

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 131 Session of
2009

INTRODUCED BY KILLION, BEYER, BOYD, GEIST, GRELL, HARRIS,
MUSTIO, SIPTROTH, BEAR AND HARPER, JANUARY 30, 2009

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, JANUARY 30,
2009

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," further providing for imposition of
10 penalties.

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

13 Section 1. Section 10(a) and (h) of the act of May 1, 1933
14 (P.L.216, No.76), known as The Dental Law, amended December 27,
15 1994 (P.L.1361, No.160), are amended to read:

16 Section 10. Penalties.--(a) It is unlawful for any person
17 to practice dentistry or as a dental hygienist or as an expanded
18 function dental assistant, or to hold himself or herself out as
19 a practitioner of or entitled or authorized to practice
20 dentistry or as a dental hygienist or as an expanded function
21 dental assistant, or to assume any title of "dentist," "dental

1 surgeon," "dental hygienist," expanded function dental
2 assistant" or other letters or titles in connection with his or
3 her name which in any way represent him or her as being engaged
4 in the practice of dentistry or as a dental hygienist or as an
5 expanded function dental assistant, or authorized so to do,
6 unless he or she has been duly licensed or certified, and
7 authorized to engage in such practice under the provisions of
8 this act. A person who violates this subsection commits a
9 misdemeanor of the third degree and shall, upon conviction, for
10 a first offense, be sentenced to a fine not to exceed [one
11 thousand dollars (\$1,000)] two thousand five hundred dollars
12 (\$2,500) or to imprisonment for not more than six months, or
13 both. A second offense shall be subject to a fine not to exceed
14 [two thousand dollars (\$2,000)] five thousand dollars (\$5,000)
15 or imprisonment for a term of six months to one year, or both.

16 * * *

17 (h) Any person violating any of the provisions of this
18 section other than subsection (a), or any other provisions of
19 this act except as provided in subsection (a), shall be guilty
20 of a misdemeanor, and, upon conviction thereof, shall be
21 sentenced to pay a fine not exceeding [five hundred dollars] two
22 thousand five hundred dollars (\$2,500), or to suffer
23 imprisonment not exceeding six months, or both, for a first
24 offense in the discretion of the court. For a second or
25 subsequent offense, a person shall be sentenced to pay a fine
26 not exceeding five thousand dollars (\$5,000) or to suffer
27 imprisonment not exceeding one year, or both, in the discretion
28 of the court.

29 Section 2. This act shall take effect in 60 days.