

REFERENCE TITLE: dental board; applicant exams; fees

State of Arizona  
Senate  
Fifty-fifth Legislature  
Second Regular Session  
2022

## **SB 1397**

Introduced by  
Senator Pace

AN ACT

AMENDING SECTIONS 32-1232, 32-1233, 32-1234, 32-1276.01, 32-1284, 32-1285, 32-1296, 32-1297.01 AND 32-1297.04, ARIZONA REVISED STATUTES; RELATING TO THE STATE BOARD OF DENTAL EXAMINERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-1232, Arizona Revised Statutes, is amended to  
3 read:

4 32-1232. Qualifications of applicant; application;  
5 fingerprint clearance card

6 A. An applicant for licensure shall be of good moral character,  
7 shall meet the requirements of section 32-1233 and shall hold a diploma  
8 conferring a degree of doctor of dental medicine or doctor of dental  
9 surgery from a recognized dental school.

10 B. Each candidate shall submit a written application to the board  
11 ~~accompanied by a nonrefundable Arizona dental jurisprudence examination~~  
12 ~~fee of three hundred dollars. The board shall waive this fee for~~  
13 ~~candidates who are holders of valid restricted permits.~~ Each candidate  
14 shall also obtain a valid fingerprint clearance card issued pursuant to  
15 section 41-1758.03.

16 C. The board may deny an application for a license, for license  
17 renewal or for a restricted permit if the applicant:

18 1. Has committed any act that would be cause for censure, probation  
19 or suspension or revocation of a license under this chapter.

20 2. While unlicensed, committed or aided and abetted the commission  
21 of any act for which a license is required by this chapter.

22 3. Knowingly made any false statement in the application.

23 4. Has had a license to practice dentistry revoked by a dental  
24 regulatory board in another jurisdiction in the United States for an act  
25 that occurred in that jurisdiction and that constitutes unprofessional  
26 conduct pursuant to this chapter.

27 5. Is currently under suspension or restriction by a dental  
28 regulatory board in another jurisdiction in the United States for an act  
29 that occurred in that jurisdiction and that constitutes unprofessional  
30 conduct pursuant to this chapter.

31 6. Has surrendered, relinquished or given up a license to practice  
32 dentistry in lieu of disciplinary action by a dental regulatory board in  
33 another jurisdiction in the United States for an act that occurred in that  
34 jurisdiction and that constitutes unprofessional conduct pursuant to this  
35 chapter.

36 D. The board shall suspend an application for a license, for  
37 license renewal or for a restricted permit if the applicant is currently  
38 under investigation by a dental regulatory board in another jurisdiction.  
39 The board shall not issue or deny a license to the applicant until the  
40 investigation is resolved.

41 Sec. 2. Section 32-1233, Arizona Revised Statutes, is amended to  
42 read:

43 32-1233. Applicants for licensure; examination requirements

44 An applicant for licensure shall have passed ~~at~~ BOTH of the  
45 following:

- 1 1. The written national dental board examinations.
- 2 2. ~~The western regional examining board examination~~ or A  
3 PSYCHOMOTOR clinical examination administered by ~~another~~ A state or  
4 regional testing agency in the United States within five years preceding  
5 filing the application.

6 ~~3. The Arizona dental jurisprudence examination.~~

7 Sec. 3. Section 32-1234, Arizona Revised Statutes, is amended to  
8 read:

9 ~~32-1234.~~ Dental consultant license

10 A. A person may apply for a dental consultant license if the  
11 applicant demonstrates to the board's satisfaction that the applicant:

12 1. Has continuously held a license to practice dentistry for at  
13 least twenty-five years issued by one or more states or territories of the  
14 United States or the District of Columbia, but is not currently licensed  
15 to practice dentistry in Arizona.

16 2. Is of good moral character.

17 3. Has not had a license to practice dentistry revoked by a dental  
18 regulatory board in another jurisdiction in the United States for an act  
19 that occurred in that jurisdiction and that constitutes unprofessional  
20 conduct pursuant to this chapter.

21 4. Is not currently under suspension or restriction by a dental  
22 regulatory board in another jurisdiction in the United States for an act  
23 that occurred in that jurisdiction and that constitutes unprofessional  
24 conduct pursuant to this chapter.

25 5. Has not surrendered, relinquished or given up a license to  
26 practice dentistry in lieu of disciplinary action by a dental regulatory  
27 board in another jurisdiction in the United States for an act that  
28 occurred in that jurisdiction and that constitutes unprofessional conduct  
29 pursuant to this chapter.

30 6. Meets the applicable requirements of section 32-1232.

31 7. Meets the requirements of section 32-1233, ~~paragraphs~~ PARAGRAPH

32 1 ~~and~~ 3. If an applicant has taken a state written theory examination  
33 instead of the written national dental board examinations, the applicant  
34 must provide the board with official documentation of passing the written  
35 theory examinations in the state where the applicant holds a current  
36 license. The board shall then determine the applicant's eligibility for a  
37 license pursuant to this section.

38 8. Meets the application requirements as prescribed in rule by the  
39 board.

40 B. The board shall suspend an application for a dental consultant  
41 license if the applicant is currently under investigation by a dental  
42 regulatory board in another jurisdiction in the United States. The board  
43 shall not issue or deny a license to the applicant until the investigation  
44 is resolved.

1 C. A person to whom a dental consultant license is issued shall  
2 practice dentistry only in the course of the person's employment or on  
3 behalf of an entity licensed under title 20 with the practice limited to  
4 supervising or conducting utilization review or other claims or case  
5 management activity on behalf of the entity licensed pursuant to title 20.  
6 A person who holds a dental consultant license is prohibited from  
7 providing direct patient care.

8 D. This section ~~shall~~ DOES not ~~be deemed to~~ require a person to  
9 apply for or hold a dental consultant license in order for that person to  
10 serve as a consultant to or engage in claims review activity for an entity  
11 licensed pursuant to title 20.

12 E. Except as provided in subsection B of this section, a dental  
13 consultant licensee is subject to all of the provisions of this chapter  
14 that are applicable to licensed dentists.

15 Sec. 4. Section 32-1276.01, Arizona Revised Statutes, is amended to  
16 read:

17 32-1276.01. Application for licensure; requirements;  
18 fingerprint clearance card; denial or  
19 suspension of application

20 A. An applicant for licensure as a dental therapist in this state  
21 shall do all of the following:

- 22 1. Apply to the board on a form prescribed by the board.
- 23 2. Verify under oath that all statements in the application are  
24 true to the applicant's knowledge.
- 25 3. Enclose with the application:  
26 (a) A recent photograph of the applicant.  
27 (b) The application fee established by the board by rule.

28 B. The board may grant a license to practice dental therapy to an  
29 applicant who meets all of the following requirements:

- 30 1. Is licensed as a dental hygienist pursuant to article 4 of this  
31 chapter.
- 32 2. Graduates from a dental therapy education program that is  
33 accredited by or holds an initial accreditation from the American dental  
34 association commission on dental accreditation and that is offered through  
35 an accredited higher education institution recognized by the United States  
36 department of education.

37 3. Successfully passes, ~~both of the following:~~

38 ~~(a)~~ within five years before filing the application, a PSYCHOMOTOR  
39 clinical examination ~~that is either:~~

- 40 ~~(i) The western regional examining board examination.~~
- 41 ~~(ii) An examination in dental therapy administered by another A~~  
42 ~~state or testing agency that is substantially equivalent to the western~~  
43 ~~regional examining board examination, as determined by the state board of~~  
44 ~~dental examiners.~~

1 ~~(b) The Arizona dental jurisprudence examination~~ IN THE UNITED  
2 STATES.

3 4. Is not subject to any grounds for denial of the application  
4 under this chapter.

5 5. Obtains a valid fingerprint clearance card issued pursuant to  
6 title 41, chapter 12, article 3.1.

7 6. Meets all requirements for licensure established by the board by  
8 rule.

9 C. The board may deny an application for licensure or license  
10 renewal if the applicant:

11 1. Has committed an act that would be cause for censure, probation  
12 or suspension or revocation of a license under this chapter.

13 2. While unlicensed, committed or aided and abetted the commission  
14 of an act for which a license is required by this chapter.

15 3. Knowingly made any false statement in the application.

16 4. Has had a license to practice dental therapy revoked by a  
17 regulatory board in another jurisdiction in the United States for an act  
18 that occurred in that jurisdiction and that constitutes unprofessional  
19 conduct pursuant to this chapter.

20 5. Is currently suspended or restricted by a regulatory board in  
21 another jurisdiction in the United States for an act that occurred in that  
22 jurisdiction and that constitutes unprofessional conduct pursuant to this  
23 chapter.

24 6. Has surrendered, relinquished or given up a license to practice  
25 dental therapy instead of having disciplinary action taken against the  
26 applicant by a regulatory board in another jurisdiction in the United  
27 States for an act that occurred in that jurisdiction and that constitutes  
28 unprofessional conduct pursuant to this chapter.

29 D. The board shall suspend an application for licensure if the  
30 applicant is currently under investigation by a dental regulatory board in  
31 another jurisdiction. The board shall not issue a license or deny an  
32 application for licensure until the investigation is completed.

33 Sec. 5. Section 32-1284, Arizona Revised Statutes, is amended to  
34 read:

35 32-1284. Qualifications of applicant; application;  
36 fingerprint clearance card; rules; denial or  
37 suspension of application

38 A. An applicant for licensure as a dental hygienist shall be at  
39 least eighteen years of age, shall be of good moral character, shall meet  
40 the requirements of section 32-1285 and shall present to the board  
41 evidence of graduation or a certificate of satisfactory completion in a  
42 course or curriculum in dental hygiene from a recognized dental hygiene  
43 school. A candidate shall make written application to the board  
44 ~~accompanied by a nonrefundable Arizona dental jurisprudence examination~~  
45 ~~fee of one hundred dollars. The board shall waive this fee for candidates~~

1 ~~who are holders of valid restricted permits~~. Each candidate shall also  
2 obtain a valid fingerprint clearance card issued pursuant to section  
3 41-1758.03.

4 B. The board shall adopt rules that govern the practice of dental  
5 hygienists and that are not inconsistent with this chapter.

6 C. The board may deny an application for licensure or an  
7 application for license renewal if the applicant:

8 1. Has committed an act that would be cause for censure, probation  
9 or suspension or revocation of a license under this chapter.

10 2. While unlicensed, committed or aided and abetted the commission  
11 of an act for which a license is required by this chapter.

12 3. Knowingly made any false statement in the application.

13 4. Has had a license to practice dental hygiene revoked by a  
14 regulatory board in another jurisdiction in the United States for an act  
15 that occurred in that jurisdiction and that constitutes unprofessional  
16 conduct pursuant to this chapter.

17 5. Is currently under suspension or restriction by a regulatory  
18 board in another jurisdiction in the United States for an act that  
19 occurred in that jurisdiction and that constitutes unprofessional conduct  
20 pursuant to this chapter.

21 6. Has surrendered, relinquished or given up a license to practice  
22 dental hygiene instead of disciplinary action by a regulatory board in  
23 another jurisdiction in the United States for an act that occurred in that  
24 jurisdiction and that constitutes unprofessional conduct pursuant to this  
25 chapter.

26 D. The board shall suspend an application for a license if the  
27 applicant is currently under investigation by a dental regulatory board in  
28 another jurisdiction. The board shall not issue or deny a license to the  
29 applicant until the investigation is resolved.

30 Sec. 6. Section 32-1285, Arizona Revised Statutes, is amended to  
31 read:

32 ~~32-1285.~~ Applicants for licensure: examination requirements

33 An applicant for licensure shall have passed ~~at~~ BOTH of the  
34 following:

35 1. The national dental hygiene board examination.

36 2. A PSYCHOMOTOR clinical examination ~~that is completed~~  
37 ADMINISTERED BY A STATE OR REGIONAL TESTING AGENCY IN THE UNITED STATES  
38 within five years preceding filing the application. ~~and that is either of~~  
39 ~~the following:~~

40 ~~(a) The western regional examining board examination.~~

41 ~~(b) An examination administered by another state or testing agency~~  
42 ~~that is substantially equivalent to the requirements of this state, as~~  
43 ~~determined by the board.~~

44 ~~3. The Arizona dental jurisprudence examination.~~

1           Sec. 7. Section 32-1296, Arizona Revised Statutes, is amended to  
2 read:

3           32-1296. Qualifications of applicant

4           A. To be eligible for certification to practice denture technology  
5 an applicant shall:

- 6           1. Be of good moral character.
- 7           2. Hold a high school diploma or its equivalent.
- 8           3. Present to the board evidence of graduation from a recognized  
9 dentist school or a certificate of satisfactory completion of a course  
10 or curriculum in denture technology from a recognized dentist school.
- 11           4. Pass a ~~board approved~~ **BOARD-APPROVED** examination.

12           B. A candidate for certification shall submit a written application  
13 to the board ~~that includes a nonrefundable Arizona dental jurisprudence~~  
14 ~~examination fee~~ as prescribed by the board.

15           Sec. 8. Section 32-1297.01, Arizona Revised Statutes, is amended to  
16 read:

17           32-1297.01. Application for certification; fingerprint  
18           clearance card; denial; suspension

19           A. Each applicant for certification shall submit a written  
20 application to the board ~~accompanied by a nonrefundable jurisprudence~~  
21 ~~examination fee~~ and obtain a valid fingerprint clearance card issued  
22 pursuant to section 41-1758.03.

23           B. The board may deny an application for certification or for  
24 certification renewal if the applicant:

- 25           1. Has committed any act that would be cause for censure,  
26 probation, suspension or revocation of a certificate under this chapter.
- 27           2. Has knowingly made any false statement in the application.
- 28           3. While uncertified, has committed or aided and abetted the  
29 commission of any act for which a certificate is required under this  
30 chapter.
- 31           4. Has had a certificate to practice denture technology revoked by  
32 a regulatory board in another jurisdiction in the United States or Canada  
33 for an act that occurred in that jurisdiction and that constitutes  
34 unprofessional conduct pursuant to this chapter.
- 35           5. Is currently under investigation, suspension or restriction by a  
36 regulatory board in another jurisdiction in the United States or Canada  
37 for an act that occurred in that jurisdiction and that constitutes  
38 unprofessional conduct pursuant to this chapter.
- 39           6. Has surrendered, relinquished or given up a certificate to  
40 practice denture technology in lieu of disciplinary action by a regulatory  
41 board in another jurisdiction in the United States or Canada for an act  
42 that occurred in that jurisdiction and that constitutes unprofessional  
43 conduct pursuant to this chapter.

1 C. The board shall suspend an application for certification if the  
2 applicant is currently under investigation by a denturist regulatory board  
3 in another jurisdiction. The board shall not issue or deny certification  
4 to the applicant until the investigation is resolved.

5 Sec. 9. Section 32-1297.04, Arizona Revised Statutes, is amended to  
6 read:

7 32-1297.04. Fee

8 The board shall establish and collect ~~fees~~, A FEE OF not ~~to exceed~~  
9 ~~the following amounts:~~

10 ~~1. For an examination in jurisprudence, two hundred fifty dollars.~~

11 ~~2. For each replacement or duplicate certificate, twenty-five~~  
12 ~~dollars~~ MORE THAN \$25 FOR EACH REPLACEMENT OR DUPLICATE CERTIFICATE.