

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-ONE

—
H.P. 1231 - L.D. 1660

**An Act To Modify Dental Licensure Requirements To Consider Credentialed
Individuals from Other Jurisdictions**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the sole purpose of the Board of Dental Practice is to protect the public health and welfare by ensuring that the public is served by competent and honest practitioners and by establishing minimum standards of proficiency; and

Whereas, the sole reliance on the accreditation status provided by the American Dental Association Commission on Dental Accreditation to doctoral degree programs in dentistry and dental hygiene degree programs has created unnecessary barriers for otherwise qualified applicants to obtain licensure in dentistry and dental hygiene; and

Whereas, the sole reliance on licensure in good standing from another state or Canadian province has created unnecessary barriers for otherwise qualified applicants from other jurisdictions to obtain licensure under the Dental Practice Act; and

Whereas, immediate enactment of this legislation is necessary to give the Board of Dental Practice statutory authority to consider on a case-by-case basis an applicant's educational equivalency in meeting the educational qualifications for licensure and to consider on a case-by-case basis an applicant's licensure in good standing from another jurisdiction; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 32 MRSA §18342, sub-§1, ¶A, as enacted by PL 2015, c. 429, §21, is amended to read:

A. Verification of either a doctoral degree in dentistry from a dental ~~school~~ program accredited by the American Dental Association Commission on Dental Accreditation

or its successor organization or the educational equivalent of a doctoral degree in dentistry, as required determined by the board rule; and

Sec. 2. 32 MRSA §18342, sub-§2, ¶A, as enacted by PL 2015, c. 429, §21, is amended to read:

A. Verification of an active dental license in good standing issued under the laws of another state ~~or a Canadian province~~, a United States territory, a foreign nation or a foreign administrative division that issues licenses in the dental professions; and

Sec. 3. 32 MRSA §18342, sub-§3, ¶A, as enacted by PL 2015, c. 429, §21, is amended to read:

A. Verification of either a doctoral degree in dentistry from a dental school program accredited by the American Dental Association Commission on Dental Accreditation or its successor organization or the educational equivalent of a doctoral degree in dentistry, as required determined by the board rule;

Sec. 4. 32 MRSA §18342, sub-§3, ¶B, as enacted by PL 2015, c. 429, §21, is amended to read:

B. Verification that the applicant has been licensed as a dentist in good standing issued under the laws of this State or has an active dental license in good standing issued under the laws of another state ~~or a Canadian province~~, a United States territory, a foreign nation or a foreign administrative division that issues licenses in the dental professions;

Sec. 5. 32 MRSA §18344, sub-§1, ¶B, as corrected by RR 2015, c. 2, §22, is amended by amending subparagraph (3) to read:

(3) An active dental hygiene license in good standing issued under the laws of another state ~~or a Canadian province~~, a United States territory, a foreign nation or a foreign administrative division that issues licenses in the dental professions;

Sec. 6. 32 MRSA §18345, sub-§1, ¶A, as amended by PL 2017, c. 388, §9, is further amended by amending subparagraph (1) to read:

(1) Verification of an associate degree or higher in dental hygiene from a program accredited by the American Dental Association Commission on Dental Accreditation; or its successor organization or the educational equivalent of a dental hygiene degree, as determined by the board; or

Sec. 7. 32 MRSA §18345, sub-§3, ¶A, as enacted by PL 2015, c. 429, §21, is amended to read:

A. Verification of an active dental hygiene license in good standing issued under the laws of another state ~~or a Canadian province~~, a United States territory, a foreign nation or a foreign administrative division that issues licenses in the dental professions; and

Sec. 8. 32 MRSA §18346, sub-§2, ¶A, as enacted by PL 2015, c. 429, §21, is amended to read:

A. Verification of an active denturist license in good standing issued under the laws of another state ~~or a Canadian province~~, a United States territory, a foreign nation or a foreign administrative division that issues licenses in the dental professions; and

Sec. 9. 32 MRSA §18347, as enacted by PL 2015, c. 429, §21, is amended to read:

§18347. Endorsement; applicants authorized to practice in another jurisdiction

The board is authorized, at its discretion, to waive the examination requirements and issue a license or grant an authority to an applicant who is licensed under the laws of another state ~~or a Canadian province,~~ a United States territory, a foreign nation or a foreign administrative division that issues licenses in the dental professions who furnishes proof, satisfactory to the board, that the requirements for licensure under this chapter have been met. Applicants must comply with the provisions set forth in section 18341.

1. Applicants licensed in another jurisdiction. An applicant for licensure or seeking authority under this chapter who is licensed under the laws of another jurisdiction is governed by this subsection.

A. An applicant who is licensed in good standing at the time of application to the board under the laws of another state ~~or a Canadian province,~~ a United States territory, a foreign nation or a foreign administrative division that issues licenses in the dental professions may qualify for licensure by submitting evidence to the board that the applicant has held a substantially equivalent, valid license for at least 3 consecutive years immediately preceding the application to the board at the level of licensure applied for in this State.

B. An applicant who does not meet the requirements of paragraph A but is licensed in good standing at the time of application to the board under the laws of another state ~~or a Canadian province,~~ a United States territory, a foreign nation or a foreign administrative division that issues licenses in the dental professions may qualify for licensure by submitting evidence satisfactory to the board that the applicant's qualifications for licensure are substantially similar to the requirements in this chapter for the relevant license.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.