 ~~as approved by the Board before December 31, 2020.~~ Failure to

1 complete the class shall be grounds for discipline pursuant to  
2 Section 328.29a of this title.

3       D. There shall be eight types of expanded duty permits  
4 available for dental assistants ~~or oral maxillofacial surgery~~  
5 ~~assistants~~ upon completion of a program approved by the Commission  
6 on Dental Accreditation (CODA) or a course that has been approved by  
7 the Board:

8           1. Radiation safety;

9           2. Coronal polishing and topical fluoride;

10          3. Sealants;

11          4. Assisting in the administration of nitrous oxide;

12          5. Phlebotomy;

13          6. Venipuncture;

14          7. Elder care and public health; or

15          8. Assisting Oral maxillofacial surgery. An oral maxillofacial  
16 surgery expanded duty permit shall be available to a dental  
17 assistant who has met the requirements as listed in 328.25 and  
18 assists a dentist, pediatric dentist, or oral surgeon who holds a  
19 parenteral or pediatric anesthesia permit; provided, only the  
20 dentist, an anesthesiologist, or a Certified Registered Nurse  
21 Anesthetist may administer anesthesia and assess the patient's level  
22 of sedation.

1       All expanded duties shall be added to the dental assistant  
2 ~~license or oral maxillofacial surgery assistant license permit~~ upon  
3 approval by the Board.

4       E. The training requirements for all expanded duty permits  
5 shall be set forth by the Board. A program that is not CODA-  
6 certified must meet the standards set forth and be approved by the  
7 Board.

8       F. An applicant for a dental assistant permit who has graduated  
9 from a dental assisting program accredited by CODA and has passed  
10 the jurisprudence examination shall receive all expanded duty  
11 permits provided for in subsection D of this section if the course  
12 materials approved by the Board are covered in the program.

13       G. A dental assistant who holds an out-of-state dental  
14 assistant permit with expanded duties may apply for credentialing  
15 and reciprocity for a dental assistant permit including any expanded  
16 duty by demonstrating the following:

17           1. The dental assistant has had a valid dental assistant permit  
18 in another state for a minimum of two (2) years and is in good  
19 standing;

20           2. The dental assistant has had a valid expanded duty in  
21 another state for a minimum of one (1) year; and

22           3. The dental assistant provides a certificate or proof of  
23 completion of an educational class for the expanded duty and that  
24 the dental assistant has been providing this treatment to dental

1 patients while working as a dental assistant in a dental office for  
2 one (1) year.

3       H. Any person having served in the military as a dental  
4 assistant shall receive credentialing and reciprocity for expanded  
5 functions by demonstrating the following:

6       1. Proof of military service in excess of two (2) years with  
7 any certifications or training in the expanded function areas; and

8       2. Verification from the commanding officer of the medical  
9 program or the appropriate supervisor stating that the dental  
10 assistant provided the expanded functions on patients in the  
11 military dental facility for a minimum of one (1) year within the  
12 past five (5) years.

13       SECTION 8.       AMENDATORY       59 O.S. 2021, Section 328.25, is  
14 amended to read as follows:

15       Section 328.25. A. ~~No person shall practice as an oral~~  
16 ~~maxillofacial surgery assistant without having obtained a permit as~~  
17 ~~an oral maxillofacial surgery assistant from the Board of Dentistry~~  
18 Any person applying for an oral maxillofacial surgery expanded duty  
19 permit shall complete the requirements in this section for  
20 submission and approval before the Board.

21       B. ~~Any person seeking to obtain an oral maxillofacial surgery~~  
22 ~~assistant permit must have a supervising oral maxillofacial surgeon~~  
23 ~~with a current Oklahoma license and complete the requirements set~~  
24 ~~forth by the Board.~~

1       C. The application shall be made to the Board in writing and  
2 shall be accompanied by the fee established by the Board, together  
3 with the satisfactory proof that the applicant:

4           1. Passes a background check with criteria established by the  
5 Board; and

6           2. Has completed all of the training requirements for the oral  
7 maxillofacial surgery ~~assistant permit~~ expanded duty permit as  
8 established by the Board.

9       D. ~~An oral maxillofacial surgery assistant permit shall be~~  
10 ~~considered a temporary training permit until all of the training~~  
11 ~~requirements, as established by the Board for each oral~~  
12 ~~maxillofacial surgery assistant, have been completed and approved by~~  
13 ~~the Board.~~

14       E. ~~A temporary training permit for each oral maxillofacial~~  
15 ~~surgery assistant shall not be extended beyond two (2) years.~~

16       F. C. ~~All oral maxillofacial surgery dental assistants are~~  
17 required to be under direct supervision or direct visual supervision  
18 at all times by a licensed ~~oral maxillofacial surgeon.~~

19       G. ~~If an oral maxillofacial surgery assistant is not currently~~  
20 ~~employed by an oral maxillofacial surgeon, the oral maxillofacial~~  
21 ~~surgery assistant permit shall automatically revert to a dental~~  
22 ~~assistant permit as set forth in Section 328.24 of this title and~~  
23 ~~may be eligible for an expanded function assisting a dentist who~~  
24 ~~holds a general, parenteral, or pediatric anesthesia permit;~~

1 provided, only the dentist may administer anesthesia and assess the  
2 patient's level of sedation. ~~The oral maxillofacial surgery~~  
3 ~~assistant permit may be reinstated upon employment under a licensed~~  
4 ~~oral maxillofacial surgeon.~~

5 ~~H. Any oral maxillofacial surgeon shall notify the Board within~~  
6 ~~thirty (30) days of an oral maxillofacial surgery assistant no~~  
7 ~~longer under his or her supervision.~~

8 ~~I. D.~~ An applicant for an oral maxillofacial surgery ~~assistant~~  
9 expanded duty permit shall provide satisfactory proof of:

10 1. Successful completion of the Dental Anesthesia Assistant  
11 National Certification Examination (DAANCE) provided by the American  
12 Association of Oral Maxillofacial Surgeons (AAOMS) or another  
13 program or examination as approved by the Board;

14 2. A valid BLS certification;

15 3. ~~Employment and completion of a minimum of six (6) months of~~  
16 ~~training under the direct supervision of a licensed oral~~  
17 ~~maxillofacial surgeon prior to starting DAANCE or another program or~~  
18 ~~examination as approved by the Board;~~

19 4. Completion of a standardized course approved by the Board  
20 including a minimum of four (4) hours of didactic training that must  
21 include anatomy, intravenous access or phlebotomy, technique, risks  
22 and complications, and hands-on experience starting and maintaining  
23 intravenous lines on a human or simulator/manikin, and pharmacology;  
24 and

1       5. 4. Completion of an infection-control course as approved by  
2 the Board.

3       J. An oral maxillofacial surgery assistant who has completed  
4 all the requirements shall receive a permit to practice as an oral  
5 maxillofacial surgery assistant within a dental office, surgery  
6 center, dental ambulatory surgery center or hospital.

7       K. Oral E. A dental assistant with an oral maxillofacial  
8 surgery assistants expanded duty permit shall be required to  
9 complete eight (8) hours of continuing education every two (2) years  
10 in classes approved by AAOMS that are certified by the American  
11 Dental Association CERP program or another program approved by the  
12 Board. The continuing education requirement shall include at least  
13 one (1) hour on infection control.

14       L. F. The Anesthesia Committee provided pursuant to Section  
15 328.17 of this title may make a recommendation to the Board for an a  
16 dental assistant with an oral maxillofacial surgery assistant  
17 expanded duty permit holding a temporary training permit to  
18 substitute training received from another state university, dental  
19 school or technical training institute or training acquired in a  
20 surgery center or hospital while working under the authority of a  
21 licensed physician, to qualify as a partial substitute for the  
22 requirements to attain an oral maxillofacial surgery assistant  
23 permit expanded duty permit.

1       M. An G. A dental assistant with an oral maxillofacial surgery  
2       assistant expanded duty function may only accept delegation from an  
3       oral and maxillofacial surgeon or a dentist with a valid parenteral  
4       or conscious sedation permit:

5           1. Under direct supervision:

- 6           a. initiate and discontinue an intravenous line for a  
7                   patient being prepared to receive intravenous  
8                   medications, sedation or general anesthesia, or  
9           b. draw up and prepare medications; and

10          2. Under direct visual supervision:

- 11           a. follow instructions of the oral surgeon while acting  
12                   as an accessory hand on behalf of the oral surgeon  
13                   that is administering the medication and actively  
14                   treating the patient. For the purposes of this  
15                   section, "administer" means to have the sole  
16                   responsibility for anesthesia care including  
17                   determining medicines to be used and the dosage,  
18                   timing, route of delivery and administration of  
19                   medication and the assessment of the level of  
20                   anesthesia and monitoring the physiological results of  
21                   such care; provided, only an oral surgeon or dentist  
22                   possessing a current general anesthesia permit may  
23                   administer or assess the level of sedation or general  
24                   anesthesia and monitor the results of such care,

- 1                   b. follow instructions of the oral surgeon to adjust the  
2                   rate of intravenous fluids to maintain or keep the  
3                   line patent or open and adjust an electronic device to  
4                   provide medications such as an infusion pump, and  
5                   c. assist the oral surgeon by reading, recording vital  
6                   signs of a patient receiving deep sedation or general  
7                   anesthesia; provided, only an oral surgeon may assess  
8                   the level of sedation.

9                  N. H. Only an oral surgeon shall be responsible to diagnose,  
10                 treat, monitor, determine and administer the selection of the drug,  
11                 dosage, and timing of all anesthetic medications, and care of the  
12                 patient through the perioperative period shall rest solely with the  
13                 supervising oral and maxillofacial surgeon.

14                 O. I. Nothing in the State Dental Act shall be construed as to  
15                 allow ~~an oral surgery assistant or a dental assistant with an oral~~  
16                 maxillofacial expanded duty permit to administer anesthesia care to  
17                 a patient.

18                 SECTION 9.        NEW LAW        A new section of law to be codified  
19                 in the Oklahoma Statutes as Section 328.25a of Title 59, unless  
20                 there is created a duplication in numbering, reads as follows:

21                 A. An oral surgeon, pediatric dentist, or dentist with an  
22                 appropriate anesthesia or facility permit may enter into a  
23                 collaborative practice agreement with a Certified Registered Nurse  
24                 Anesthetist, allopathic physician, osteopathic physician, or dental

1      anesthesiologist who holds a valid license in this state. The  
2      collaborative agreement shall only be valid as it applies to dental  
3      treatment in a dental office or other dental treatment facility.

4      The Board of Dentistry shall determine the requirements for the  
5      agreements which at a minimum shall include:

6            1. Copies of valid Oklahoma licenses or permits and any orders  
7      issued against the practitioner's license from any state or federal  
8      agency; and

9            2. Registrations for each practitioner from the United States  
10     Drug Enforcement Administration and the Oklahoma State Bureau of  
11     Narcotics and Dangerous Drugs Control.

12          B. The agreement shall be specific as to which practitioner is  
13      ordering the scheduled drugs, the location of the drug locker, and  
14      proof of meeting legal requirements for the ordering and storing of  
15      drugs in compliance with federal and state drug logs.

16          C. The agreement shall name the practitioner responsible for  
17      maintaining the rescue drugs and equipment used during procedures.

18          D. The collaborative agreement shall be on a form as approved  
19      by the Board and submitted for acceptance by the Board.

20          E. Any oral surgeon, pediatric dentist, or dentist entering  
21      into a collaborative agreement must maintain patient records and  
22      logs on all procedures.

23          F. The Anesthesia Committee of the Board established under  
24      Section 328.17 of Title 59 of the Oklahoma Statutes shall make

1 recommendations to the Board for the requirements and parameters of  
2 the collaborative agreements.

3 SECTION 10. AMENDATORY 59 O.S. 2021, Section 328.26, is  
4 amended to read as follows:

5 Section 328.26. A. The Board of Dentistry may, without  
6 examination, issue a dental student intern, resident or fellowship  
7 permit to a student or graduate of an approved dental school or  
8 college, or a residency program approved by the Commission on Dental  
9 Accreditation (CODA). Upon meeting the qualifications and upon  
10 approval of the dean or the governing body of any public or private  
11 institution any person may request a dental student or dental  
12 hygiene student intern, resident or fellow permit to be issued from  
13 the Board, with limited duties as defined in the permit. A  
14 fellowship permit may only be given to a person currently  
15 participating in a fellowship program affiliated with an accredited  
16 dental school.

17 B. A dental student or dental hygiene student intern, resident  
18 or fellowship permit shall not be issued to any person whose license  
19 to practice dentistry in this state or in another state has been  
20 suspended or revoked, or to whom a license to practice dentistry has  
21 been refused.

22 C. A dental student or dental hygiene student intern, resident  
23 or fellowship permit shall not authorize the holder to open an  
24 office for the private practice of dentistry, or to receive

1 compensation for the practice of dentistry, except a salary paid by  
2 the federal government or this state, or their subdivisions, or the  
3 public or private institution where the holder of the dental student  
4 intern, resident or fellowship permit will be employed.

5 D. A dental student or dental hygiene student intern with a  
6 valid dental student intern permit may work under the direct  
7 supervision of a licensed dentist for compensation upon meeting the  
8 following criteria:

9 1. The dental student or dental hygiene student intern shall  
10 notify the Board of the supervising dentist;

11 2. A dental student or dental hygiene student intern, having  
12 finished the first year of dental school, may assist in all duties  
13 of a dental assistant pursuant to the administrative rules of the  
14 Board; and

15 3. A dental student intern, having finished the second year of  
16 dental school, may assist in all duties permitted in paragraph 2 of  
17 this subsection, radiation safety, coronal polishing and sealants;  
18 and

19 4. A dental student intern, having finished the second semester  
20 of the third year of dental school, may provide scaling, root  
21 planing, and local anesthesia.

22 E. A dental or dental hygiene student intern, resident or  
23 fellowship permit shall automatically expire when the permit holder  
24

1       is no longer participating in the program offered by the college of  
2       dentistry, the accredited dental college or the institution.

3           F. The issuance of a dental student intern, resident or  
4       fellowship permit by the Board shall in no way be considered a  
5       guarantee or predetermination of any person to receive a full  
6       license issued by the Board.

7           G. Dental student intern or resident or fellowship permits may  
8       be renewed annually at the request of the dean of the college or  
9       program director of the program approved by CODA and at the  
10      discretion of the Board.

11          H. Residents and Fellows with a valid permit may supervise  
12       student dental clinics under the authority of the Dean or Associate  
13       Dean of the University of Oklahoma College of Dentistry.

14          I. Students currently enrolled at the University of Oklahoma  
15       College of Dentistry or an accredited dental hygiene or dental  
16       assisting program shall be exempted from Sections 328.19 and 328.21  
17       of this title while participating in an educational program located  
18       at the University of Oklahoma College of Dentistry or the clinic of  
19       an accredited dental hygiene or dental assisting program. A  
20       licensed dentist, hygienist or faculty license holder shall be  
21       physically present in the facility whenever students of dentistry,  
22       dental hygiene or dental assisting are performing a clinical dental  
23       procedure on patients.

1 SECTION 11. AMENDATORY 59 O.S. 2021, Section 328.27, is

2 amended to read as follows:

3 Section 328.27. A. 1. The Board of Dentistry may, without a  
4 clinical examination, upon presentation of satisfactory credentials,  
5 including completion of all portions of the National Board Dental  
6 Examination, the dental hygiene National Boards and both Part I and  
7 Part II of the National Board examination for dentists, and under  
8 such rules as the Board may promulgate, issue a faculty license or  
9 faculty specialty license to an applicant who:

- 10 a. is a graduate of a school of dentistry approved by the  
11 Board and is licensed to practice dentistry in another  
12 state or country,
- 13 b. has graduated from an accredited dental program, ~~or~~  
14 c. successfully completes advanced training in a  
15 specialty dental program approved by the Commission on  
16 Dental Accreditation of the American Dental  
17 Association, or  
18 d. if applying for a hygiene faculty license, is a  
19 graduate of an accredited dental hygiene program and  
20 is licensed to practice dental hygiene in another  
21 state.

22 2. A faculty license or faculty specialty license shall be  
23 issued only upon the request and certification of the dean of an  
24 accredited dental college or the program director of an accredited

1 dental hygiene program located in this state that the applicant is a  
2 full-time member of the teaching staff of that college or program.

3       3. Within the first two (2) years of employment, the faculty  
4 license or faculty specialty license holder shall show proof of  
5 passing an appropriate clinical board examination, as provided in  
6 Section 328.21 of this title, recognized by the Board of Dentistry.

7       4. A faculty license or faculty specialty license shall be  
8 valid for one (1) year and may be renewed by the Board at the  
9 written request of the dean of an accredited dental program or the  
10 director of an accredited dental hygiene program.

11      5. A faculty license or faculty specialty license shall  
12 automatically expire when the license holder is no longer employed  
13 as a faculty member at the institution that requested the license.

14      6. The holder of a faculty license or faculty specialty license  
15 shall be entitled to perform services and procedures in the same  
16 manner as a person holding a license to practice dentistry or dental  
17 hygiene in this state, but all services and procedures performed by  
18 the faculty license or faculty specialty license holder shall be  
19 without compensation other than that received in salary from a  
20 faculty position or through faculty practice as authorized by the  
21 Board. The holder of a faculty license or faculty specialty license  
22 shall be limited to practicing in the specialty area as designated  
23 on the license. Such services and procedures shall be performed  
24 only within the facilities of an accredited dental college or

1 accredited dental hygiene program or within the facilities  
2 designated by the accredited dental college and teaching hospitals  
3 approved by the Board.

4       B. The dean of an accredited dental or hygiene program may  
5 petition the Board to allow a faculty member to have a limited  
6 faculty or research faculty permit, based on a showing of criteria  
7 that the individual possesses specialty knowledge in a specific area  
8 that would benefit the college or program. The holder of a limited  
9 faculty permit or research faculty shall not have privileges to  
10 perform procedures in the faculty practice at the University of  
11 Oklahoma College of Dentistry, but may oversee the student clinic.  
12 A limited faculty permit shall be valid for one (1) year and may be  
13 renewed by the Board at the written request of the dean of an  
14 accredited dental program or the director of an accredited dental  
15 hygiene program.

16       C. Upon request of the dean, the Board President may issue a  
17 dentist or hygienist licensed in another state or country a  
18 temporary license pursuant to Section 328.23 of this title for the  
19 purpose of attending, presenting or participating in a seminar or  
20 live training in dental techniques or dental anesthesia, given at  
21 the University of Oklahoma College of Dentistry to licensed dentists  
22 and hygienists for continuing education credits and students  
23 enrolled in the University of Oklahoma College of Dentistry. A  
24 temporary permit issued for this purpose shall not exceed seven (7)

1 days and may not be issued to the same person more than four (4)  
2 times in a calendar year.

3       D. Upon the request of the Oklahoma Dental Association  
4 President or the Oklahoma Dental Hygienist Association President,  
5 the Board President may issue a dentist or a hygienist licensed in  
6 another state a temporary license pursuant to Section 328.23 of this  
7 title for the purpose of presenting or participating in live patient  
8 demonstrations presented by the Oklahoma Dental Association or  
9 Oklahoma Dental Hygienist Association or other professional  
10 organizations approved by the Board at its annual meeting. A  
11 temporary permit issued for this purpose shall not exceed four (4)  
12 days per calendar year.

13       E. Courses for expanded duties for dental assistants pursuant  
14 to the administrative rules of the Board may be taught in an online,  
15 interactive online, in-classroom, lab or blended format. All  
16 expanded-duty courses shall include a dentist or dental hygienist  
17 that is employed full- or part-time by an educational program  
18 approved by the Commission on Dental Accreditation and currently on  
19 file with the Board. Courses offered pursuant to this subsection  
20 shall meet all criteria in administrative rules approved by the  
21 Board.

22                   SECTION 12.       AMENDATORY       59 O.S. 2021, Section 328.28a, is  
23 amended to read as follows:  
24

1       Section 328.28a. Beginning January 2016, every Every applicant  
2 for any type of license or permit issued by the Board of Dentistry  
3 shall be subject to a national criminal background check. The Board  
4 may deny a license or permit for any applicant who fails to disclose  
5 a criminal history or ~~if any applicant has pled guilty or nolo~~  
6 ~~contendere to or has been convicted of a felony or misdemeanor~~  
7 ~~involving moral turpitude a disqualifying violation of the law~~  
8 pursuant to Section 328.32 of this title, Medicaid fraud, or a  
9 violation of federal or state controlled dangerous substances laws.

10      SECTION 13. AMENDATORY       59 O.S. 2021, Section 328.29a, as  
11 amended by Section 5, Chapter 158, O.S.L. 2022 (59 O.S. Supp. 2024,  
12 Section 328.29a), is amended to read as follows:

13      Section 328.29a. A. The following acts or occurrences by a  
14 dental assistant ~~or oral maxillofacial surgery assistant~~ shall  
15 constitute grounds for which the penalties specified in Section  
16 328.44a of this title may be imposed by the Board of Dentistry or be  
17 the basis for denying a new applicant any license or permit issued  
18 by the Board:

- 19           1. Any of the causes now existing in the laws of this state;
- 20           2. A violation of the provisions of the State Dental Act; or
- 21           3. A violation of the rules of the Board promulgated pursuant  
22 to the State Dental Act.

23      B. The Board shall also have the power to act upon a petition  
24 by a dental assistant ~~or oral maxillofacial surgery assistant~~ for

1 reinstatement to good standing. The Board shall keep a record of  
2 the evidence and proceedings in all matters involving the revocation  
3 or suspension of a permit, censure or probation of a dental  
4 assistant ~~or oral maxillofacial surgery assistant~~. The Board shall  
5 make findings of fact and a decision thereon. Notification of the  
6 licensee or permit holder shall occur pursuant to Section 328.21 of  
7 this title.

8 C. The decision shall be final unless the dental assistant ~~or~~  
9 ~~oral maxillofacial surgery assistant~~ appeals the decision as  
10 provided by the State Dental Act.

11 D. The Board shall have power to revoke or suspend the permit,  
12 censure, or place on probation a dental assistant ~~or oral~~  
13 ~~maxillofacial surgery assistant~~ for a violation of one or more of  
14 the following:

15 1. Pleading guilty or nolo contendere to, or being convicted  
16 of, a felony crime that substantially relates to the occupation of a  
17 dental assistant ~~or oral maxillofacial surgery assistant~~ and poses a  
18 reasonable threat to public safety, or a violation of federal or  
19 state controlled dangerous substances laws;

20 2. Presenting to the Board a false application or documentation  
21 for a permit;

22 3. Being, by reason of persistent inebriety or addiction to  
23 drugs, incompetent to continue to function as a dental assistant ~~or~~  
24 ~~oral maxillofacial surgery assistant~~;

1       4. Functioning outside the direct or direct visual supervision  
2 of a dentist;

3       5. Performing any function prohibited by Chapter 15 of the  
4 Oklahoma Administrative Code or any violation that would be a  
5 violation for a dentist or hygienist under Section 328.32 or 328.33  
6 of this title, or any other duty not assignable to a dental  
7 assistant; or

8       6. Failure to secure an annual registration as specified in  
9 Section 328.41 of this title.

10      E. The Board's review panel, as set forth in Section 328.43a of  
11 this title, upon concurrence with the president of the Board, may  
12 determine that an emergency exists to temporarily suspend the permit  
13 of a dental assistant ~~or oral maxillofacial surgery assistant~~ if the  
14 panel finds that public health, safety or welfare imperatively  
15 requires emergency action. The panel may conduct a hearing pursuant  
16 to Section 314 of Title 75 of the Oklahoma Statutes for the  
17 temporary suspension.

18      F. As used in this section:

19       1. "Substantially relates" means the nature of criminal conduct  
20 for which the person was convicted has a direct bearing on the  
21 fitness or ability to perform one or more of the duties or  
22 responsibilities necessarily related to the occupation; and

23       2. "Poses a reasonable threat" means the nature of criminal  
24 conduct for which the person was convicted involved an act or threat

1 of harm against another and has a bearing on the fitness or ability  
2 to serve the public or work with others in the occupation.

3 SECTION 14. AMENDATORY 59 O.S. 2021, Section 328.31a, is  
4 amended to read as follows:

5 Section 328.31a. A. One dentist or multiple dentists may use a  
6 trade name in connection with the practice of dentistry provided  
7 that:

8 1. The use of the trade name shall not be false, fraudulent or  
9 misleading; and

10 2. ~~The name of the dentist or dentists actually providing the~~  
11 ~~dental services to the patient shall appear on all insurance claim~~  
12 ~~forms, billing invoices or statements sent to the patient and on all~~  
13 ~~receipts if any are given to the patient;~~

14 3. ~~Treatment records shall be maintained for each patient that~~  
15 ~~clearly identify the dentist or dentists who performed all dental~~  
16 ~~services for the patient; and~~

17 4. When one dentist or multiple dentists make an advertisement  
18 in the trade name or the trade name is included in an advertisement,  
19 a copy of the advertisement, including but not limited to any  
20 electronic form of the advertising, shall be kept by the dentist or  
21 dentists for three (3) years from the first publication date of the  
22 advertisement.

23 B. ~~Beginning July 1, 2016, all~~ All advertisements for dentistry  
24 shall include the name of the dentist or dentists that shall be

1 providing treatment and shall list the type of dental or specialty  
2 license on the advertisement.

3 C. The Board of Dentistry shall promulgate rules regulating  
4 advertisements in which one dentist or multiple dentists use a trade  
5 name.

6 SECTION 15. AMENDATORY 59 O.S. 2021, Section 328.31b, as  
7 amended by Section 6, Chapter 46, O.S.L. 2024 (59 O.S. Supp. 2024,  
8 Section 328.31b), is amended to read as follows:

9 Section 328.31b. A. Every dental office or treatment facility,  
10 whether individual, group or multi-doctor practice operating under a  
11 name, trade name or other professional entity shall maintain written  
12 records on each patient treated at the facility and shall make these  
13 records available to the Board of Dentistry and other regulatory  
14 entities or be subject to the penalties as set forth in Section  
15 328.44a of this title.

16 B. Each licensed dentist shall maintain written records on each  
17 patient that shall contain, at a minimum, the following information  
18 about the patient:

19 1. A current health history listing known illnesses, other  
20 treating physicians and current medications prescribed;

21 2. Results of a clinical examination, including a physical  
22 intraoral examination and head and neck examination, tests  
23 conducted, and any lab results including the identification, or lack  
24 thereof, of any oral pathology or diseases;

1           3. Treatment plan proposed by the dentist; and  
2           4. Treatment rendered to the patient. The patient record shall  
3 clearly identify the dentist and the dental hygienist providing the  
4 treatment with the dentist, specialty or dental hygienist license  
5 number. The patient record shall include documentation of any  
6 medications prescribed, administered or dispensed to the patient.

7           C. 1. The name of the dentist or dentists actually providing  
8 the dental services to the patient shall appear on all insurance  
9 claim forms, billing invoices, or statements sent to the patient and  
10 on all receipts if any are given to the patient.

11           2. Treatment records shall be maintained for each patient that  
12 clearly identify the dentist or dentists who performed all dental  
13 services for the patient.

14           D. Whenever patient records are released or transferred, the  
15 dentist releasing or transferring the records shall maintain either  
16 the original records or copies thereof and a notation shall be made  
17 in the retained records indicating to whom the records were released  
18 or transferred.

19           D. E. All claims being submitted for insurance must be signed,  
20 stamped or have an electronic signature by the treating dentist.

21           E. F. Patient records may be kept in an electronic data format,  
22 provided that the dentist maintains a backup copy of information  
23 stored in the data processing system using disk, tape or other  
24 electronic back-up system and that backup is updated on a regular

1 basis, at least weekly, to assure that data is not lost due to  
2 system failure. Any electronic data system shall be capable of  
3 producing a hard copy on demand.

4       F. G. All patient records shall be maintained for seven (7)  
5 years from the date of treatment.

6       G. H. Each licensed dentist shall retain a copy of each entry  
7 in his or her patient appointment book or such other log, calendar,  
8 book, file or computer data used in lieu of an appointment book for  
9 a period no less than seven (7) years from the date of each entry  
10 thereon.

11       I. A licensee closing an office shall notify the Board in  
12 writing and include the location of where the patient records will  
13 be maintained.

14       SECTION 16.       AMENDATORY       59 O.S. 2021, Section 328.32, as  
15 last amended by Section 7, Chapter 46, O.S.L. 2024 (59 O.S. Supp.  
16 2024, Section 328.32), is amended to read as follows:

17       Section 328.32. A. The following acts or occurrences by a  
18 dentist shall constitute grounds for which the penalties specified  
19 in Section 328.44a of this title may be imposed by order of the  
20 Board of Dentistry or be the basis for denying a new applicant any  
21 license or permit issued by the Board:

22       1. Pleading guilty or nolo contendere to, or being convicted  
23 of, a felony, a misdemeanor involving moral turpitude, any crime in  
24 which an individual would be required to be a registered sex

1 offender under state law, any violent crime, Medicaid fraud,  
2 insurance fraud, identity theft, embezzlement or a violation of  
3 federal or state controlled dangerous substances laws;

4       2. Presenting to the Board a false diploma, license, or  
5 certificate, or one obtained by fraud or illegal means, or providing  
6 other false information on an application or renewal;

7       3. Being, by reason of persistent inebriety or addiction to  
8 drugs, incompetent to continue the practice of dentistry or failing  
9 to notify the Board of a licensee, permit holder, or other health  
10 professional that is practicing while impaired or is in a state of  
11 physical or mental health that the licensee or permit holder  
12 suspects constitutes a threat to patient care within seventy-two  
13 (72) hours of witness or belief of such conditions;

14       4. Publishing a false, fraudulent, or misleading advertisement  
15 or statement;

16       5. Authorizing or aiding an unlicensed person to practice  
17 dentistry, to practice dental hygiene or to perform a function for  
18 which a permit from the Board is required;

19       6. Authorizing or aiding a dental hygienist to perform any  
20 procedure prohibited by the State Dental Act or the rules of the  
21 Board;

22       7. Authorizing or aiding a dental assistant ~~or oral~~  
23 ~~maxillofacial surgery assistant~~ to perform any procedure prohibited  
24 by the State Dental Act or the rules of the Board;  
25

1       8. Failing to pay fees as required by the State Dental Act or  
2 the rules of the Board;

3       9. Failing to complete continuing education requirements;

4       10. Representing himself or herself to the public as a  
5 specialist in a dental specialty without holding a dental specialty  
6 license as listed in Section 328.22 of this title;

7       11. Practicing below the basic standard of care of a patient  
8 which an ordinary prudent dentist with similar training and  
9 experience within the local area would have provided including, but  
10 not limited to, failing to complete proper training and demonstrate  
11 proficiency for any procedure delegated to a dental hygienist or  
12 dental assistant;

13       12. Endangering the health of patients by reason of having a  
14 highly communicable disease and continuing to practice dentistry  
15 without taking appropriate safeguards;

16       13. Practicing dentistry in an unsafe or unsanitary manner or  
17 place including but not limited to repeated failures to follow  
18 Centers for Disease Control and Prevention (CDC) or Occupational  
19 Safety and Health Administration (OSHA) guidelines;

20       14. Being shown to be mentally unsound;

21       15. Being shown to be grossly immoral and that such condition  
22 represents a threat to patient care or treatment;

23       16. Being incompetent to practice dentistry while delivering  
24 care to a patient;

1       17. Committing gross negligence in the practice of dentistry;

2       18. Committing repeated acts of negligence in the practice of  
3 dentistry;

4       19. Offering to effect or effecting a division of fees, or  
5 agreeing to split or divide a fee for dental services with any  
6 person, in exchange for the person bringing or referring a patient;

7       20. Being involuntarily committed to an institution for  
8 treatment for substance abuse, until recovery or remission;

9       21. Using or attempting to use the services of a dental  
10 laboratory or dental laboratory technician without issuing a  
11 laboratory prescription, except as provided in subsection C of  
12 Section 328.36 of this title;

13       22. Aiding, abetting, or encouraging a dental hygienist  
14 employed by the dentist to make use of an oral prophylaxis list, or  
15 the calling by telephone or by use of letters transmitted through  
16 the mail to solicit patronage from patients formerly served in the  
17 office of any dentist formerly employing such dental hygienist;

18       23. Having more than the equivalent of three full-time dental  
19 hygienists for each dentist actively practicing in the same dental  
20 office;

21       24. Allowing a person not holding a permit or license issued by  
22 the Board to assist in the treatment of a patient without having a  
23 license or permit issued by the Board;

1       25. Knowingly patronizing or using the services of a dental  
2 laboratory or dental laboratory technician who has not complied with  
3 the provisions of the State Dental Act and the rules of the Board;

4       26. Authorizing or aiding a dental hygienist, dental assistant,  
5 ~~oral maxillofacial surgery assistant~~, dental laboratory technician,  
6 or holder of a permit to operate a dental laboratory to violate any  
7 provision of the State Dental Act or the rules of the Board;

8       27. Willfully disclosing information protected by the Health  
9 Insurance Portability and Accountability Act of 1996, P.L. 104-191;

10       28. Writing a false, unnecessary, or excessive prescription for  
11 any drug or narcotic which is a controlled dangerous substance under  
12 either federal or state law, or prescribing, dispensing or  
13 administering opioid drugs in excess of the maximum limits  
14 authorized in Section 2-309I of Title 63 of the Oklahoma Statutes;

15       29. Prescribing or administering any drug or treatment without  
16 having established a valid dentist-patient relationship;

17       30. Using or administering nitrous oxide gas in a dental office  
18 in an inappropriate or unauthorized manner;

19       31. Engaging in nonconsensual physical contact with a patient  
20 which is sexual in nature, or engaging in a verbal communication  
21 which is intended to be sexually demeaning to a patient;

22       32. Practicing dentistry without displaying, at the dentist's  
23 primary place of practice, the license issued to the dentist by the  
24 Board to practice dentistry and the current renewal certificate;

1       33. Being dishonest in a material way with a patient or during  
2 the practice of dentistry;

3       34. Failing to retain all patient records for at least seven  
4 (7) years from the date of the last treatment as provided by Section  
5 328.31b of this title, except that the failure to retain records  
6 shall not be a violation of the State Dental Act if the dentist  
7 shows that the records were lost, destroyed, or removed by another,  
8 without the consent of the dentist;

9       35. Failing to retain the dentist's copy of any laboratory  
10 prescription for at least seven (7) years, except that the failure  
11 to retain records shall not be a violation of the State Dental Act  
12 if the dentist shows that the records were lost, destroyed, or  
13 removed by another, without the consent of the dentist;

14       36. Allowing any corporation, organization, group, person, or  
15 other legal entity, except another dentist or a professional entity  
16 that is in compliance with the registration requirements of  
17 subsection B of Section 328.31 of this title, to direct, control, or  
18 interfere with the dentist's clinical judgment. Clinical judgment  
19 shall include, but not be limited to, such matters as selection of a  
20 course of treatment, control of patient records, policies and  
21 decisions relating to pricing, credit, refunds, warranties and  
22 advertising, and decisions relating to office personnel and hours of  
23 practice. Nothing in this paragraph shall be construed to:

24           a. limit a patient's right of informed consent, or

1                   b. prohibit insurers, preferred provider organizations  
2                   and managed care plans from operating pursuant to the  
3                   applicable provisions of the Oklahoma Insurance Code  
4                   and the Oklahoma Public Health Code;

5                 37. Violating the state dental act of another state resulting  
6                 in a plea of guilty or nolo contendere, conviction or suspension or  
7                 revocation or other sanction by another state board, of the license  
8                 of the dentist under the laws of that state;

9                 38. Violating or attempting to violate the provisions of the  
10               State Dental Act or the rules of the Board, a state or federal  
11               statute or rule relating to scheduled drugs, fraud, a violent crime  
12               or any crime for which the penalty includes the requirement of  
13               registration as a sex offender in this state as a principal,  
14               accessory or accomplice;

15               39. Failing to comply with the terms and conditions of an order  
16               imposing suspension of a license or placement on probation issued  
17               pursuant to Section 328.44a of this title;

18               40. Failing to cooperate during an investigation or providing  
19               false information, verbally or in writing, to the Board, the Board's  
20               investigator or an agent of the Board;

21               41. Having multiple administrative or civil actions reported to  
22               the National Practitioner Data Bank;

23               42. Failing to complete an approved two-hour course on opioid  
24               and scheduled drug prescribing within one (1) year of obtaining a

1 license or a violation of a law related to controlled dangerous  
2 substances including prescribing laws pursuant to Section 2-309D of  
3 Title 63 of the Oklahoma Statutes;

4       43. Falling below the basic standard of care of a licensed  
5 dentist or dentist practicing in his or her specialty, a dental  
6 hygienist, dental assistant, or other licensee or permit holder  
7 pursuant to the State Dental Act and Section 20.1 of Title 76 of the  
8 Oklahoma Statutes; or

9       44. Failing to provide patient records as provided by Sections  
10 19 and 20 of Title 76 of the Oklahoma Statutes.

11       B. Any person making a report in good faith to the Board or to  
12 a peer assistance group regarding a professional suspected of  
13 practicing dentistry while being impaired pursuant to paragraph 3 of  
14 subsection A of this section shall be immune from any civil or  
15 criminal liability arising from such reports.

16       C. The provisions of the State Dental Act shall not be  
17 construed to prohibit any dentist from displaying or otherwise  
18 advertising that the dentist is also currently licensed, registered,  
19 certified or otherwise credentialed pursuant to the laws of this  
20 state or a nationally recognized credentialing board, if authorized  
21 by the laws of the state or credentialing board to display or  
22 otherwise advertise as a licensed, registered, certified, or  
23 credentialed dentist.

1 SECTION 17. AMENDATORY 59 O.S. 2021, Section 328.41, as

2 last amended by Section 8, Chapter 46, O.S.L. 2024 (59 O.S. Supp.

3 2024, Section 328.41), is amended to read as follows:

4 Section 328.41. A. 1. On or before the last day of December  
5 of each year, every dentist, dental hygienist, dental assistant,  
6 ~~oral maxillofacial surgery assistant~~ and other licensee or permit  
7 holders previously licensed or permitted by the Board of Dentistry  
8 to practice in this state, with the exception of those listed in  
9 paragraph 2 of this subsection, shall submit a completed renewal  
10 application with information as may be required by the Board,  
11 together with an annual renewal fee established by the rules of the  
12 Board. Upon receipt of the annual renewal fee, the Board shall  
13 issue a renewal certificate authorizing the dentist, dental  
14 hygienist, or dental assistant ~~or oral maxillofacial surgery~~  
15 ~~assistant~~ to continue the practice of dentistry or dental hygiene,  
16 respectively, in this state for a period of one (1) year. Every  
17 license or permit issued by the Board shall begin on January 1 and  
18 expire on December 31 of each year.

19 2. Resident and fellowship permits shall be valid from July 1  
20 through June 30 of each year and dental student intern permits shall  
21 be valid from August 1 through July 31 of each year.

22 B. Continuing education requirements shall be due at the end of  
23 each two-year period.

C. 1. Continuing education requirements for a dentist or dental hygienist shall consist of:

- a. a live, in-person cardiopulmonary resuscitation class approved by the Board,
  - b. an ethics class approved by the Board,
  - c. for a dentist, two (2) hours of opioid and scheduled drug prescribing classes, and
  - d. any combination of the following:
    - (1) completion of classes at a university, college or technology center school accredited by the Commission on Dental Accreditation (CODA) or college courses related to dentistry, which shall count equal to credit hours received on a transcript,
    - (2) teaching one or more classes at a school or program accredited by CODA, for which the dentist or dental hygienist shall receive credit for the semester credit hours and one (1) hour of credit per eighteen (18) hours of clinical instruction,
    - (3) publishing papers, presenting clinics and lecturing, for which the dentist or dental hygienist shall receive six (6) credit hours for each hour of the original presentation and hour-for-hour credit for a subsequent presentation of

the same material. No more than fifty percent (50%) of total required continuing education hours may be fulfilled by activities described in this division,

- (4) a scientific-based medical treatment and patient care class approved by the Board,
  - (5) any health-related program sponsored by the United States Department of Veteran Affairs or Armed Forces provided at a government facility,
  - (6) formal meetings by national or state professional organizations for dental providers, or university-sponsored professional alumni clinical meetings approved by the Board,
  - (7) organized study clubs,
  - (8) uncompensated volunteer work at an event approved by the Board not to exceed seven (7) hours for a dentist or four (4) hours for a dental hygienist, or
  - (9) practice-management-related courses not to exceed four (4) hours for a dentist or two (2) hours for a dental hygienist.

## 2. Full-time graduate study, internships, residencies and

dentists and dental hygienists engaged in a full-time program

1 accredited by CODA shall be exempt from continuing education for a  
2 continuing education year per academic year completed.

3       3. New graduates of dental and hygiene programs shall not be  
4 required to complete continuing education for the first year after  
5 graduation. Continuing education requirements for dentists and  
6 dental hygienists who are new graduates shall begin July 1 of the  
7 calendar year following the year of graduation. Hours shall be  
8 prorated by year of new licensure.

9       4. A dentist or dental hygienist on active duty military  
10 service shall be exempt from continuing education if he or she is:

11           a. currently on full-time active duty service as a  
12                   dentist or dental hygienist for a minimum of eighteen  
13                   (18) months in a two-year continuing education cycle,  
14                   or

15           b. a licensed dentist or dental hygienist serving in the  
16                   reserve components of the armed forces as specified in  
17                   10 U.S.C., Section 10101, who is actively deployed  
18                   outside of the United States for a minimum of eighteen  
19                   (18) months in a two-year continuing education cycle.

20       D. 1. Dentists shall complete forty (40) hours of continuing  
21 education with no more than twenty (20) hours to be completed  
22 online. Dental hygienists shall complete twenty (20) hours of  
23 continuing education with no more than ten (10) hours to be

1 completed online. Interactive classes or webinar classes may, at  
2 the discretion of the Board, count as in-person.

3       2. ~~Oral maxillofacial surgery assistants~~ Dental assistants with  
4 an oral maxillofacial expanded duty permit shall complete eight (8)  
5 hours of continuing education including one (1) hour of infection  
6 control.

7       3. Dental All other dental assistants shall complete two (2)  
8 hours of infection control.

9       4. Any newly licensed dentist shall complete a two-hour opioid  
10 and scheduled drug prescribing class within one (1) year of  
11 obtaining licensure.

12       E. Upon failure of a dentist, dental hygienist, or dental  
13 assistant ~~or oral maxillofacial surgery assistant~~ to pay the annual  
14 renewal fee within two (2) months after January 1 of each year, the  
15 Board shall notify the dentist, dental hygienist, dental assistant,  
16 ~~oral maxillofacial surgery assistant~~, or other permit holder that  
17 the license or permit will be officially canceled as of April 1  
18 pursuant to subsection M of Section 328.21 of this title. A list of  
19 canceled licenses or permits not otherwise renewed shall be  
20 published at the following meeting of the Board.

21       F. Any dentist, dental hygienist, or dental assistant ~~or oral~~  
22 ~~maxillofacial surgery assistant~~ whose license or permit is  
23 automatically canceled by reason of failure, neglect or refusal to  
24 secure the renewal certificate may be reinstated by the Board at any

1 time within one (1) year from the date of the expiration of the  
2 license, upon payment of the annual renewal fee and a penalty fee  
3 established by the rules of the Board. If the dentist, dental  
4 hygienist, or dental assistant, ~~or oral maxillofacial surgery~~  
5 ~~assistant~~ does not apply for renewal of the license or permit and  
6 pay the required fees within one (1) year after the license has  
7 expired, then the dentist, dental hygienist, or dental assistant ~~or~~  
8 ~~oral maxillofacial surgery assistant~~ shall be required to file an  
9 application for and take the examination or other requirements  
10 provided for in the State Dental Act or the rules promulgated by the  
11 Board before again commencing practice.

12 G. The Board, by rule, shall provide for the remittance of fees  
13 otherwise required by the State Dental Act while a dentist or dental  
14 hygienist is on active duty with any of the Armed Forces of the  
15 United States.

16 H. In case of a lost or destroyed license or renewal  
17 certificate and upon satisfactory proof of the loss or destruction  
18 thereof, the Board may issue a duplicate, charging therefor a fee  
19 established by the rules of the Board.

20 I. A dentist, dental hygienist, ~~oral maxillofacial surgery~~  
21 ~~assistant~~ or dental assistant that is in good standing and not under  
22 investigation that notifies the Board in writing of a voluntary  
23 nonrenewal of license or requests retirement status shall have a  
24 right to renew or reinstate his or her license within five (5) years

1 from the date of notice. The Board may require any training or  
2 continuing education requirements to be met prior to reinstatement.

3 J. A dentist, dental hygienist, ~~oral maxillofacial dental~~  
4 ~~assistant~~ or dental assistant that has not had an active license or  
5 permit in excess of five (5) years shall be required to apply as a  
6 new applicant.

7 K. Any application for a license or permit that has remained  
8 inactive for more than one (1) year shall be closed.

9 SECTION 18. AMENDATORY 59 O.S. 2021, Section 328.44a, as  
10 amended by Section 10, Chapter 46, O.S.L. 2024 (59 O.S. Supp. 2024,  
11 Section 328.44a), is amended to read as follows:

12 Section 328.44a. A. The Board of Dentistry is authorized,  
13 after notice and opportunity for a hearing pursuant to Article II of  
14 the Administrative Procedures Act, to issue an order imposing one or  
15 more of the following penalties whenever the Board finds, by clear  
16 and convincing evidence, that a dentist, dental hygienist, dental  
17 ~~assistant, oral maxillofacial surgery assistant,~~ dental laboratory  
18 technician, holder of a permit to operate a dental laboratory, or an  
19 entity operating pursuant to the provisions of the Professional  
20 Entity Act or the State Dental Act has committed any of the acts or  
21 occurrences prohibited by the State Dental Act or rules of the  
22 Board:

23 1. Refusal to issue a license or permit, or a renewal thereof,  
24 provided for in the State Dental Act;

1       2. Suspension of a license or permit issued by the Board for a  
2 period of time deemed appropriate by the Board;

3       3. Revocation of a license or permit issued by the Board;

4       4. Imposition of an administrative penalty not to exceed One  
5 Thousand Five Hundred Dollars (\$1,500.00) per violation;

6       5. Issuance of a censure;

7       6. Placement on probation for a period of time and under such  
8 terms and conditions as deemed appropriate by the Board;

9       7. Probation monitoring fees, which shall be the responsibility  
10 of the licensee on all probations; or

11       8. Restriction of the services that can be provided by a  
12 dentist or dental hygienist, under such terms and conditions as  
13 deemed appropriate by the Board.

14       B. A dentist, dental hygienist, dental assistant,~~oral~~  
15 ~~maxillofacial surgery assistant~~, dental laboratory technician, or  
16 holder of a permit to operate a dental laboratory, against whom a  
17 penalty is imposed by an order of the Board pursuant to the  
18 provisions of this section, shall have the right to seek a judicial  
19 review of such order pursuant to Article II of the Administrative  
20 Procedures Act.

21       C. The Board may issue a summary suspension on a licensee or  
22 permit holder who is found guilty of a felony charge and is  
23 sentenced to incarceration in a state or federal facility.

1           D. 1. A licensee or permit holder may petition the Board to  
2          reopen and withdraw an order after the expiration of seven (7) years  
3          from the date of issue if:

- 4           a. the order does not include allegations or a finding of  
5                 direct patient harm,
- 6           b. the licensee has maintained an active full-time  
7                 practice in good standing and has not received an  
8                 additional order or private reprimand since the issue  
9                 of the order,
- 10          c. the licensee has not been the subject of any  
11                 settlement reports in the National Practitioner Data  
12                 Bank within the previous seven (7) years, and
- 13          d. the order concerns an administrative violation and  
14                 does not include a direct action against the licensee  
15                 including, but not limited to, probation or suspension  
16                 of the license.

17          2. Upon receipt of a motion to reopen and withdraw an order,  
18          the president of the Board shall assign a panel for review and  
19          investigation to be brought to the Board. The Board shall take into  
20          consideration the issues causing the order; any changes to laws  
21          relevant to the order since its issue that may have resulted in a  
22          different outcome if such laws had been in place at the time of the  
23          complaint; any actions by the licensee to better his or her  
24          abilities as a practicing licensee; current patient outcomes;

1 service to his or her community or state; and any other issues,  
2 testimony, or other information relating to the licensee found  
3 during an investigation or submitted to the Board.

4       3. The panel and the president may make a determination that  
5 the case is not appropriate to bring before the Board and shall have  
6 the authority to summarily deny the order and, if appropriate, to  
7 advise the licensee of requirements to complete for future  
8 consideration. The panel may choose to keep the matter pending  
9 while the licensee completes the requirements advised.

10      4. Upon a case brought before the Board, the Board shall vote  
11 to withdraw or stay the order. If the order is withdrawn, it shall  
12 revert to a private settlement agreement pursuant to Section 328.43a  
13 of this title.

14           SECTION 19.       AMENDATORY       59 O.S. 2021, Section 328.51a, is  
15 amended to read as follows:

16           Section 328.51a. A. The Board of Dentistry is authorized to  
17 charge the following fees for the purpose of implementing and  
18 enforcing the State Dental Act. The penalty and late fee shall be  
19 twice the amount of the original fee for license renewals.  
20 Notwithstanding any other provisions of the State Dental Act, the  
21 fees established by the Board shall be not less nor more than the  
22 range created by the following schedule:

23           1. LICENSE AND PERMIT APPLICATION FEES:

	Minimum	Maximum
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1	a.	License by Examination		
2		Dentist	\$200.00	\$400.00
3		Dental Hygienist	\$100.00	\$200.00
4	b.	License by Credentialing		
5		Dentist	\$500.00	\$1,000.00
6		Dental Hygienist	\$100.00	\$200.00
7	c.	Dental Specialty License by		
8		Examination	\$300.00	\$600.00
9	d.	Dental Specialty License by		
10		Credentialing	\$500.00	\$1,000.00
11	e.	Faculty Permit		
12		Dentist	\$100.00	\$200.00
13		Dental Hygienist	\$50.00	\$100.00
14	f.	Dental Student Intern Permit	\$50.00	\$200.00
15	g.	Temporary License to Practice		
16		Dental Hygiene	\$50.00	\$100.00
17	h.	Dental Assistant <del>or Oral</del>		
18		<del>Maxillofacial Surgery</del>		
19		<del>Assistant</del> Permit	\$50.00	\$100.00
20	i.	Dental Assistant with		
21		Expanded Duty or Duties by		
22		Credential	\$100.00	\$200.00
23	j.	Temporary License to Practice		
24		Dentistry	\$75.00	\$150.00

1	k.	Permit to Operate a Dental		
2		Laboratory - current Oklahoma		
3		licensed dentist	\$20.00	\$60.00
4	l.	General Anesthesia Permit		
5		Dentist	\$100.00	\$200.00
6	m.	Conscious Sedation Permit		
7		Dentist	\$100.00	\$200.00
8	n.	Permit to Operate a Dental		
9		Laboratory - commercial	\$200.00	\$500.00

10 2. RE-EXAMINATION FEES:

11	a.	License by Examination		
12		Dentist	\$200.00	\$400.00
13		Dental Hygienist	\$100.00	\$200.00
14	b.	Dental Specialty License by		
15		Examination	\$300.00	\$600.00
16	c.	Jurisprudence Only Re-		
17		Examination		
18		Dentist	\$10.00	\$20.00
19		Dental Hygienist	\$10.00	\$20.00

20 3. ANNUAL RENEWAL FEES:

21	a.	Dentist	\$200.00	\$400.00
22	b.	Dental Hygienist	\$100.00	\$200.00
23	c.	Dental Specialty License	\$100.00	\$200.00
24	d.	Faculty Permit		

1	Dentist	\$50.00	\$100.00
2	Dental Hygienist	\$50.00	\$100.00
3	e. Dental Resident, Dental		
4	Fellowship	\$100.00	\$200.00
5	f. Dental Assistant, <del>Oral</del>		
6	<del>Maxillofacial Surgery</del>		
7	<del>Assistant, or Dental Student</del>		
8	Intern Permit	\$50.00	\$100.00
9	g. Permit to Operate a Dental		
10	Laboratory, current Oklahoma		
11	Licensed dentist	\$20.00	\$60.00
12	h. General Anesthesia Permit		
13	Dentist	\$100.00	\$200.00
14	i. Conscious Sedation Permit		
15	Dentist	\$100.00	\$200.00
16	j. Permit to Operate a Dental		
17	Laboratory, non-dentist owner	\$300.00	\$500.00
18	4. OTHER FEES:		
19	a. Duplicate License		
20	Dentist or Dental		
21	Hygienist	\$30.00	\$40.00
22	b. Duplicate Permit or		
23	Registration	\$5.00	\$15.00
24	c. Certificate of Good Standing	\$5.00	\$15.00

1                   d. Professional Entity

2                   Certification Letter                   \$5.00           \$20.00

3                   e. Professional Entity

4                   Registration or Update              \$5.00           \$20.00

5                   f. Mobile Dental Clinic               \$200.00          \$400.00

6                   g. List of the Name and Current

7                   Mailing Address of all

8                   Persons who hold a License or

9                   Permit issued by the Board.

10                  (A request for a list shall

11                  be submitted to the Board in

12                  writing noting the specific

13                  proposed use of the list.)                \$25.00          \$75.00

14                  h. Official State Dental License

15                  Identification Card with

16                  Picture                                \$25.00          \$35.00

17                  i. Returned checks                     \$25.00          \$30.00

18                  B. A person who holds a license to practice dentistry in this

19                  state, and who also holds a dental specialty license, shall not be

20                  required to pay an annual renewal fee for the dental specialty

21                  license if the licensee has paid the annual renewal fee for the

22                  license to practice dentistry.

23                  SECTION 20.           AMENDATORY           59 O.S. 2021, Section 328.55, is

24                  amended to read as follows:

1       Section 328.55. All licensees engaged in the practice of  
2 dentistry in this state shall notify the Board within twenty-four  
3 (24) hours of the discovery of a death of a patient, or an emergency  
4 hospital visit where the patient is admitted, pursuant to treatment  
5 in a dental office and potentially related to the practice of  
6 dentistry by the licensee. A licensee shall submit a complete  
7 report to the Board of any fatality or serious injury occurring  
8 during the practice of dentistry or the discovery of the death of a  
9 patient whose death is causally related to the practice of dentistry  
10 by the licensee within thirty (30) days of such occurrence.

11       SECTION 21. This act shall become effective November 1, 2025.  
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