

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1275 Session of
2015

INTRODUCED BY O'NEILL, BOBACK, COHEN, GIBBONS, HARKINS, LEWIS,
READSHAW, MURT, WHITE, MICCARELLI AND DAVIS, JUNE 2, 2015

AS AMENDED ON SECOND CONSIDERATION, IN SENATE, OCTOBER 13, 2015

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 definitions, FOR PUBLIC <--
10 HEALTH DENTAL HYGIENE PRACTITIONER and for restricted faculty
11 license.

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

14 Section 1. The definition of "practice of dentistry" in
15 section 2 of the act of May 1, 1933 (P.L.216, No.76), known as
16 The Dental Law, amended July 2, 2014 (P.L.828, No.89), is
17 amended to read:

18 Section 2. Definitions.--A person engages in the "Practice
19 of Dentistry," within the meaning of this act, who diagnoses,
20 treats, operates on, or prescribes for any disease, pain or
21 injury, or regulates any deformity or physical condition, of the
22 human teeth, jaws, or associated structures, or conducts a

1 physical evaluation, or administers anesthetic agents, or uses
2 ionizing radiation in the course of dental practice, or who
3 fits, constructs, and inserts any artificial appliance, plate,
4 or denture for the human teeth or jaws, or who holds himself or
5 herself out as being able or legally authorized to do so. The
6 term "Practice of Dentistry" includes the practice of dentistry
7 under a restricted faculty license. The term "Practice of
8 Dentistry" does not include:

9 (a) The practice of any of the healing arts by duly licensed
10 practitioners.

11 (b) The extracting of teeth or relieving pain by a licensed
12 physician or surgeon in emergencies, or the making of
13 applications for such purposes.

14 (c) The practice of dentistry by a duly licensed
15 practitioner of dentistry of any other state or country, for the
16 limited purpose of consultation with respect to any case under
17 treatment in this Commonwealth, or of demonstrating before any
18 duly authorized dental society in this Commonwealth.

19 (e) The practice of dentistry in clinical departments and
20 laboratories of dental schools and their affiliated facilities
21 approved by the board in the Commonwealth, by bona fide students
22 pursuing a course of study leading to the degree of Doctor of
23 Dental Surgery or Doctor of Dental Medicine.

24 (f) The practice of dentistry in a dental clinic operated
25 not for profit for the duration of an internship, residency or
26 other graduate training program approved by the American Dental
27 Association Commission on Dental Accreditation or a dental
28 anesthesiology training program that meets the standards of an
29 accrediting body acceptable to the board, by persons having
30 acquired the preliminary and professional education required for

1 admission into the program, after notification to the board.

2 (g) The practice of dentistry in a clinical continuing
3 education course offered by a dental school in this Commonwealth
4 for a duration of twenty days or less, either continuous or in
5 several sessions, where dentists licensed in the United States
6 or other countries work under the direct supervision of dentists
7 licensed by the Commonwealth, and delivered within the
8 educational facilities of a dental school in this Commonwealth
9 that is approved by the American Dental Association Commission
10 on Dental Accreditation.

11 * * *

12 SECTION 2. SECTION 11.9(B)(10) OF THE ACT, ADDED JULY 20, <--
13 2007 (P.L.327, NO.51), IS AMENDED TO READ:

14 SECTION 11.9. PUBLIC HEALTH DENTAL HYGIENE PRACTITIONER.--*

15 * *

16 (B) THE PROFESSIONAL PRACTICE OF A PUBLIC HEALTH DENTAL
17 HYGIENE PRACTITIONER SHALL BE LIMITED TO THE FOLLOWING PRACTICE
18 SITES:

19 * * *

20 (10) OTHER [INSTITUTIONS] LOCATIONS THE BOARD DEEMS
21 APPROPRIATE.

22 * * *

23 Section ~~2~~ 3. Section 11.11(a)(1) of the act, added July 2, <--
24 2014 (P.L.828, No.89), is amended to read:

25 Section 11.11. Restricted Faculty License.--(a) The board
26 shall grant without examination a restricted faculty license to
27 any qualified individual, not less than twenty-five years of
28 age, of good moral character, not addicted to the use of
29 intoxicating liquor or narcotic drugs, who satisfies the
30 following criteria:

1 (1) Is licensed to practice or teach dentistry by the proper
2 licensing authority of another state, country or United States
3 territory.

4 * * *

5 Section 3 4. This act shall take effect in 60 days. <--