

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL****No. 388** Session of  
2011

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INTRODUCED BY VANCE, M. WHITE, RAFFERTY, FONTANA, EICHELBERGER,  
ALLOWAY, FERLO, WASHINGTON AND FARNESE, FEBRUARY 7, 2011

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AS AMENDED ON THIRD CONSIDERATION, JUNE 20, 2011

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## AN ACT

1 Amending the act of May 1, 1933 (P.L.216, No.76), entitled "An  
2 act relating to dentistry; defining and providing for the  
3 licensing and registration of dentists and dental hygienists,  
4 and for the revocation and suspension of such licenses and  
5 registrations, subject to appeal, and for their  
6 reinstatement; defining the powers and duties of the State  
7 Dental Council and Examining Board and the Department of  
8 Public Instruction; providing penalties; and repealing  
9 existing laws," adding definitions; and providing for  
10 professional liability insurance.

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

13 Section 1. Section 2 of the act of May 1, 1933 (P.L.216,  
14 No.76), known as The Dental Law, is amended by adding  
15 definitions to read:

16 Section 2. Definitions.--\* \* \*

17 "Community-based Clinic" means an organized clinic offering  
18 primary health services to low-income individuals or to  
19 residents in medically underserved areas or health professional  
20 shortage areas. The term includes a State health center,  
21 nonprofit community-based clinic and a federally qualified  
22 health center.

1 \* \* \*

2 "Volunteer License" means a license issued to qualified  
3 individuals who retire from active practice and seek to provide  
4 professional services as a volunteer in community-based clinics  
5 without remuneration.

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

7 Section 3.2. Professional Liability Insurance.--(a) A  
8 person licensed and practicing dentistry shall maintain medical  
9 professional liability insurance in the minimum amount of one  
10 million dollars (\$1,000,000) per occurrence or claim and three  
11 million dollars (\$3,000,000) per annual aggregate. Acceptable  
12 coverage shall include:

13 (1) personally purchased MEDICAL PROFESSIONAL liability ←  
14 insurance;

15 (2) self-insurance;

16 (3) MEDICAL PROFESSIONAL liability insurance coverage ←  
17 provided by the dentist's employer; or

18 (4) MEDICAL PROFESSIONAL liability insurance coverage ←  
19 provided by the community-based clinic for dentists with a  
20 volunteer license.

21 (b) An applicant for licensure or license renewal shall  
22 provide proof of MEDICAL professional liability insurance to the ←  
23 State Board of Dentistry in accordance with subsection (a)  
24 within sixty (60) days of the policy being issued.

25 (c) If an applicant for licensure or license renewal fails  
26 to submit proof of MEDICAL PROFESSIONAL LIABILITY insurance or ←  
27 self-insurance required under subsection (a), the applicant's  
28 license shall be refused, revoked or suspended by the board.

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