

DENTAL LAW - PROFESSIONAL LIABILITY INSURANCE

Act of Jun. 22, 2012, P.L. 638, No. 65

Cl. 63

Session of 2012

No. 2012-65

SB 388

AN ACT

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

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

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

Section 2. Definitions.--* * *

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

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

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

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

(1) personally purchased medical professional liability insurance;

(2) self-insurance;

(3) medical professional liability insurance coverage provided by the dentist's employer; or

(4) medical professional liability insurance coverage provided by the community-based clinic for dentists with a volunteer license.

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

(c) If an applicant for licensure or license renewal fails to submit proof of medical professional liability insurance or self-insurance required under subsection (a), the applicant's license shall be refused, revoked or suspended by the board.

Section 3. This act shall take effect in 60 days.
APPROVED--The 22nd day of June, A.D. 2012.
TOM CORBETT