

1 ENGROSSED SENATE
2 BILL NO. 669

3 By: Gillespie of the Senate

4 and

5 Roe of the House

6 An Act relating to the practice of dentistry;
7 amending 59 O.S. 2021, Section 328.2, which relates
8 to declarations; conforming language; updating
9 statutory language; amending 59 O.S. 2021, Section
10 328.3, as last amended by Section 1, Chapter 46,
11 O.S.L. 2024 (59 O.S. Supp. 2024, Section 328.3),
12 which relates to definitions; defining term;
13 conforming language; amending 59 O.S. 2021, Section
14 328.17, which relates to standing committees; adding
15 certain authorized programs; amending 59 O.S. 2021,
16 Section 328.19, as amended by Section 2, Chapter 158,
17 O.S.L. 2022 (59 O.S. Supp. 2024, Section 328.19),
18 which relates to acts constituting practice of
19 dentistry; conforming language; amending 59 O.S.
20 2021, Section 328.21, as last amended by Section 3,
21 Chapter 46, O.S.L. 2024 (59 O.S. Supp. 2024, Section
22 328.21), which relates to application for license;
23 updating statutory language; expanding eligibility
24 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 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 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 permit; creating oral
maxillofacial expanded duty permit for dental
assistants; describing permit; modifying certain
expanded duty qualifications; clarifying certain
restrictions on practice; amending 59 O.S. 2021,
Section 328.25, which relates to oral maxillofacial
surgery expanded duty permit; modifying and removing
requirements for permitting and supervision;
conforming language; amending 59 O.S. 2021, Section

1 328.26, which relates to interns; adding dental
2 hygiene students to certain provisions; authorizing
3 dental student interns to perform certain services;
4 amending 59 O.S. 2021, Section 328.27, which relates
5 to faculty licenses; providing for research faculty
6 permit; amending 59 O.S. 2021, Section 328.28a, which
7 relates to applicant criminal background check;
8 modifying grounds for license denial; amending 59
9 O.S. 2021, Section 328.29a, as amended by Section 5,
10 Chapter 158, O.S.L. 2022 (59 O.S. Supp. 2024, Section
11 328.29a), which relates to penalties for dental
12 assistants; conforming language; amending 59 O.S.
13 2021, Section 328.31a, which relates to use of trade
14 names; removing certain conditions for use of trade
15 names; amending 59 O.S. 2021, Section 328.31b, as
16 amended by Section 6, Chapter 46, O.S.L. 2024 (59
17 O.S. Supp. 2024, Section 328.31b), which relates to
18 patient recordkeeping requirements; requiring certain
19 in-person examination; adding certain requirements;
20 requiring certain notice of closure; amending 59 O.S.
21 2021, Section 328.32, as last amended by Section 7,
22 Chapter 46, O.S.L. 2024 (59 O.S. Supp. 2024, Section
23 328.32), which relates to penalties for dentists;
24 conforming language; amending 59 O.S. 2021, Section
25 328.41, as last amended by Section 8, Chapter 46,
26 O.S.L. 2024 (59 O.S. Supp. 2024, Section 328.41),
27 which relates to license renewals; modifying
28 exemptions from continuing education requirements;
29 modifying requirements for license reinstatement;
30 conforming language; amending 59 O.S. 2021, Section
31 328.44a, as amended by Section 10, Chapter 46, O.S.L.
32 2024 (59 O.S. Supp. 2024, Section 328.44a), which
33 relates to penalties; conforming language; amending
34 59 O.S. 2021, Section 328.51a, which relates to fees;
35 conforming language; amending 59 O.S. 2021, Section
36 328.55, which relates to death of patient; limiting
37 effect of certain requirement; and providing an
38 effective date.

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21
22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

23 SECTION 1. AMENDATORY 59 O.S. 2021, Section 328.2, is

24 amended to read as follows:

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

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

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

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

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

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

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

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

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

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

21 8. "Deep sedation" means a drug-induced depression of
22 consciousness during which patients cannot be easily aroused but
23 respond purposefully following repeated or painful stimulation. The
24 ability to independently maintain ventilator function may be

1 impaired. Patients may require assistance in maintaining a patent
2 airway, and spontaneous ventilation may be inadequate.

3 Cardiovascular function is usually maintained;

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

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

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

14 12. "Dental appliance" means a dental appliance, prosthetic
15 denture, bridge, restoration, or other device made for an individual
16 patient for a purpose listed in Section 328.19 of this title;

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

21 13. 14. "Dental hygiene" means the science and practice of the
22 promotion of oral health and prevention and treatment of oral
23 disease through the provision of educational, therapeutic, clinical,
24 and preventive services;

1 14. 15. "Dental hygienist" means an individual who has
2 fulfilled the educational requirements and is a graduate of an
3 accredited dental hygiene program and who has passed an examination
4 and has been issued a license by the Board and who is authorized to
5 practice dental hygiene as defined in this section;

6 15. 16. "Dental assistant" or "~~oral maxillofacial surgery~~
7 ~~assistant~~" means an individual working for a dentist, under the
8 dentist's direct supervision or direct visual supervision, and
9 performing duties in the dental office or a treatment facility
10 including the limited treatment of patients in accordance with the
11 provisions of the State Dental Act. A dental assistant or ~~oral~~
12 ~~maxillofacial surgery assistant~~ may assist a dentist with the
13 patient; provided, this shall be done only under the direct
14 supervision or direct visual supervision and control of the dentist
15 and only in accordance with the educational requirements and rules
16 promulgated by the Board;

17 16. 17. "Dental laboratory" means a location, whether in a
18 dental office or not, where a dentist or a dental laboratory
19 technician performs dental laboratory technology;

20 17. 18. "Dental laboratory technician" means an individual
21 whose name is duly filed in the official records of the Board, which
22 authorizes the technician, upon the laboratory prescription of a
23 dentist, to perform dental laboratory technology, which services

1 must be rendered only to the prescribing dentist and not to the
2 public;

3 18. 19. "Dental laboratory technology" means using materials
4 and mechanical devices for the construction, reproduction or repair
5 of dental restorations, appliances or other devices to be worn in a
6 human mouth;

7 19. 20. "Dental specialty" means a specialized practice of a
8 branch of dentistry, recognized by the Board, where the dental
9 college and specialty program are accredited by the Commission on
10 Dental Accreditation (CODA), or a dental specialty recognized by the
11 Board, requiring a minimum number of hours of approved education and
12 training and/or recognition by a nationally recognized association
13 or accreditation board;

14 20. 21. "Direct supervision" means the supervisory dentist is
15 in the dental office or treatment facility and, during the
16 appointment, personally examines the patient, diagnoses any
17 conditions to be treated, and authorizes the procedures to be
18 performed by a dental hygienist, ~~or~~ dental assistant, ~~or~~ oral
19 maxillofacial surgery assistant. The supervising dentist is
20 continuously on-site and physically present in the dental office or
21 treatment facility while the procedures are being performed and,
22 before dismissal of the patient, evaluates the results of the dental
23 treatment;

1 21. 22. "Direct visual supervision" means the supervisory
2 dentist has direct ongoing visual oversight which shall be
3 maintained at all times during any procedure authorized to be
4 performed by a dental assistant ~~or an oral maxillofacial surgery~~
5 ~~assistant;~~

6 22. 23. "Expanded duty" means a dental procedure for which a
7 dental assistant has received special training in a course of study
8 approved by the Board;

9 23. 24. "Fellowship" means a program designed for post-
10 residency graduates to gain knowledge and experience in a
11 specialized field;

12 24. 25. "General anesthesia" means a drug-induced loss of
13 consciousness during which patients are not arousable, even by
14 painful stimulation. The ability to independently maintain
15 ventilator function is often impaired. Patients often require
16 assistance in maintaining a patent airway, and positive pressure
17 ventilation may be required because of depressed spontaneous
18 ventilation or drug-induced depression of neuromuscular function.
19 Cardiovascular function may be impaired;

20 25. 26. "General supervision" means the supervisory dentist has
21 diagnosed any conditions to be treated within the past thirteen (13)
22 months, has personally authorized the procedures to be performed by
23 a dental hygienist, and will evaluate the results of the dental
24 treatment within a reasonable time as determined by the nature of

1 the procedures performed, the needs of the patient, and the
2 professional judgment of the supervisory dentist. General
3 supervision may only be used to supervise a dental hygienist and may
4 not be used to supervise ~~an oral maxillofacial surgery assistant or~~
5 a dental assistant except as provided by Section 328.58 of this
6 title;

7 ~~26.~~ 27. "Indirect supervision" means the supervisory dentist is
8 in the dental office or treatment facility and has personally
9 diagnosed any conditions to be treated, authorizes the procedures to
10 be performed by a dental hygienist, remains in the dental office or
11 treatment facility while the procedures are being performed, and
12 will evaluate the results of the dental treatment within a
13 reasonable time as determined by the nature of the procedures
14 performed, the needs of the patient, and the professional judgment
15 of the supervisory dentist. Indirect supervision may not be used
16 for ~~an oral maxillofacial surgery assistant or~~ a dental assistant;

17 ~~27.~~ 28. "Investigations" means an investigation proceeding,
18 authorized under Sections 328.15A and 328.43a of this title, to
19 investigate alleged violations of the State Dental Act or the rules
20 of the Board;

21 ~~28.~~ 29. "Laboratory prescription" means a written description,
22 dated and signed by a dentist, of dental laboratory technology to be
23 performed by a dental laboratory technician;

24

1 29. 30. "Minimal sedation" means a minimally depressed level of
2 consciousness, produced by a pharmacological method, that retains
3 the patient's ability to independently and continuously maintain an
4 airway and respond normally to tactile stimulation and verbal
5 command. Although cognitive function and coordination may be
6 modestly impaired, ventilator and cardiovascular functions are
7 unaffected;

8 30. 31. "Mobile dental anesthesia provider" means a licensed
9 and anesthesia-permitted dentist, physician or Certified Registered
10 Nurse Anesthetist (CRNA) that has a mobile dental unit and provides
11 anesthesia in dental offices and facilities in the state;

12 31. 32. "Mobile dental clinic" means a permitted motor vehicle
13 or trailer utilized as a dental clinic, and/or that contains dental
14 equipment and is used to provide dental services to patients on-site
15 and shall not include a mobile dental anesthesia provider. A mobile
16 dental clinic shall also mean and include a volunteer mobile dental
17 facility that is directly affiliated with a church or religious
18 organization as defined by Section 501(c)(3) or 501(d) of the United
19 States Internal Revenue Code, the church or religious organization
20 with which it is affiliated is clearly indicated on the exterior of
21 the volunteer mobile dental facility, and such facility does not
22 receive any form of payment either directly or indirectly for work
23 provided to patients other than donations through the affiliated
24 church or religious organization; provided, that the volunteer

1 mobile dental facility shall be exempt from any registration fee
2 required under the State Dental Act;

3 32. 33. "Moderate sedation" means a drug-induced depression of
4 consciousness during which patients respond purposefully to verbal
5 commands, either alone or accompanied by light tactile stimulation.
6 No interventions are required to maintain a patent airway, and
7 spontaneous ventilation is adequate. Cardiovascular function is
8 usually maintained;

9 33. 34. "Prophylaxis" means the removal of any and all
10 calcareous deposits, stains, accretions or concretions from the
11 supragingival and subgingival surfaces of human teeth, utilizing
12 instrumentation by scaler or periodontal curette on the crown and
13 root surfaces of human teeth including rotary or power-driven
14 instruments. This procedure may only be performed by a dentist or
15 dental hygienist;

16 34. 35. "Patient" or "patient of record" means an individual
17 who has given a medical history and has been examined and accepted
18 by a dentist for dental care;

19 35. 36. "Residencies" are programs designed for advanced
20 clinical and didactic training in general dentistry or other
21 specialties or other specialists at the post-doctoral level
22 recognized by the Commission on Dental Accreditation (CODA) or the
23 Board;

1 36. 37. "Supervision" means direct supervision, direct visual
2 supervision, indirect supervision or general supervision;

3 37. 38. "Teledentistry" means the remote delivery of dental
4 patient care via telecommunications and other technology for the
5 exchange of clinical information and images for dental consultation,
6 preliminary treatment planning and patient monitoring; and

7 38. 39. "Treatment facility" means:

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

1 SECTION 3. AMENDATORY 59 O.S. 2021, Section 328.17, is
2 amended to read as follows:

3 Section 328.17. A. 1. The Board of Dentistry shall have the
4 following standing committees that shall meet once per year and
5 other times as needed to study issues affecting the practice of
6 dentistry and the safety of the public and to make recommendations
7 to the Board:

- 8 a. Dental Practice Committee,
- 9 b. Anesthesia Committee,
- 10 c. Specialty Practice Committee,
- 11 d. Historical and Retirement Committee, and
- 12 e. Assistants, Dental Labs and Other Auxiliary Personnel
13 Committee.

14 2. Each committee shall be cochaired by a current or past Board
15 member to be appointed by the Board President with approval by the
16 Board and a member of a statewide organization representing dentists
17 as recommended by such organization.†

18 3. Each committee may have up to ten committee members with the
19 exception of the Anesthesia Committee which may have up to eighteen
20 members, exclusive of the cochairs.†

21 4. The Board President, with approval of the Board, shall
22 appoint all committee members. One-half (1/2 or 50%) of the
23 committee members shall be recommended by the Board and one-half
24 (1/2 or 50%) of the committee members shall be recommended to the

1 Board President by a statewide organization representing dentists;
2 and.

3 5. Committee members shall be on staggered three-year terms and
4 shall serve at the pleasure of the Board.

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

7 1. One current dental hygiene member of the Board;

8 2. Two dental hygienists recommended by the Board and two
9 dental hygienists recommended by a statewide organization
10 representing dental hygienists;

11 3. The Committee shall have the following functions:

12 a. to develop and propose recommendations to the Board
13 regarding the education, examination, licensure, and
14 regulation of dental hygienists,

15 b. to advise the Board in rulemaking regarding dental
16 hygiene,

17 c. to hold meetings at least annually, but not more than
18 six (6) times a year, and

19 d. to work directly with the Allied Dental Education
20 Committee in reviews and recommendations for
21 equivalent dental hygiene programs; and

22 4. Members of the Committee shall be appointed by the Board and
23 shall serve a term of three (3) years. Appointments shall be made
24 so that approximately one-third (1/3 or 33%) of the Committee is

1 | reappointed at any given time. Members may be appointed for
2 | consecutive terms if recommended by the Board President and approved
3 | by the Board.

4 | C. There shall be an Allied Dental Education Committee.

5 | 1. The Board President shall appoint all members of the Allied
6 | Dental Education Committee upon approval by the Board;

7 | 2. The Allied Dental Education Committee shall:

8 | a. review the standards and equivalency of in-state and
9 | out-of-state dental and auxiliary program requirements
10 | and make recommendations to the Board,

11 | b. evaluate individual credentials and programs for the
12 | purpose of issuing dental assistant expanded duty
13 | permits and dental hygiene advanced procedure permits
14 | from persons holding out-of-state licenses and permits
15 | based on CODA or DANB programs and criteria as defined
16 | by the State Dental Act and other statutes and shall
17 | make recommendations to the Board,

18 | c. recommend standards and guidelines and review criteria
19 | for all expanded duty programs or courses for dental
20 | assistants from CODA approved programs and non-CODA
21 | approved providers and advanced procedures of dental
22 | hygienists from CODA approved programs or training and
23 | non-CODA approved programs or training to the Board,

24 | and

d. recommend and develop guidelines for classroom, electronic media and other forms of education and testing;

3. The Committee shall meet as deemed necessary by the Board

President; and

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

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

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

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

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

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

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

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

11 3. Representing oneself as treating or professing to treat by
12 professional instructions or by advertised use of professional
13 equipment or products;

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

17 5. Removing human teeth;

18 6. Repairing or filling cavities in human teeth;

19 7. Correcting or attempting to correct malposed teeth;

20 8. Administering anesthetics, general or local;

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

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

23 11. Offering, undertaking or assisting, by any means or
24 methods, to remove stains, discolorations, or concretions from the

1 teeth; provided, that this paragraph shall not preclude or prohibit
2 the sale of any teeth whitening kit designed for self-administration
3 as approved by the United States Food and Drug Administration;

4 12. Operating or prescribing for any disease, pain, injury,
5 deficiency, deformity, or any physical condition connected with the
6 human mouth;

7 13. Taking impressions of the teeth and jaws;

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

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

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

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

22 18. Owning, maintaining, or operating an office or offices by
23 holding a financial interest in same for the practice of dentistry;
24 or

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

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

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

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

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

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

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

6 6. The performing of acts by a dental assistant ~~or oral~~
7 ~~maxillofacial surgery~~ assistant who performs the acts under the
8 direct supervision or direct visual supervision of a dentist and in
9 accordance with the provisions of the State Dental Act and the rules
10 promulgated by the Board; or

11 7. The fabrication of dental appliances pursuant to a
12 laboratory prescription of a dentist, by a dental laboratory
13 technician in a dental laboratory using inert materials and
14 mechanical devices for the fabrication of any restoration, appliance
15 or thing to be worn in the human mouth.

16 SECTION 5. AMENDATORY 59 O.S. 2021, Section 328.21, as
17 last amended by Section 3, Chapter 46, O.S.L. 2024 (59 O.S. Supp.
18 2024, Section 328.21), is amended to read as follows:

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

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

- 1 1. Is of good moral character;
- 2 2. Is twenty-one (21) years of age, or over, at the time of
- 3 making application to practice dentistry or eighteen (18) years of
- 4 age, or over, if the applicant is to practice dental hygiene;
- 5 3. Has passed a written theoretical examination and a clinical
- 6 examination approved by the Board within the previous five (5)
- 7 years; and
- 8 4. Has passed a written jurisprudence examination over the
- 9 rules and laws affecting dentistry in this state.

10 C. An application from a candidate who desires to secure a

11 license from the Board to practice dentistry or dental hygiene in

12 this state shall be accompanied by satisfactory proof that the

13 applicant:

- 14 1. Is a graduate of an accredited dental college, if the
- 15 applicant is to practice dentistry;
- 16 2. Is a graduate of an accredited dental hygiene program, if
- 17 the applicant is to practice dental hygiene; and
- 18 3. Has passed all portions of the National Board Dental
- 19 Examination or the National Board Dental Hygiene Examination.

20 D. Pursuant to Section 328.15 of this title, the Board may

21 affiliate as a member state, and accept regional exams from the

22 Commission on Dental Competency Assessments (CDCA-WREB-CITA) if the

23 following requirements are included:

- 1 1. For dental licensing the following components on a live
2 patient or manikin:
- 3 a. a fixed prosthetic component of the preparation of an
4 anterior all porcelain crown and the preparation of a
5 three-unit posterior bridge,
- 6 b. a periodontal component,
- 7 c. an endodontic component,
- 8 d. an anterior class III and posterior class II
9 restorative component,
- 10 e. a diagnosis and treatment planning section as approved
11 by the Board, as specified in Section 328.15 of this
12 title, and
- 13 f. the Board may determine equivalencies based on
14 components of other exams for the purpose of
15 credentialing; or
- 16 2. For dental hygienists licensing the following components on
17 a live patient or manikin:
- 18 a. clinical patient treatments with an evaluation of
19 specific clinical skills, and
- 20 b. evaluation of the candidate's compliance with
21 professional standards during the treatment as
22 approved by the Board in Section 328.15 of this title
23 and shall include:
24 (1) extra/intra oral assessment,

- (2) periodontal probing, and
- (3) scaling/subgingival calculus removal and supragingival deposit removal.

4 E. When the applicant and the accompanying proof are found
5 satisfactory, the Board shall notify the applicant to appear for the
6 jurisprudence examination at the time and place to be fixed by the
7 Board. A dental student or a dental hygiene student in the
8 student's last semester of a dental or dental hygiene program,
9 having met all other requirements, may make application and take the
10 jurisprudence examination with a letter from the dean of the dental
11 school or director of the hygiene program stating that the applicant
12 is a candidate for graduation within the next six (6) months.

13 F. The Board shall require every applicant for a license to
14 practice dentistry or dental hygiene to submit, for the files of the
15 Board, a copy of a dental degree or dental hygiene degree, an
16 official transcript, a recent photograph duly identified and
17 attested, and any other information as required by the Board.

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

22 H. A dentist or dental hygienist currently licensed in another
23 state having met the qualifications in paragraphs 1 through 3 of

1 subsections B and C of this section may apply for a license by
2 credentials upon meeting the following:

3 1. A dentist holding a general dentist license in good standing
4 and having practiced for at least five hundred (500) hours within
5 the previous five (5) years immediately prior to application and
6 having passed a regional examination substantially equivalent to the
7 requirements for this state may apply for licensure by credentials;

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

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

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

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

22 4. The spouse of an active duty military member pursuant to a
23 current permanent change of station order from the military who was
24 actively licensed in another state for the previous two (2) years

1 shall be eligible for a license or permit pursuant to the
2 requirements listed in 50 U.S.C., Section 4025(a).

3 I. 1. There shall be seven types of advanced procedures
4 available for dental hygienists upon completion of a Commission on
5 Dental Accreditation (CODA) approved program, course, or
6 certification program that has been approved by the Board:

- 7 a. administration of nitrous oxide,
- 8 b. administration of local anesthesia,
- 9 c. neuromodulator administration,
- 10 d. therapeutic use of lasers,
- 11 e. phlebotomy,
- 12 f. venipuncture, and
- 13 g. elder care and public health pursuant to Section
14 328.58 of this title.

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

21 3. For all advanced procedures other than administration of
22 local anesthesia, a dental hygienist may apply by filling out an
23 application with required documentation of training as required by
24 state law and rules of the Board. A dental hygienist licensed by

1 the Board prior to January 30, 2024, shall be eligible for the
2 advanced procedure of therapeutic use of lasers upon submission of
3 an affidavit attesting to two (2) years of practice using lasers.

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

6 J. All licensees and permit holders shall display the current
7 permit or license in a visible place within the dental office or
8 treatment facility.

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

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

21 M. Every licensee or permit holder shall have an official
22 address and email address listed with the Board. Every licensee or
23 permit holder shall update the address within thirty (30) calendar
24 days of moving. Official notification of any action of the Board

1 adverse to a licensee or permit holder including but not limited to
2 notification of license or permit cancellation due to nonrenewal,
3 notice of a formal complaint, or a decision of the hearing panel or
4 board, shall be served to the licensee or permit holder by
5 registered mail at the official address, in person, to the
6 licensee's or permit holder's attorney, by agreement of the
7 individual, by a process server, or by an investigator of the Board
8 pursuant to Section 2004 of Title 12 of the Oklahoma Statutes.

9 SECTION 6. AMENDATORY 59 O.S. 2021, Section 328.23a, as
10 last amended by Section 4, Chapter 46, O.S.L. 2024 (59 O.S. Supp.
11 2024, Section 328.23a), is amended to read as follows:

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

- 1 1. Issued by the Board of Dentistry to eligible persons;
- 2 2. Issued without the payment of an application fee, license
- 3 fee or renewal fee;
- 4 3. Issued or renewed without any continuing education
- 5 requirements for a period less than one (1) calendar year; and
- 6 4. Issued for one (1) calendar year or part thereof.

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

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

13 1. Completion of a special volunteer dental or dental hygiene
14 license application including documentation of the dental or dental
15 hygiene school graduation and practice history;

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

1 of sanction, the dentist or dental hygienist shall be ineligible to
2 receive a special volunteer license;

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

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

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

13 D. The Board of Dentistry shall have jurisdiction over
14 dentists, dental hygienists, dental assistants and dental
15 technicians who volunteer their professional services in the state.

16 Dental assistants and dental technicians shall work under the direct
17 supervision of a dentist.

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

1 participate in the volunteer initiative including authorization of
2 the timetable requested by the host entity for granting licensure
3 exemption. Any person working under a volunteer dental assistant
4 permit shall not receive payment or compensation for any services
5 rendered under the volunteer dental assistant permit. Volunteer
6 dental assistant permits shall be limited to specific dates and
7 locations of services to be provided.

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

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

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

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

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

24

1 K. A special volunteer license may be issued to a dentist with
2 an active license in good standing in another state for the purpose
3 of participating in a continuing education class that includes live
4 patient treatment as a part of the training program.

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

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

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

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

1 ~~as approved by the Board before December 31, 2020.~~ Failure to
2 complete the class shall be grounds for discipline pursuant to
3 Section 328.29a of this title.

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

- 9 1. Radiation safety;
- 10 2. Coronal polishing and topical fluoride;
- 11 3. Sealants;
- 12 4. Assisting in the administration of nitrous oxide;
- 13 5. Phlebotomy;
- 14 6. Venipuncture;
- 15 7. Elder care and public health; or
- 16 8. Assisting Oral maxillofacial surgery. An oral maxillofacial

17 surgery expanded duty permit shall be available to a dental
18 assistant who has met the requirements as listed in Section 328.25
19 of this title and assists a dentist, pediatric dentist, or oral
20 maxillofacial surgeon who holds a parenteral or pediatric general
21 anesthesia permit; provided, only the dentist, pediatric dentist, or
22 oral maxillofacial surgeon, or an anesthesiologist or a Certified
23 Registered Nurse Anesthetist, may administer anesthesia and assess

1 the patient's level of sedation and only the dentist, pediatric
2 dentist, or oral maxillofacial surgeon may perform surgery.

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

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

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

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

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

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

1 3. The dental assistant provides a certificate or proof of
2 completion of an educational class for the expanded duty and that
3 the dental assistant has been providing this treatment to dental
4 patients while working as a dental assistant in a dental office for
5 one (1) year.

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

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

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

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

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

1 B. Any person seeking to obtain an oral maxillofacial surgery
2 assistant permit must have a supervising oral maxillofacial surgeon
3 with a current Oklahoma license and complete the requirements set
4 forth by the Board.

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

8 1. Passes a background check with criteria established by the
9 Board; and

10 2. Has completed all of the training requirements for the oral
11 maxillofacial surgery ~~assistant permit~~ expanded duty permit as
12 established by the Board.

13 D. C. An oral maxillofacial surgery ~~assistant~~ expanded duty
14 permit shall be considered a temporary training permit until all of
15 the training requirements, as established by the Board for ~~each~~ the
16 oral maxillofacial surgery ~~assistant~~ expanded duty permit, have been
17 completed and approved by the Board.

18 E. D. A temporary training permit for ~~each~~ the oral
19 maxillofacial surgery ~~assistant~~ expanded duty shall not be extended
20 beyond two (2) years.

21 F. All E. When performing the expanded duty of oral
22 maxillofacial surgery, dental assistants ~~are required to~~ shall be
23 under direct supervision or direct visual supervision at all times
24 by a licensed oral maxillofacial surgeon.

1 G. If an oral maxillofacial surgery assistant is not currently
2 employed by an oral maxillofacial surgeon, the oral maxillofacial
3 surgery assistant permit shall automatically revert to a dental
4 assistant permit as set forth in Section 328.24 of this title and
5 may be eligible for an expanded function assisting a, dentist, or
6 pediatric dentist who holds a parenteral or pediatric general
7 anesthesia permit; provided, only the oral maxillofacial surgeon,
8 dentist, or pediatric dentist, or an anesthesiologist or a Certified
9 Registered Nurse Anesthetist, may administer anesthesia and assess
10 the patient's level of sedation. The oral maxillofacial surgery
11 assistant permit may be reinstated upon employment under a licensed
12 oral maxillofacial surgeon.

13 H. Any oral maxillofacial surgeon shall notify the Board within
14 thirty (30) days of an oral maxillofacial surgery assistant no
15 longer under his or her supervision and only the oral maxillofacial
16 surgeon, dentist, or pediatric dentist may perform surgery.

17 I. F. An applicant for an oral maxillofacial surgery assistant
18 expanded duty permit shall provide satisfactory proof of:

- 19 1. Successful completion of the Dental Anesthesia Assistant
20 National Certification Examination (DAANCE) provided by the American
21 Association of Oral Maxillofacial Surgeons (AAOMS) or another
22 program or examination as approved by the Board;
- 23 2. A valid BLS certification;

24

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

5 4. Completion of a standardized course approved by the Board
6 including a minimum of four (4) hours of didactic training that must
7 include anatomy, intravenous access or phlebotomy, technique, risks
8 and complications, and hands-on experience starting and maintaining
9 intravenous lines on a human or simulator/manikin, and pharmacology;
10 and

11 5. Completion of an infection-control course as approved by the
12 Board.

13 J. ~~An oral maxillofacial surgery assistant who has completed~~
14 ~~all the requirements shall receive a permit to practice as an oral~~
15 ~~maxillofacial surgery assistant within a dental office, surgery~~
16 ~~center, dental ambulatory surgery center or hospital.~~

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

1 L. H. The Anesthesia Committee provided pursuant to Section
2 328.17 of this title may make a recommendation to the Board for ~~an a~~
3 dental assistant with an oral maxillofacial surgery assistant
4 expanded duty permit holding a temporary training permit to
5 substitute training received from another state university, dental
6 school or technical training institute or training acquired in a
7 surgery center or hospital while working under the authority of a
8 licensed physician, to qualify as a partial substitute for the
9 requirements to attain an oral maxillofacial surgery ~~assistant~~
10 permit expanded duty permit.

11 M. I. A dental assistant with an oral maxillofacial surgery
12 assistant expanded duty permit may only accept delegation from an
13 oral and maxillofacial surgeon, dentist, or pediatric dentist with a
14 valid general or parenteral anesthesia permit:

15 1. Under direct supervision:

- 16 a. initiate and discontinue an intravenous line for a
17 patient being prepared to receive intravenous
18 medications, sedation or general anesthesia, or
19 b. draw up and prepare medications; and

20 2. Under direct visual supervision:

- 21 a. follow instructions of the oral surgeon while acting
22 as an accessory hand on behalf of the oral surgeon
23 that is administering the medication and actively
24 treating the patient. For the purposes of this

1 section, "administer" means to have the sole
2 responsibility for anesthesia care including
3 determining medicines to be used and the dosage,
4 timing, route of delivery and administration of
5 medication and the assessment of the level of
6 anesthesia and monitoring the physiological results of
7 such care; provided, only an oral surgeon or dentist
8 possessing a current general anesthesia permit may
9 administer or assess the level of sedation or general
10 anesthesia and monitor the results of such care,
11 b. follow instructions of the oral surgeon to adjust the
12 rate of intravenous fluids to maintain or keep the
13 line patent or open and adjust an electronic device to
14 provide medications such as an infusion pump, and
15 c. assist the oral surgeon by reading, recording vital
16 signs of a patient receiving deep sedation or general
17 anesthesia; provided, only an oral surgeon may assess
18 the level of sedation.

19 N. J. Only an oral surgeon shall be responsible to diagnose,
20 treat, monitor, determine and administer the selection of the drug,
21 dosage, and timing of all anesthetic medications, and care of the
22 patient through the perioperative period shall rest solely with the
23 supervising oral and maxillofacial surgeon.

1 O. K. Nothing in the State Dental Act shall be construed as to
2 allow ~~an oral surgery assistant or a dental assistant with an oral~~
3 maxillofacial expanded duty permit to administer anesthesia care to
4 a patient.

5 SECTION 9. AMENDATORY 59 O.S. 2021, Section 328.26, is
6 amended to read as follows:

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

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

1 C. A dental student or dental hygiene student intern, resident
2 or fellowship permit shall not authorize the holder to open an
3 office for the private practice of dentistry, or to receive
4 compensation for the practice of dentistry, except a salary paid by
5 the federal government or this state, or their subdivisions, or the
6 public or private institution where the holder of the dental student
7 intern, resident or fellowship permit will be employed.

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

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

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

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

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

1 E. A dental or dental hygiene student intern, resident or
2 fellowship permit shall automatically expire when the permit holder
3 is no longer participating in the program offered by the college of
4 dentistry, the accredited dental college or the institution.

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

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

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

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

1 dental hygiene or dental assisting are performing a clinical dental
2 procedure on patients.

3 SECTION 10. AMENDATORY 59 O.S. 2021, Section 328.27, is
4 amended to read as follows:

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

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

1 2. A faculty license or faculty specialty license shall be
2 issued only upon the request and certification of the dean of an
3 accredited dental college or the program director of an accredited
4 dental hygiene program located in this state that the applicant is a
5 full-time member of the teaching staff of that college or program.

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

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

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

17 6. The holder of a faculty license or faculty specialty license
18 shall be entitled to perform services and procedures in the same
19 manner as a person holding a license to practice dentistry or dental
20 hygiene in this state, but all services and procedures performed by
21 the faculty license or faculty specialty license holder shall be
22 without compensation other than that received in salary from a
23 faculty position or through faculty practice as authorized by the
24 Board. The holder of a faculty license or faculty specialty license

1 shall be limited to practicing in the specialty area as designated
2 on the license. Such services and procedures shall be performed
3 only within the facilities of an accredited dental college or
4 accredited dental hygiene program or within the facilities
5 designated by the accredited dental college and teaching hospitals
6 approved by the Board.

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

19 C. Upon request of the dean, the Board President may issue a
20 dentist or hygienist licensed in another state or country a
21 temporary license pursuant to Section 328.23 of this title for the
22 purpose of attending, presenting or participating in a seminar or
23 live training in dental techniques or dental anesthesia, given at
24 the University of Oklahoma College of Dentistry to licensed dentists

1 and hygienists for continuing education credits and students
2 enrolled in the University of Oklahoma College of Dentistry. A
3 temporary permit issued for this purpose shall not exceed seven (7)
4 days and may not be issued to the same person more than four (4)
5 times in a calendar year.

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

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

1 SECTION 11. AMENDATORY 59 O.S. 2021, Section 328.28a, is
2 amended to read as follows:

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

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

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

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

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

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

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

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

22 2. Presenting to the Board a false application or documentation
23 for a permit;

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

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

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

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

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

21 F. As used in this section:

22 1. "Substantially relates" means the nature of criminal conduct
23 for which the person was convicted has a direct bearing on the

1 fitness or ability to perform one or more of the duties or
2 responsibilities necessarily related to the occupation; and

3 2. "Poses a reasonable threat" means the nature of criminal
4 conduct for which the person was convicted involved an act or threat
5 of harm against another and has a bearing on the fitness or ability
6 to serve the public or work with others in the occupation.

7 SECTION 13. AMENDATORY 59 O.S. 2021, Section 328.31a, is
8 amended to read as follows:

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

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

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

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

21 4. When one dentist or multiple dentists make an advertisement
22 in the trade name or the trade name is included in an advertisement,
23 a copy of the advertisement, including but not limited to any
24 electronic form of the advertising, shall be kept by the dentist or

1 dentists for three (3) years from the first publication date of the
2 advertisement.

3 B. ~~Beginning July 1, 2016, all~~ All advertisements for dentistry
4 shall include the name of the dentist or dentists that shall be
5 providing treatment and shall list the type of dental or specialty
6 license on the advertisement.

7 C. The Board of Dentistry shall promulgate rules regulating
8 advertisements in which one dentist or multiple dentists use a trade
9 name.

10 SECTION 14. AMENDATORY 59 O.S. 2021, Section 328.31b, as
11 amended by Section 6, Chapter 46, O.S.L. 2024 (59 O.S. Supp. 2024,
12 Section 328.31b), is amended to read as follows:

13 Section 328.31b. A. Every dental office or treatment facility,
14 whether individual, group or multi-doctor practice operating under a
15 name, trade name or other professional entity shall maintain written
16 records on each patient treated at the facility and shall make these
17 records available to the Board of Dentistry and other regulatory
18 entities or be subject to the penalties as set forth in Section
19 328.44a of this title.

20 B. Each licensed dentist shall maintain written records on each
21 patient that shall contain, at a minimum, the following information
22 about the patient:

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

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

5 3. Treatment plan proposed by the dentist; and

6 4. Treatment rendered to the patient. The patient record shall
7 clearly identify the dentist and the dental hygienist or dental
8 assistant providing the treatment with the dentist, specialty or
9 dental hygienist license number. The patient record shall include
10 documentation of any medications prescribed, administered or
11 dispensed to the patient.

12 C. Prior to a dentist prescribing, diagnosing, or overseeing
13 patient treatment for any dental appliance, the patient shall be a
14 patient of record and the dentist shall conduct an in-person patient
15 examination.

16 D. 1. The name of the dentist or dentists actually providing
17 the dental services to the patient shall appear on all insurance
18 claim forms, billing invoices, or statements sent to the patient and
19 on all receipts if any are given to the patient.

20 2. Treatment records shall be maintained for each patient that
21 clearly identify the dentist or dentists who performed all dental
22 services for the patient.

23 E. Whenever patient records are released or transferred, the
24 dentist releasing or transferring the records shall maintain either

1 the original records or copies thereof and a notation shall be made
2 in the retained records indicating to whom the records were released
3 or transferred.

4 D. F. All claims being submitted for insurance must be signed,
5 stamped or have an electronic signature by the treating dentist.

6 E. G. Patient records may be kept in an electronic data format,
7 provided that the dentist maintains a backup copy of information
8 stored in the data processing system using disk, tape or other
9 electronic back-up system and that backup is updated on a regular
10 basis, at least weekly, to assure that data is not lost due to
11 system failure. Any electronic data system shall be capable of
12 producing a hard copy on demand.

13 F. H. All patient records shall be maintained for seven (7)
14 years from the date of treatment.

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

20 J. A licensee closing an office shall notify the Board in
21 writing and include the location of where the patient records will
22 be maintained.

1 SECTION 15. AMENDATORY 59 O.S. 2021, Section 328.32, as

2 last amended by Section 7, Chapter 46, O.S.L. 2024 (59 O.S. Supp.

3 2024, Section 328.32), is amended to read as follows:

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

9 1. Pleading guilty or nolo contendere to, or being convicted
10 of, a felony, a misdemeanor involving moral turpitude, any crime in
11 which an individual would be required to be a registered sex
12 offender under state law, any violent crime, Medicaid fraud,
13 insurance fraud, identity theft, embezzlement or a violation of
14 federal or state controlled dangerous substances laws;

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

18 3. Being, by reason of persistent inebriety or addiction to
19 drugs, incompetent to continue the practice of dentistry or failing
20 to notify the Board of a licensee, permit holder, or other health
21 professional that is practicing while impaired or is in a state of
22 physical or mental health that the licensee or permit holder
23 suspects constitutes a threat to patient care within seventy-two
24 (72) hours of witness or belief of such conditions;

1 4. Publishing a false, fraudulent, or misleading advertisement
2 or statement;

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

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

9 7. Authorizing or aiding a dental assistant ~~or oral~~
10 ~~maxillofacial surgery assistant~~ to perform any procedure prohibited
11 by the State Dental Act or the rules of the Board;

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

14 9. Failing to complete continuing education requirements;

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

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

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

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

8 14. Being shown to be mentally unsound;

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

11 16. Being incompetent to practice dentistry while delivering
12 care to a patient;

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

14 18. Committing repeated acts of negligence in the practice of
15 dentistry;

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

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

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

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

6 23. Having more than the equivalent of three full-time dental
7 hygienists for each dentist actively practicing in the same dental
8 office;

9 24. Allowing a person not holding a permit or license issued by
10 the Board to assist in the treatment of a patient without having a
11 license or permit issued by the Board;

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

15 26. Authorizing or aiding a dental hygienist, dental assistant,
16 ~~oral maxillofacial surgery assistant~~, dental laboratory technician,
17 or holder of a permit to operate a dental laboratory to violate any
18 provision of the State Dental Act or the rules of the Board;

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

21 28. Writing a false, unnecessary, or excessive prescription for
22 any drug or narcotic which is a controlled dangerous substance under
23 either federal or state law, or prescribing, dispensing or

1 administering opioid drugs in excess of the maximum limits
2 authorized in Section 2-309I of Title 63 of the Oklahoma Statutes;

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

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

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

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

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

15 34. Failing to retain all patient records for at least seven
16 (7) years from the date of the last treatment as provided by Section
17 328.31b of this title, except that the failure to retain records
18 shall not be a violation of the State Dental Act if the dentist
19 shows that the records were lost, destroyed, or removed by another,
20 without the consent of the dentist;

21 35. Failing to retain the dentist's copy of any laboratory
22 prescription for at least seven (7) years, except that the failure
23 to retain records shall not be a violation of the State Dental Act

1 if the dentist shows that the records were lost, destroyed, or
2 removed by another, without the consent of the dentist;

3 36. Allowing any corporation, organization, group, person, or
4 other legal entity, except another dentist or a professional entity
5 that is in compliance with the registration requirements of
6 subsection B of Section 328.31 of this title, to direct, control, or
7 interfere with the dentist's clinical judgment. Clinical judgment
8 shall include, but not be limited to, such matters as selection of a
9 course of treatment, control of patient records, policies and
10 decisions relating to pricing, credit, refunds, warranties and
11 advertising, and decisions relating to office personnel and hours of
12 practice. Nothing in this paragraph shall be construed to:

- 13 a. limit a patient's right of informed consent, or
- 14 b. prohibit insurers, preferred provider organizations
15 and managed care plans from operating pursuant to the
16 applicable provisions of the Oklahoma Insurance Code
17 and the Oklahoma Public Health Code;

18 37. Violating the state dental act of another state resulting
19 in a plea of guilty or nolo contendere, conviction or suspension or
20 revocation or other sanction by another state board, of the license
21 of the dentist under the laws of that state;

22 38. Violating or attempting to violate the provisions of the
23 State Dental Act or the rules of the Board, a state or federal
24 statute or rule relating to scheduled drugs, fraud, a violent crime

1 or any crime for which the penalty includes the requirement of
2 registration as a sex offender in this state as a principal,
3 accessory or accomplice;

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

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

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

12 42. Failing to complete an approved two-hour course on opioid
13 and scheduled drug prescribing within one (1) year of obtaining a
14 license or a violation of a law related to controlled dangerous
15 substances including prescribing laws pursuant to Section 2-309D of
16 Title 63 of the Oklahoma Statutes;

17 43. Falling below the basic standard of care of a licensed
18 dentist or dentist practicing in his or her specialty, a dental
19 hygienist, dental assistant, or other licensee or permit holder
20 pursuant to the State Dental Act and Section 20.1 of Title 76 of the
21 Oklahoma Statutes; or

22 44. Failing to provide patient records as provided by Sections
23 19 and 20 of Title 76 of the Oklahoma Statutes.

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

6 C. The provisions of the State Dental Act shall not be
7 construed to prohibit any dentist from displaying or otherwise
8 advertising that the dentist is also currently licensed, registered,
9 certified or otherwise credentialed pursuant to the laws of this
10 state or a nationally recognized credentialing board, if authorized
11 by the laws of the state or credentialing board to display or
12 otherwise advertise as a licensed, registered, certified, or
13 credentialed dentist.

14 SECTION 16. AMENDATORY 59 O.S. 2021, Section 328.41, as
15 last amended by Section 8, Chapter 46, O.S.L. 2024 (59 O.S. Supp.
16 2024, Section 328.41), is amended to read as follows:

17 Section 328.41. A. 1. On or before the last day of December
18 of each year, every dentist, dental hygienist, dental assistant,
19 ~~oral maxillofacial surgery assistant~~ and other licensee or permit
20 holders previously licensed or permitted by the Board of Dentistry
21 to practice in this state, with the exception of those listed in
22 paragraph 2 of this subsection, shall submit a completed renewal
23 application with information as may be required by the Board,
24 together with an annual renewal fee established by the rules of the

1 Board. Upon receipt of the annual renewal fee, the Board shall
2 issue a renewal certificate authorizing the dentist, dental
3 hygienist, or dental assistant ~~or oral maxillofacial surgery~~
4 assistant to continue the practice of dentistry or dental hygiene,
5 respectively, in this state for a period of one (1) year. Every
6 license or permit issued by the Board shall begin on January 1 and
7 expire on December 31 of each year.

8 2. Resident and fellowship permits shall be valid from July 1
9 through June 30 of each year and dental student intern permits shall
10 be valid from August 1 through July 31 of each year.

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

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

15 a. a live, in-person cardiopulmonary resuscitation class
16 approved by the Board,

17 b. an ethics class approved by the Board,

18 c. for a dentist, two (2) hours of opioid and scheduled
19 drug prescribing classes, and

20 d. any combination of the following:

21 (1) completion of classes at a university, college or
22 technology center school accredited by the
23 Commission on Dental Accreditation (CODA) or
24 college courses related to dentistry, which shall

1 count equal to credit hours received on a
2 transcript,

3 (2) teaching one or more classes at a school or
4 program accredited by CODA, for which the dentist
5 or dental hygienist shall receive credit for the
6 semester credit hours and one (1) hour of credit
7 per eighteen (18) hours of clinical instruction,

8 (3) publishing papers, presenting clinics and
9 lecturing, for which the dentist or dental
10 hygienist shall receive six (6) credit hours for
11 each hour of the original presentation and hour-
12 for-hour credit for a subsequent presentation of
13 the same material. No more than fifty percent
14 (50%) of total required continuing education
15 hours may be fulfilled by activities described in
16 this division,

17 (4) a scientific-based medical treatment and patient
18 care class approved by the Board,

19 (5) any health-related program sponsored by the
20 United States Department of Veteran Affairs or
21 Armed Forces provided at a government facility,

22 (6) formal meetings by national or state professional
23 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

12 dentists and dental hygienists engaged in a full-time program

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

15 3. New graduates of dental and hygiene programs shall not be
16 required to complete continuing education for the first year after
17 graduation. Continuing education requirements for dentists and
18 dental hygienists who are new graduates shall begin July 1 of the
19 calendar year following the year of graduation. Hours shall be
20 prorated by year of new licensure.

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

a. currently on full-time active duty service as a dentist or dental hygienist for a minimum of eighteen

(18) months in a two-year continuing education cycle
and is deployed outside of the United States, or

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

8 D. 1. Dentists shall complete forty (40) hours of continuing
9 education with no more than twenty (20) hours to be completed
10 online. Dental hygienists shall complete twenty (20) hours of
11 continuing education with no more than ten (10) hours to be
12 completed online. Interactive classes or webinar classes may, at
13 the discretion of the Board, count as in-person.

14 2. Oral maxillofacial surgery assistants Dental assistants with
15 an oral maxillofacial expanded duty permit shall complete eight (8)
16 hours of continuing education including one (1) hour of infection
17 control.

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

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

23 E. Upon failure of a dentist, dental hygienist, or dental
24 assistant ~~or oral maxillofacial surgery assistant~~ to pay the annual

1 renewal fee within two (2) months after January 1 of each year, the
2 Board shall notify the dentist, dental hygienist, dental assistant,
3 ~~oral maxillofacial surgery assistant~~, or other permit holder that
4 the license or permit will be officially canceled as of April 1
5 pursuant to subsection M of Section 328.21 of this title. A list of
6 canceled licenses or permits not otherwise renewed shall be
7 published at the following meeting of the Board.

8 F. Any dentist, dental hygienist, or dental assistant ~~or oral~~
9 ~~maxillofacial surgery assistant~~ whose license or permit is
10 automatically canceled by reason of failure, neglect or refusal to
11 secure the renewal certificate may be reinstated by the Board at any
12 time within ~~one (1) year~~ five (5) years from the date of the
13 expiration of the license, upon payment of the annual renewal fee
14 and a penalty fee established by the rules of the Board. ~~If the~~
15 ~~dentist, dental hygienist, dental assistant, or oral maxillofacial~~
16 ~~surgery assistant does not apply for renewal of the license or~~
17 ~~permit and pay the required fees within one (1) year after the~~
18 ~~license has expired, then the dentist, dental hygienist, dental~~
19 ~~assistant or oral maxillofacial surgery assistant shall be required~~
20 ~~to file an application for and take the examination or other~~
21 ~~requirements provided for in the State Dental Act or the rules~~
22 ~~promulgated by the Board before again commencing practice~~ The Board
23 may require any training or continuing education requirements be met
24 prior to reinstatement.

1 G. The Board, by rule, shall provide for the remittance of fees
2 otherwise required by the State Dental Act while a A dentist, dental
3 assistant, or dental hygienist who is on active duty with any of the
4 Armed Forces of the United States and is deployed outside of the
5 United States shall be exempt from renewal fees.

6 H. In case of a lost or destroyed license or renewal
7 certificate and upon satisfactory proof of the loss or destruction
8 thereof, the Board may issue a duplicate, charging therefor a fee
9 established by the rules of the Board.

10 I. A dentist, dental hygienist, ~~oral maxillofacial surgery~~
11 ~~assistant~~ or dental assistant that is in good standing and not under
12 investigation that notifies the Board in writing of a voluntary
13 nonrenewal of license or requests retirement status shall have a
14 right to renew or reinstate his or her license within five (5) years
15 from the date of notice. The Board may require any training or
16 continuing education requirements to be met prior to reinstatement.

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

21 K. Any application for a license or permit that has remained
22 inactive for more than one (1) year shall be closed.
23
24

1 SECTION 17. AMENDATORY 59 O.S. 2021, Section 328.44a, as
2 amended by Section 10, Chapter 46, O.S.L. 2024 (59 O.S. Supp. 2024,
3 Section 328.44a), is amended to read as follows:

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

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

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

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

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

22 5. Issuance of a censure;

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

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

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

6 B. A dentist, dental hygienist, dental assistant,~~oral~~
7 ~~maxillofacial surgery assistant~~, dental laboratory technician, or
8 holder of a permit to operate a dental laboratory, against whom a
9 penalty is imposed by an order of the Board pursuant to the
10 provisions of this section, shall have the right to seek a judicial
11 review of such order pursuant to Article II of the Administrative
12 Procedures Act.

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

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

19 a. the order does not include allegations or a finding of
20 direct patient harm,

21 b. the licensee has maintained an active full-time
22 practice in good standing and has not received an
23 additional order or private reprimand since the issue
24 of the order,

1 c. the licensee has not been the subject of any
2 settlement reports in the National Practitioner Data
3 Bank within the previous seven (7) years, and
4 d. the order concerns an administrative violation and
5 does not include a direct action against the licensee
6 including, but not limited to, probation or suspension
7 of the license.

8 2. Upon receipt of a motion to reopen and withdraw an order,
9 the president of the Board shall assign a panel for review and
10 investigation to be brought to the Board. The Board shall take into
11 consideration the issues causing the order; any changes to laws
12 relevant to the order since its issue that may have resulted in a
13 different outcome if such laws had been in place at the time of the
14 complaint; any actions by the licensee to better his or her
15 abilities as a practicing licensee; current patient outcomes;
16 service to his or her community or state; and any other issues,
17 testimony, or other information relating to the licensee found
18 during an investigation or submitted to the Board.

19 3. The panel and the president may make a determination that
20 the case is not appropriate to bring before the Board and shall have
21 the authority to summarily deny the order and, if appropriate, to
22 advise the licensee of requirements to complete for future
23 consideration. The panel may choose to keep the matter pending
24 while the licensee completes the requirements advised.

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

5 SECTION 18. AMENDATORY 59 O.S. 2021, Section 328.51a, is
6 amended to read as follows:

7 Section 328.51a. A. The Board of Dentistry is authorized to
8 charge the following fees for the purpose of implementing and
9 enforcing the State Dental Act. The penalty and late fee shall be
10 twice the amount of the original fee for license renewals.
11 Notwithstanding any other provisions of the State Dental Act, the
12 fees established by the Board shall be not less nor more than the
13 range created by the following schedule:

14 1. LICENSE AND PERMIT APPLICATION FEES:

		Minimum	Maximum
16 a.	License by Examination		
17 Dentist		\$200.00	\$400.00
18 Dental Hygienist		\$100.00	\$200.00
19 b.	License by Credentialing		
20 Dentist		\$500.00	\$1,000.00
21 Dental Hygienist		\$100.00	\$200.00
22 c.	Dental Specialty License by		
23 Examination		\$300.00	\$600.00

1	d.	Dental Specialty License by Credentialing	\$500.00	\$1,000.00
2	e.	Faculty Permit		
3		Dentist	\$100.00	\$200.00
4		Dental Hygienist	\$50.00	\$100.00
5	f.	Dental Student Intern Permit	\$50.00	\$200.00
6	g.	Temporary License to Practice		
7		Dental Hygiene	\$50.00	\$100.00
8	h.	Dental Assistant or Oral		
9		Maxillofacial Surgery		
10		Assistant Permit	\$50.00	\$100.00
11	i.	Dental Assistant with Expanded Duty or Duties by		
12		Credential	\$100.00	\$200.00
13	j.	Temporary License to Practice		
14		Dentistry	\$75.00	\$150.00
15	k.	Permit to Operate a Dental		
16		Laboratory - current Oklahoma		
17		licensed dentist	\$20.00	\$60.00
18	l.	General Anesthesia Permit		
19		Dentist	\$100.00	\$200.00
20	m.	Conscious Sedation Permit		
21		Dentist	\$100.00	\$200.00
22				
23				
24				

n. Permit to Operate a Dental

Laboratory - commercial \$200.00 \$500.00

2. RE-EXAMINATION FEES:

a. License by Examination

Dentist \$200.00 \$400.00

Dental Hygienist \$100.00 \$200.00

b. Dental Specialty License by

Examination \$300.00 \$600.00

c. Jurisprudence Only Re-

Examination

Dentist \$10.00 \$20.00

Dental Hygienist \$10.00 \$20.00

3. ANNUAL RENEWAL FEES:

a. Dentist \$200.00 \$400.00

b. Dental Hygienist \$100.00 \$200.00

c. Dental Specialty License \$100.00 \$200.00

d. Faculty Permit

Dentist \$50.00 \$100.00

Dental Hygienist \$50.00 \$100.00

e. Dental Resident, Dental

Fellowship \$100.00 \$200.00

f. Dental Assistant, Oral

Maxillofacial Surgery

1	<u>Assistant</u> , or Dental Student		
2	Intern Permit	\$50.00	\$100.00
3	g. Permit to Operate a Dental		
4	Laboratory, current Oklahoma		
5	Licensed dentist	\$20.00	\$60.00
6	h. General Anesthesia Permit		
7	Dentist	\$100.00	\$200.00
8	i. Conscious Sedation Permit		
9	Dentist	\$100.00	\$200.00
10	j. Permit to Operate a Dental		
11	Laboratory, non-dentist owner	\$300.00	\$500.00
12	4. OTHER FEES:		
13	a. Duplicate License		
14	Dentist or Dental		
15	Hygienist	\$30.00	\$40.00
16	b. Duplicate Permit or		
17	Registration	\$5.00	\$15.00
18	c. Certificate of Good Standing	\$5.00	\$15.00
19	d. Professional Entity		
20	Certification Letter	\$5.00	\$20.00
21	e. Professional Entity		
22	Registration or Update	\$5.00	\$20.00
23	f. Mobile Dental Clinic	\$200.00	\$400.00
24			

g. List of the Name and Current
Mailing Address of all
Persons who hold a License or
Permit issued by the Board.

(A request for a list shall be submitted to the Board in writing noting the specific proposed use of the list.)

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

h. Official State Dental License

Identification Card with

Picture \$25.00 \$35.00

i. Returned checks

B. A person who holds a license to practice dentistry in this state, and who also holds a dental specialty license, shall not be required to pay an annual renewal fee for the dental specialty license if the licensee has paid the annual renewal fee for the license to practice dentistry.

SECTION 19. AMENDATORY 59 O.S. 2021, Section 328.55, is

amended to read as follows:

Section 328.55. All licensees engaged in the practice of

dentistry in this state shall notify the Board within twenty-four

(24) hours of the discovery of a death of a patient, or an emergency

hospital visit where the patient is admitted, pursuant to treatment

in a dental office and potentially related to the practice of

1 dentistry by the licensee. A licensee shall submit a complete
2 report to the Board of any fatality or serious injury occurring
3 during the practice of dentistry or the discovery of the death of a
4 patient whose death is causally related to the practice of dentistry
5 by the licensee within thirty (30) days of such occurrence.

6 SECTION 20. This act shall become effective November 1, 2025.

7 Passed the Senate the 25th day of March, 2025.

8

9 _____
10 Presiding Officer of the Senate

11 Passed the House of Representatives the ____ day of _____,
12 2025.

13

14 _____
15 Presiding Officer of the House
16 of Representatives