

REFERENCE TITLE: dental board; licensure; testing

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
Second Regular Session  
2024

## **HB 2072**

Introduced by  
Representative Bliss

### AN ACT

AMENDING SECTIONS 32-1236, 32-1276.02, 32-1281, 32-1287 AND 32-1297.06,  
ARIZONA REVISED STATUTES; RELATING TO THE ARIZONA 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 32-1236, Arizona Revised Statutes, is amended to  
3 read:

4 32-1236. Dentist triennial licensure; continuing education;  
5 license reinstatement; license for each place of  
6 practice; notice of change of address or place of  
7 practice; retired and disabled license status;  
8 penalties

9 A. Except as provided in section 32-4301, a license expires thirty  
10 days after the licensee's birth month every third year. On or before the  
11 last day of the licensee's birth month every third year, every licensed  
12 dentist shall submit to the board a complete renewal application and pay a  
13 license renewal fee of not more than \$650, established by a formal vote of  
14 the board. At least once every three years, before establishing the fee,  
15 the board shall review the amount of the fee in a public meeting. Any  
16 change in the amount of the fee shall be applied prospectively to a  
17 licensee at the time of licensure renewal. The fee prescribed by this  
18 subsection does not apply to a retired dentist or to a dentist with a  
19 disability.

20 B. A licensee shall include a written affidavit with the renewal  
21 application that affirms that the licensee complies with board rules  
22 relating to continuing education requirements. A licensee is not required  
23 to complete the written affidavit if the licensee received an initial  
24 license within the year immediately preceding the expiration date of the  
25 license or the licensee is in disabled status. If the licensee is not in  
26 compliance with board rules relating to continuing education, the board  
27 may grant an extension of time to complete these requirements if the  
28 licensee includes a written request for an extension with the renewal  
29 application instead of the written affidavit and the renewal application  
30 is received on or before the last day of the licensee's birth month of the  
31 expiration year. The board shall consider the extension request based on  
32 criteria prescribed by the board by rule. If the board denies an  
33 extension request, the license expires thirty days after the licensee's  
34 birth month.

35 C. A person applying for licensure for the first time in this state  
36 shall pay a prorated fee for the period remaining until the licensee's  
37 next birth month. This fee shall not exceed one-third of the fee  
38 established pursuant to subsection A of this section. Subsequent  
39 licensure renewal shall be conducted pursuant to this section.

40 D. An expired license may be reinstated by submitting a complete  
41 renewal application within the ~~twenty-four-month~~ TWELVE-MONTH period  
42 immediately following the expiration of the license with payment of the  
43 renewal fee and a \$100 penalty. Whenever issued, reinstatement is as of  
44 the date of application and entitles the applicant to licensure only for  
45 the remainder of the applicable three-year period. If a person does not

1 reinstate a license pursuant to this subsection, the person must reapply  
2 for licensure pursuant to this chapter.

3 E. Each licensee must provide to the board in writing both of the  
4 following:

- 5 1. A primary mailing address.
- 6 2. The address for each place of practice.

7 F. A licensee maintaining more than one place of practice shall  
8 obtain from the board a duplicate license for each office. A fee set by  
9 the board shall be charged for each duplicate license. The licensee shall  
10 notify the board in writing within ten days after opening the additional  
11 place or places of practice. The board shall impose a penalty of \$50 for  
12 failure to notify the board.

13 G. A licensee who is fully retired and a licensee who has a  
14 permanent disability may contribute services to a recognized charitable  
15 institution and still retain that classification for triennial  
16 registration purposes on payment of a reduced renewal fee as prescribed by  
17 the board by rule.

18 H. A licensee applying for retired or disabled status shall:

19 1. Relinquish any prescribing privileges and shall attest by  
20 affidavit that the licensee has surrendered to the United States drug  
21 enforcement administration any registration issued pursuant to the federal  
22 controlled substances act and has surrendered to the board any  
23 registration issued pursuant to section 36-2606.

24 2. If the licensee holds a permit to dispense drugs and devices  
25 pursuant to section 32-1298, surrender that permit to the board.

26 3. Attest by affidavit that the licensee is not currently engaged  
27 in the practice of dentistry.

28 I. A licensee who changes the licensee's primary mailing address or  
29 place of practice address shall notify the board of that change in writing  
30 within ten days. The board shall impose a penalty of \$50 if a licensee  
31 fails to notify the board of the change within that time. The board shall  
32 increase the penalty imposed to \$100 if a licensee fails to notify it of  
33 the change within thirty days.

34 Sec. 2. Section 32-1276.02, Arizona Revised Statutes, is amended to  
35 read:

36 32-1276.02. Dental therapist triennial licensure; continuing  
37 education; license renewal and reinstatement;  
38 fees; civil penalties; retired and disabled  
39 license status

40 A. Except as provided in section 32-4301, a license issued under  
41 this article expires thirty days after the licensee's birth month every  
42 third year. On or before the last day of the licensee's birth month every  
43 third year, each licensed dental therapist shall submit to the board a  
44 complete renewal application and pay a license renewal fee established by  
45 a formal vote of the board. At least once every three years, before

1 establishing the fee, the board shall review the amount of the fee in a  
2 public meeting. Any change in the amount of the fee shall be applied  
3 prospectively to a licensee at the time of licensure renewal. The fee  
4 prescribed by this subsection does not apply to a retired dental therapist  
5 or to a dental therapist with a disability.

6 B. A licensee shall include a written affidavit with the renewal  
7 application that affirms that the licensee complies with board rules  
8 relating to continuing education requirements. A licensee is not required  
9 to complete the written affidavit if the licensee received an initial  
10 license within the year immediately preceding the expiration date of the  
11 license or the licensee is in disabled status. If the licensee is not in  
12 compliance with board rules relating to continuing education, the board  
13 may grant an extension of time to complete these requirements if the  
14 licensee includes a written request for an extension with the renewal  
15 application instead of the written affidavit and the renewal application  
16 is received on or before the last day of the licensee's birth month of the  
17 expiration year. The board shall consider the extension request based on  
18 criteria prescribed by the board by rule. If the board denies an  
19 extension request, the license expires thirty days after the licensee's  
20 birth month of the expiration year.

21 C. An applicant for a dental therapy license for the first time in  
22 this state shall pay a prorated fee for the period remaining until the  
23 licensee's next birthday. This fee may not exceed one-third of the fee  
24 prescribed pursuant to subsection A of this section. Subsequent  
25 applications shall be conducted pursuant to this section.

26 D. An expired license may be reinstated by submitting a complete  
27 renewal application within the ~~twenty-four-month~~ TWELVE-MONTH period  
28 immediately following the expiration of the license with payment of the  
29 renewal fee and a \$100 penalty. When the license is issued, reinstatement  
30 is as of the date of application and entitles the applicant to licensure  
31 only for the remainder of the applicable three-year period. If a person  
32 does not reinstate a license pursuant to this subsection, the person must  
33 reapply for licensure pursuant to this article.

34 E. A licensee shall notify the board in writing within ten days  
35 after the licensee changes the primary mailing address listed with the  
36 board. The board shall impose a civil penalty of \$50 if a licensee fails  
37 to notify the board of the change within that time. The board shall  
38 increase the civil penalty to \$100 if a licensee fails to notify the board  
39 of the change within thirty days.

40 F. A licensee who is at least sixty-five years of age and who is  
41 fully retired and a licensee who has a permanent disability may contribute  
42 services to a recognized charitable institution and still retain that  
43 classification for triennial registration purposes by paying a reduced  
44 renewal fee as prescribed by the board by rule.

1 G. A licensee is not required to maintain a dental hygienist  
2 license.

3 Sec. 3. Section 32-1281, Arizona Revised Statutes, is amended to  
4 read:

5 32-1281. Practicing as dental hygienist; supervision  
6 requirements; definitions

7 A. A person is deemed to be practicing as a dental hygienist if the  
8 person does any of the acts or performs any of the operations included in  
9 the general practice of dental hygienists, dental hygiene and all related  
10 and associated duties.

11 B. A licensed dental hygienist may perform the following:

- 12 1. Prophylaxis.
- 13 2. Scaling.
- 14 3. Closed subgingival curettage.
- 15 4. Root planing.
- 16 5. Administering local anesthetics and nitrous oxide.
- 17 6. Inspecting the oral cavity and surrounding structures for the  
18 purposes of gathering clinical data to facilitate a diagnosis.
- 19 7. Periodontal screening or assessment.
- 20 8. Recording clinical findings.
- 21 9. Compiling case histories.
- 22 10. Exposing and processing dental radiographs.
- 23 11. Dental hygiene assessment and dental hygiene treatment planning  
24 as components of a diagnosis and treatment plan developed by a dentist.
- 25 12. All functions authorized and deemed appropriate for dental  
26 assistants.
- 27 13. Except as provided in paragraph 14 of this subsection, those  
28 restorative functions permissible for an expanded function dental  
29 assistant if qualified pursuant to section 32-1291.01.
- 30 14. Placing interim therapeutic restorations after successfully  
31 completing a course at an institution accredited by the commission on  
32 dental accreditation of the American dental association.

33 C. The board by rule shall prescribe the circumstances under which  
34 a licensed dental hygienist may:

- 35 1. Apply preventive and therapeutic agents to the hard and soft  
36 tissues.
- 37 2. Use emerging scientific technology and prescribe the necessary  
38 training, experience and supervision to operate newly developed scientific  
39 technology. A dentist who supervises a dental hygienist whose duties  
40 include the use of emerging scientific technology must have training on  
41 using the emerging technology that is equal to or greater than the  
42 training the dental hygienist is required to obtain.
- 43 3. Perform other procedures not specifically authorized by this  
44 section.

1 D. Except as provided in subsections E, F and I of this section, a  
2 dental hygienist shall practice under the general supervision of a dentist  
3 who is licensed pursuant to this chapter.

4 E. A dental hygienist may practice under the general supervision of  
5 a physician who is licensed pursuant to chapter 13 or 17 of this title in  
6 an inpatient hospital setting.

7 F. A dental hygienist may perform the following procedures on  
8 meeting the following criteria and under the following conditions:

9 1. Administering local anesthetics under the direct supervision of  
10 a dentist who is licensed pursuant to this chapter after:

11 (a) The dental hygienist successfully completes a course in  
12 administering local anesthetics that includes didactic and clinical  
13 components in both block and infiltration techniques offered by a dental  
14 or dental hygiene program accredited by the commission on dental  
15 accreditation of the American dental association.

16 (b) The dental hygienist successfully completes an examination in  
17 local anesthesia given by ~~the western regional examining board or a~~  
18 ~~written and clinical examination of another~~ A state or regional  
19 ~~examination that is substantially equivalent to the requirements of this~~  
20 ~~state, as determined by the board~~ TESTING AGENCY IN THE UNITED STATES.

21 (c) The board issues to the dental hygienist a local anesthesia  
22 certificate on receipt of proof that the requirements of subdivisions (a)  
23 and (b) of this paragraph have been met.

24 2. Administering local anesthetics under general supervision to a  
25 patient of record if all of the following are true:

26 (a) The dental hygienist holds a local anesthesia certificate  
27 issued by the board.

28 (b) The patient is at least eighteen years of age.

29 (c) The patient has been examined by a dentist who is licensed  
30 pursuant to this chapter within the previous twelve months.

31 (d) There has been no change in the patient's medical history since  
32 the last examination. If there has been a change in the patient's medical  
33 history within that time, the dental hygienist must consult with the  
34 dentist before administering local anesthetics.

35 (e) The supervising dentist who performed the examination has  
36 approved the patient for being administered local anesthetics by the  
37 dental hygienist under general supervision and has documented this  
38 approval in the patient's record.

39 3. Administering nitrous oxide analgesia under the direct  
40 supervision of a dentist who is licensed pursuant to this chapter after:

41 (a) The dental hygienist successfully completes a course in  
42 administering nitrous oxide analgesia that includes didactic and clinical  
43 components offered by a dental or dental hygiene program accredited by the  
44 commission on dental accreditation of the American dental association.

1 (b) The board issues to the dental hygienist a nitrous oxide  
2 analgesia certificate on receipt of proof that the requirements of  
3 subdivision (a) of this paragraph have been met.

4 G. The board may issue local anesthesia and nitrous oxide analgesia  
5 certificates to a licensed dental hygienist on receipt of evidence  
6 satisfactory to the board that the dental hygienist holds a valid  
7 certificate or credential in good standing in the respective procedure  
8 issued by a licensing board of another jurisdiction of the United States.

9 H. A dental hygienist may perform dental hygiene procedures in the  
10 following settings:

11 1. On a patient of record of a dentist within that dentist's  
12 office.

13 2. Except as prescribed in section 32-1289.01, in a health care  
14 facility, long-term care facility, public health agency or institution,  
15 public or private school or homebound setting on patients who have been  
16 examined by a dentist within the previous year.

17 3. In an inpatient hospital setting pursuant to subsection E of  
18 this section.

19 I. A dental hygienist may provide dental hygiene services under an  
20 affiliated practice relationship with a dentist as prescribed in section  
21 32-1289.01.

22 J. For the purposes of this article:

23 1. "Assessment" means a limited, clinical inspection that is  
24 performed to identify possible signs of oral or systemic disease,  
25 malformation or injury and the potential need for referral for diagnosis  
26 and treatment, and may include collecting clinical information to  
27 facilitate an examination, diagnosis and treatment plan by a dentist.

28 2. "Dental hygiene assessment" means ~~identifying~~ THE IDENTIFICATION  
29 OF an existing or potential oral health problem that dental hygienists are  
30 educationally qualified and licensed to treat.

31 3. "Dental hygiene treatment planning" means performing a  
32 prioritized sequence of dental hygiene interventions that is predicated on  
33 the dental hygiene assessment and that is limited to those services  
34 included in the scope of practice for dental hygienists.

35 4. "Direct supervision" means that the dentist is present in the  
36 office while the dental hygienist is treating a patient and is available  
37 for consultation regarding procedures that the dentist authorizes and for  
38 which the dentist is responsible.

39 5. "General supervision" means:

40 (a) That the dentist is available for consultation, whether or not  
41 the dentist is in the dentist's office, over procedures that the dentist  
42 has authorized and for which the dentist remains responsible.

43 (b) With respect to an inpatient hospital setting, that a physician  
44 who is licensed pursuant to chapter 13 or 17 of this title is available

1 for consultation, whether or not the physician is physically present at  
2 the hospital.

3 6. "Interim therapeutic restoration" means a provisional  
4 restoration that is placed to stabilize a primary or permanent tooth and  
5 that consists of removing soft material from the tooth using only hand  
6 instrumentation, without using rotary instrumentation, and subsequently  
7 placing an adhesive restorative material.

8 7. "Screening" means determining an individual's need to be seen by  
9 a dentist for diagnosis and does not include an examination, diagnosis or  
10 treatment planning.

11 Sec. 4. Section 32-1287, Arizona Revised Statutes, is amended to  
12 read:

13 32-1287. Dental hygienist triennial licensure; continuing  
14 education; license reinstatement; notice of change  
15 of address; penalties; retired and disabled  
16 license status

17 A. Except as provided in section 32-4301, a license expires thirty  
18 days after the licensee's birth month every third year. On or before the  
19 last day of the licensee's birth month every third year, every licensed  
20 dental hygienist shall submit to the board a complete renewal application  
21 and pay a license renewal fee of not more than \$325, established by a  
22 formal vote of the board. At least once every three years, before  
23 establishing the fee, the board shall review the amount of the fee in a  
24 public meeting. Any change in the amount of the fee shall be applied  
25 prospectively to a licensee at the time of licensure renewal. The fee  
26 prescribed by this section does not apply to a retired hygienist or a  
27 hygienist with a disability.

28 B. A licensee shall include a written affidavit with the renewal  
29 application that affirms that the licensee complies with board rules  
30 relating to continuing education requirements. A licensee is not required  
31 to complete the written affidavit if the licensee received an initial  
32 license within the year immediately preceding the expiration date of the  
33 license or the licensee is in disabled status. If the licensee is not in  
34 compliance with board rules relating to continuing education, the board  
35 may grant an extension of time to complete these requirements if the  
36 licensee includes a written request for an extension with the renewal  
37 application instead of the written affidavit and the renewal application  
38 is received on or before the last day of the licensee's birth month of the  
39 expiration year. The board shall consider the extension request based on  
40 criteria prescribed by the board by rule. If the board denies an  
41 extension request, the license expires thirty days after the licensee's  
42 birth month of the expiration year.

43 C. A person applying for a license for the first time in this state  
44 shall pay a prorated fee for the period remaining until the licensee's  
45 next birth month. This fee shall not exceed one-third of the fee



1 established pursuant to subsection A of this section. Subsequent  
2 registrations shall be conducted pursuant to this section.

3 D. An expired license may be reinstated by submitting a complete  
4 renewal application within the ~~twenty-four-month~~ TWELVE-MONTH period  
5 immediately following the expiration of the license with payment of the  
6 renewal fee and a \$100 penalty. Whenever issued, reinstatement is as of  
7 the date of application and entitles the applicant to licensure only for  
8 the remainder of the applicable three-year period. If a person does not  
9 reinstate a license pursuant to this subsection, the person must reapply  
10 for licensure pursuant to this chapter.

11 E. A licensee shall notify the board in writing within ten days  
12 after the licensee changes the primary mailing address listed with the  
13 board. The board shall impose a penalty of \$50 if a licensee fails to  
14 notify the board of the change within that time. The board shall increase  
15 the penalty imposed to \$100 if a licensee fails to notify it of the change  
16 within thirty days.

17 F. A licensee who is over sixty-five years of age and who is fully  
18 retired and a licensee who has a permanent disability may contribute  
19 services to a recognized charitable institution and still retain that  
20 classification for triennial registration purposes on payment of a reduced  
21 renewal fee as prescribed by the board by rule.

22 Sec. 5. Section 32-1297.06, Arizona Revised Statutes, is amended to  
23 read:

24 32-1297.06. Denturist certification; continuing education;  
25 certificate reinstatement; certificate for each  
26 place of practice; notice of change of address  
27 or place of practice; penalties

28 A. Except as provided in section 32-4301, a certification expires  
29 thirty days after the certificate holder's birth month every third  
30 year. On or before the last day of the certificate holder's birth month  
31 every third year, every certified denturist shall submit to the board a  
32 complete renewal application and shall pay a certificate renewal fee of  
33 not more than \$300, established by a formal vote of the board. At least  
34 once every three years, before establishing the fee, the board shall  
35 review the amount of the fee in a public meeting. Any change in the  
36 amount of the fee shall be applied prospectively to a certificate holder  
37 at the time of certification renewal. This requirement does not apply to  
38 a retired denturist or to a denturist with a disability.

39 B. A certificate holder shall include a written affidavit with the  
40 renewal application that affirms that the certificate holder complies with  
41 board rules relating to continuing education requirements. A certificate  
42 holder is not required to complete the written affidavit if the  
43 certificate holder received an initial certification within the year  
44 immediately preceding the expiration date of the certificate or the  
45 certificate holder is in disabled status. If the certificate holder is

1 not in compliance with board rules relating to continuing education, the  
2 board may grant an extension of time to complete these requirements if the  
3 certificate holder includes a written request for an extension with the  
4 renewal application instead of the written affidavit and the renewal  
5 application is received on or before the last day of the certificate  
6 holder's birth month of the expiration year. The board shall consider the  
7 extension request based on criteria prescribed by the board by rule. If  
8 the board denies an extension request, the certificate expires thirty days  
9 after the certificate holder's birth month of the expiration year.

10 C. A person applying for a certificate for the first time in this  
11 state shall pay a prorated fee for the period remaining until the  
12 certificate holder's next birth month. This fee shall not exceed  
13 one-third of the fee established pursuant to subsection A of this section.  
14 Subsequent certifications shall be conducted pursuant to this section.

15 D. An expired certificate may be reinstated by submitting a  
16 complete renewal application within the ~~twenty-four-month~~ TWELVE-MONTH  
17 period immediately following the expiration of the certificate with  
18 payment of the renewal fee and a \$100 penalty. Whenever issued,  
19 reinstatement is as of the date of application and entitles the applicant  
20 to certification only for the remainder of the applicable three-year  
21 period. If a person does not reinstate a certificate pursuant to this  
22 subsection, the person must reapply for certification pursuant to this  
23 chapter.

24 E. Each certificate holder must provide to the board in writing  
25 both of the following:

- 26 1. A primary mailing address.
- 27 2. The address for each place of practice.

28 F. A certificate holder maintaining more than one place of practice  
29 shall obtain from the board a duplicate certificate for each office. The  
30 board shall set and charge a fee for each duplicate certificate. A  
31 certificate holder shall notify the board in writing within ten days after  
32 opening an additional place of practice.

33 G. A certificate holder shall notify the board in writing within  
34 ten days after changing a primary mailing address or place of practice  
35 address listed with the board. The board shall impose a \$50 penalty if a  
36 certificate holder fails to notify the board of the change within that  
37 time. The board shall increase the penalty imposed to \$100 if a  
38 certificate holder fails to notify it of the change within thirty days.