

By Senator Brandes

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1                   A bill to be entitled  
2       An act relating to dental therapy; amending s.  
3       409.906, F.S.; authorizing Medicaid to reimburse for  
4       dental services provided in a mobile dental unit that  
5       is owned by, operated by, or contracted with a health  
6       access setting or another similar setting or program;  
7       conforming a cross-reference; amending s. 466.001,  
8       F.S.; revising legislative purpose and intent;  
9       amending s. 466.002, F.S.; providing applicability;  
10      amending s. 466.003, F.S.; defining the terms "dental  
11      therapist" and "dental therapy"; revising the  
12      definition of the term "health access setting" to  
13      include certain dental therapy programs; amending s.  
14      466.004, F.S.; requiring the chair of the Board of  
15      Dentistry to appoint a Council on Dental Therapy  
16      within a specified timeframe; providing for  
17      membership, meetings, and the purpose of the council;  
18      providing a process for rulemaking; making technical  
19      changes; amending s. 466.006, F.S.; revising the  
20      definition of the terms "full-time practice" and  
21      "full-time practice of dentistry within the geographic  
22      boundaries of this state within 1 year" to include  
23      full-time faculty members of certain dental therapy  
24      schools; amending s. 466.0075, F.S.; authorizing the  
25      board to require any person who applies to take the  
26      examination to practice dental therapy in this state  
27      to maintain medical malpractice insurance in a certain  
28      amount; amending s. 466.009, F.S.; requiring the  
29      Department of Health to allow an applicant who fails

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30 the dental therapy examination to retake the  
31 examination; providing that an applicant who fails a  
32 practical or clinical examination to practice dental  
33 therapy because of a failing grade on just one part or  
34 procedure tested is required to retake and receive a  
35 passing score on only the failed part or procedure to  
36 be eligible for licensure; requiring an applicant who  
37 fails more than one part or procedure tested to retake  
38 the entire examination; making technical changes;  
39 amending s. 466.011, F.S.; requiring the board to  
40 certify certain applicants for licensure as a dental  
41 therapist; creating s. 466.0136, F.S.; providing that  
42 the board must require each licensed dental therapist  
43 to complete a specified number of hours of continuing  
44 education; providing requirements for the content of  
45 such continuing education; requiring the board to  
46 adopt rules and guidelines; authorizing the board to  
47 excuse licensees from continuing education  
48 requirements in certain circumstances; amending s.  
49 466.016, F.S.; requiring a practitioner of dental  
50 therapy to post and display her or his license in each  
51 office where she or he practices; amending s. 466.017,  
52 F.S.; requiring the board to adopt certain rules  
53 relating to dental therapists; requiring certain  
54 dental therapists to possess a specified  
55 certification; authorizing a dental therapist under  
56 the general supervision of a dentist to administer  
57 local anesthesia and operate an X-ray machine, expose  
58 dental X-ray films, and interpret or read such films

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59 if specified requirements are met; requiring certain  
60 dental therapists to report to the board within a  
61 specified timeframe adverse incidents related to or  
62 the result of the administration of local anesthesia;  
63 requiring a complete written report to be filed with  
64 the board within a specified timeframe; providing for  
65 discipline; making a technical change; amending s.  
66 466.018, F.S.; providing that a dentist of record  
67 remains primarily responsible for the dental treatment  
68 of a patient regardless of whether the treatment is  
69 provided by a dental therapist; requiring the name or  
70 initials of a dental therapist who renders treatment  
71 to a patient to be placed in the record of the  
72 patient; creating s. 466.0225, F.S.; providing  
73 application requirements and examination and licensure  
74 qualifications for dental therapists; creating s.  
75 466.0227, F.S.; providing legislative findings and  
76 intent; limiting the practice of dental therapy to  
77 specified settings; authorizing a dental therapist to  
78 perform specified services, including specified state-  
79 specific dental therapy services, under the general  
80 supervision of a dentist under certain conditions;  
81 requiring a collaborative management agreement to be  
82 signed by a supervising dentist and a dental therapist  
83 and to include certain information; requiring a  
84 supervising dentist to determine the number of hours  
85 of practice which a dental therapist must complete  
86 under direct or indirect supervision before performing  
87 certain authorized services under general supervision;

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88 authorizing a supervising dentist to restrict or limit  
89 a dental therapist's practice in a collaborative  
90 management agreement; authorizing a dental therapist  
91 to provide dental therapy services to a patient before  
92 the supervising dentist examines or diagnoses the  
93 patient under certain conditions; requiring a  
94 supervising dentist to be licensed or registered and  
95 practicing in this state; specifying that the  
96 supervising dentist is responsible for certain  
97 services and for providing and arranging certain  
98 followup services; amending s. 466.026, F.S.;  
99 providing criminal penalties; amending s. 466.028,  
100 F.S.; revising grounds for denial of a license or  
101 disciplinary action to include the practice of dental  
102 therapy; amending s. 921.0022, F.S.; conforming the  
103 criminal offense severity chart to changes made by the  
104 act; requiring the Department of Health, in  
105 consultation with the Board of Dentistry and the  
106 Agency for Health Care Administration, to submit  
107 certain reports to the Legislature by specified dates;  
108 providing requirements for such reports; providing an  
109 effective date.

110  
111 Be It Enacted by the Legislature of the State of Florida:

112  
113 Section 1. Paragraph (c) of subsection (1) and subsection  
114 (6) of section 409.906, Florida Statutes, are amended to read:  
115 409.906 Optional Medicaid services.—Subject to specific  
116 appropriations, the agency may make payments for services which

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117 are optional to the state under Title XIX of the Social Security  
118 Act and are furnished by Medicaid providers to recipients who  
119 are determined to be eligible on the dates on which the services  
120 were provided. Any optional service that is provided shall be  
121 provided only when medically necessary and in accordance with  
122 state and federal law. Optional services rendered by providers  
123 in mobile units to Medicaid recipients may be restricted or  
124 prohibited by the agency. Nothing in this section shall be  
125 construed to prevent or limit the agency from adjusting fees,  
126 reimbursement rates, lengths of stay, number of visits, or  
127 number of services, or making any other adjustments necessary to  
128 comply with the availability of moneys and any limitations or  
129 directions provided for in the General Appropriations Act or  
130 chapter 216. If necessary to safeguard the state's systems of  
131 providing services to elderly and disabled persons and subject  
132 to the notice and review provisions of s. 216.177, the Governor  
133 may direct the Agency for Health Care Administration to amend  
134 the Medicaid state plan to delete the optional Medicaid service  
135 known as "Intermediate Care Facilities for the Developmentally  
136 Disabled." Optional services may include:

137 (1) ADULT DENTAL SERVICES.—

138 (c) However, Medicaid will not provide reimbursement for  
139 dental services provided in a mobile dental unit, except for a  
140 mobile dental unit:

141 1. Owned by, operated by, or having a contractual agreement  
142 with the Department of Health and complying with Medicaid's  
143 county health department clinic services program specifications  
144 as a county health department clinic services provider.

145 2. Owned by, operated by, or having a contractual

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146 arrangement with a federally qualified health center and  
147 complying with Medicaid's federally qualified health center  
148 specifications as a federally qualified health center provider.

149 3. Rendering dental services to Medicaid recipients, 21  
150 years of age and older, at nursing facilities.

151 4. Owned by, operated by, or having a contractual agreement  
152 with a state-approved dental educational institution.

153 5. Owned by, operated by, or having a contractual agreement  
154 with a health access setting, as defined in s. 466.003(16), or a  
155 similar setting or program that serves underserved or vulnerable  
156 populations that face serious barriers to accessing dental  
157 services and which may include, but is not limited to, homeless  
158 shelters, schools, Early Head Start programs, and the Special  
159 Supplemental Nutrition Program for Women, Infants, and Children.

160 (6) CHILDREN'S DENTAL SERVICES.—The agency may pay for  
161 diagnostic, preventive, or corrective procedures, including  
162 orthodontia in severe cases, provided to a recipient under age  
163 21, by or under the supervision of a licensed dentist. The  
164 agency may also reimburse a health access setting as defined in  
165 s. 466.003(16) ~~s. 466.003~~ for the remediable tasks that a  
166 licensed dental hygienist is authorized to perform under s.  
167 466.024(2). Services provided under this program include  
168 treatment of the teeth and associated structures of the oral  
169 cavity, as well as treatment of disease, injury, or impairment  
170 that may affect the oral or general health of the individual.  
171 However, Medicaid will not provide reimbursement for dental  
172 services provided in a mobile dental unit, except for a mobile  
173 dental unit:

174 (a) Owned by, operated by, or having a contractual

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175 agreement with the Department of Health and complying with  
176 Medicaid's county health department clinic services program  
177 specifications as a county health department clinic services  
178 provider.

179 (b) Owned by, operated by, or having a contractual  
180 arrangement with a federally qualified health center and  
181 complying with Medicaid's federally qualified health center  
182 specifications as a federally qualified health center provider.

183 (c) Rendering dental services to Medicaid recipients, 21  
184 years of age and older, at nursing facilities.

185 (d) Owned by, operated by, or having a contractual  
186 agreement with a state-approved dental educational institution.

187 (e) Owned by, operated by, or having a contractual  
188 agreement with a health access setting, as defined in s.  
189 466.003(16), or a similar setting or program that serves  
190 underserved or vulnerable populations that face serious barriers  
191 to accessing dental services and which may include, but is not  
192 limited to, homeless shelters, schools, Early Head Start  
193 programs, and the Special Supplemental Nutrition Program for  
194 Women, Infants, and Children.

195 Section 2. Section 466.001, Florida Statutes, is amended to  
196 read:

197 466.001 Legislative purpose and intent.—The legislative  
198 purpose for enacting this chapter is to ensure that every  
199 dentist, dental therapist, and ~~or~~ dental hygienist practicing in  
200 this state meets minimum requirements for safe practice without  
201 undue clinical interference by persons not licensed under this  
202 chapter. It is the legislative intent that dental services be  
203 provided only in accordance with ~~the provisions of~~ this chapter

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204 and not be delegated to unauthorized individuals. It is the  
205 further legislative intent that dentists, dental therapists, and  
206 dental hygienists who fall below minimum competency or who  
207 otherwise present a danger to the public are ~~shall be~~ prohibited  
208 from practicing in this state. All provisions of this chapter  
209 relating to the practice of dentistry, dental therapy, and  
210 dental hygiene must ~~shall~~ be liberally construed to carry out  
211 such purpose and intent.

212 Section 3. Subsections (5) and (6) of section 466.002,  
213 Florida Statutes, are amended to read:

214 466.002 Persons exempt from operation of chapter.—Nothing  
215 in this chapter shall apply to the following practices, acts,  
216 and operations:

217 (5) Students in Florida schools of dentistry, dental  
218 therapy, and dental hygiene or dental assistant educational  
219 programs, while performing regularly assigned work under the  
220 curriculum of such schools.

221 (6) Instructors in Florida schools of dentistry,  
222 instructors in dental programs that prepare persons holding  
223 D.D.S. or D.M.D. degrees for certification by a specialty board  
224 and that are accredited in the United States by January 1, 2005,  
225 in the same manner as the board recognizes accreditation for  
226 Florida schools of dentistry that are not otherwise affiliated  
227 with a Florida school of dentistry, or instructors in Florida  
228 schools of dental therapy or dental hygiene or dental assistant  
229 educational programs, while performing regularly assigned  
230 instructional duties under the curriculum of such schools or  
231 programs. A full-time dental instructor at a dental school or  
232 dental program approved by the board may be allowed to practice



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233 dentistry at the teaching facilities of such school or program,  
234 upon receiving a teaching permit issued by the board, in strict  
235 compliance with such rules as are adopted by the board  
236 pertaining to the teaching permit and with the established rules  
237 and procedures of the dental school or program as recognized in  
238 this section.

239 Section 4. Present subsections (7) through (15) of section  
240 466.003, Florida Statutes, are redesignated as subsections (9)  
241 through (17), respectively, new subsections (7) and (8) are  
242 added to that section, and present subsections (14) and (15) of  
243 that section are amended, to read:

244 466.003 Definitions.—As used in this chapter:

245 (7) "Dental therapist" means a person licensed to practice  
246 dental therapy pursuant to s. 466.0225.

247 (8) "Dental therapy" means the rendering of services  
248 pursuant to s. 466.0227 and any related extraoral services or  
249 procedures required in the performance of such services.

250 ~~(16)~~ ~~(14)~~ "Health access setting" means a program or an  
251 institution of the Department of Children and Families, the  
252 Department of Health, the Department of Juvenile Justice, a  
253 nonprofit community health center, a Head Start center, a  
254 federally qualified health center or look-alike as defined by  
255 federal law, a school-based prevention program, a clinic  
256 operated by an accredited college of dentistry, or an accredited  
257 dental therapy or dental hygiene program in this state if such  
258 community service program or institution immediately reports to  
259 the Board of Dentistry all violations of s. 466.027, s. 466.028,  
260 or other practice act or standard of care violations related to  
261 the actions or inactions of a dentist, dental therapist, dental

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262 hygienist, or dental assistant engaged in the delivery of dental  
263 care in such setting.

264 (17)~~(15)~~ "School-based prevention program" means preventive  
265 oral health services offered at a school by one of the entities  
266 defined in subsection (16) ~~(14)~~ or by a nonprofit organization  
267 that is exempt from federal income taxation under s. 501(a) of  
268 the Internal Revenue Code, and described in s. 501(c)(3) of the  
269 Internal Revenue Code.

270 Section 5. Subsection (2) of section 466.004, Florida  
271 Statutes, is amended to read:

272 466.004 Board of Dentistry.—

273 (2) ~~To advise the board,~~ It is the intent of the  
274 Legislature that councils be appointed as specified in this  
275 subsection to advise the board ~~paragraphs (a), (b), and (c).~~ The  
276 department shall provide administrative support to the councils  
277 and shall provide public notice of meetings and agendas ~~agenda~~  
278 of the councils. Councils must ~~shall~~ include at least one board  
279 member, who shall chair the council, and ~~shall include~~ nonboard  
280 members. All council members shall be appointed by the board  
281 chair. Council members shall be appointed for 4-year terms, and  
282 all members are ~~shall be~~ eligible for reimbursement of expenses  
283 in the manner of board members.

284 (a) A Council on Dental Hygiene shall be appointed by the  
285 board chair and shall include one dental hygienist member of the  
286 board, who shall chair the council, one dental member of the  
287 board, and three dental hygienists who are actively engaged in  
288 the practice of dental hygiene in this state. In making the  
289 appointments, the chair shall consider recommendations from the  
290 Florida Dental Hygienists' ~~Hygiene~~ Association. The council

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291 shall meet at the request of the board chair, a majority of the  
292 members of the board, or the council chair; however, the council  
293 must meet at least three times a year. The council ~~is charged~~  
294 ~~with the responsibility of and shall~~ recommend proposed meet for  
295 ~~the purpose of developing~~ rules and policies ~~for recommendation~~  
296 ~~to the board, which the board shall consider, on matters~~  
297 pertaining to the areas ~~that part of dentistry~~ consisting of  
298 educational, preventive, or therapeutic dental hygiene services;  
299 dental hygiene licensure, discipline, or regulation; and dental  
300 hygiene education. The board shall consider these rules and  
301 policies ~~Rule and policy recommendations of the council shall be~~  
302 ~~considered by the board~~ at its next regularly scheduled meeting  
303 in the same manner in which it considers rule and policy  
304 recommendations from designated subcommittees of the board. Any  
305 rule or policy proposed by the board pertaining to these areas  
306 must ~~the specified part of dentistry defined by this subsection~~  
307 ~~shall~~ be referred to the council for its ~~a~~ recommendation before  
308 final action by the board. The board may take final action on  
309 rules pertaining to these areas ~~the specified part of dentistry~~  
310 ~~defined by this subsection~~ without a council recommendation if  
311 the council fails to submit a recommendation in a timely  
312 fashion, as prescribed by the board.

313 (b) A Council on Dental Assisting shall be appointed by the  
314 board chair and shall include one board member, who shall chair  
315 the council, and three dental assistants who are actively  
316 engaged in dental assisting in this state. The council shall  
317 meet at the request of the board chair or a majority of the  
318 members of the board. ~~The council shall meet~~ for the purpose of  
319 developing recommendations to the board on matters pertaining to

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320 ~~that part of dentistry related to dental assisting.~~

321 (c) Effective 28 months after the first dental therapy  
322 license is granted by the board, the board chair shall appoint a  
323 Council on Dental Therapy, which must include one board member,  
324 who shall chair the council, and three dental therapists who are  
325 actively engaged in the practice of dental therapy in this  
326 state. The council shall meet at the request of the board chair,  
327 a majority of the members of the board, or the council chair;  
328 however, the council must meet at least three times per year.  
329 The council shall recommend proposed rules and policies to the  
330 board on matters pertaining to the areas of educational,  
331 preventive, or therapeutic dental therapy services; dental  
332 therapy licensure, discipline, or regulation; and dental therapy  
333 education. The council's rule and policy recommendations must be  
334 considered by the board at its next regularly scheduled meeting  
335 in the same manner in which it considers rule and policy  
336 recommendations from designated subcommittees of the board. Any  
337 rule or policy proposed by the board pertaining to these areas  
338 must be referred to the council for its recommendation before  
339 final action by the board. The board may take final action on  
340 rules pertaining to these areas without a council recommendation  
341 if the council fails to submit a recommendation in a timely  
342 fashion, as prescribed by the board.

343 (d)~~(e)~~ With the concurrence of the State Surgeon General,  
344 the board chair may create and abolish other advisory councils  
345 relating to dental subjects, including, but not limited to,  
346 examinations, access to dental care, indigent care, nursing home  
347 and institutional care, public health, disciplinary guidelines,  
348 and other subjects, as appropriate. Such councils must ~~shall~~ be

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349 appointed by the board chair and must ~~shall~~ include at least one  
350 board member, who shall serve as chair.

351 Section 6. Subsection (4) and paragraph (b) of subsection  
352 (6) of section 466.006, Florida Statutes, are amended to read:  
353 466.006 Examination of dentists.—

354 (4) Notwithstanding any other provision of law in chapter  
355 456 pertaining to the clinical dental licensure examination or  
356 national examinations, to be licensed as a dentist in this  
357 state, an applicant must successfully complete both of the  
358 following:

359 (a) A written examination on the laws and rules of the  
360 state regulating the practice of dentistry.

361 (b) A practical or clinical examination, which must be the  
362 American Dental Licensing Examination produced by the American  
363 Board of Dental Examiners, Inc., or its successor entity, if  
364 any, that is administered in this state, provided that the board  
365 has attained, and continues to maintain thereafter,  
366 representation on the board of directors of the American Board  
367 of Dental Examiners, the examination development committee of  
368 the American Board of Dental Examiners, and such other  
369 committees of the American Board of Dental Examiners as the  
370 board deems appropriate by rule to assure that the standards  
371 established herein are maintained organizationally. A passing  
372 score on the American Dental Licensing Examination administered  
373 in this state is valid for 365 days after the date the official  
374 examination results are published.

375 1. As an alternative to such practical or clinical  
376 examination, an applicant may submit scores from an American  
377 Dental Licensing Examination previously administered in a

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378 jurisdiction other than this state after October 1, 2011, and  
379 such examination results shall be recognized as valid for the  
380 purpose of licensure in this state. A passing score on the  
381 American Dental Licensing Examination administered out of state  
382 shall be the same as the passing score for the American Dental  
383 Licensing Examination administered in this state. The  
384 examination results are valid for 365 days after the date the  
385 official examination results are published. The applicant must  
386 have completed the examination after October 1, 2011. This  
387 subparagraph may not be given retroactive application.

388 2. If the date of an applicant's passing American Dental  
389 Licensing Examination scores from an examination previously  
390 administered in a jurisdiction other than this state under  
391 subparagraph 1. is older than 365 days, such scores are  
392 nevertheless valid for the purpose of licensure in this state,  
393 but only if the applicant demonstrates that all of the following  
394 additional standards have been met:

395 a. The applicant completed the American Dental Licensing  
396 Examination after October 1, 2011. This sub-subparagraph may not  
397 be given retroactive application;

398 b. The applicant graduated from a dental school accredited  
399 by the American Dental Association Commission on Dental  
400 Accreditation or its successor entity, if any, or any other  
401 dental accrediting organization recognized by the United States  
402 Department of Education. Provided, however, if the applicant did  
403 not graduate from such a dental school, the applicant may submit  
404 proof of having successfully completed a full-time supplemental  
405 general dentistry program accredited by the American Dental  
406 Association Commission on Dental Accreditation of at least 2

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407 consecutive academic years at such accredited sponsoring  
408 institution. Such program must provide didactic and clinical  
409 education at the level of a D.D.S. or D.M.D. program accredited  
410 by the American Dental Association Commission on Dental  
411 Accreditation. For purposes of this sub-subparagraph, a  
412 supplemental general dentistry program does not include an  
413 advanced education program in a dental specialty;

414 c. The applicant currently possesses a valid and active  
415 dental license in good standing, with no restriction, which has  
416 never been revoked, suspended, restricted, or otherwise  
417 disciplined, from another state or territory of the United  
418 States, the District of Columbia, or the Commonwealth of Puerto  
419 Rico;

420 d. The applicant submits proof that he or she has never  
421 been reported to the National Practitioner Data Bank, the  
422 Healthcare Integrity and Protection Data Bank, or the American  
423 Association of Dental Boards Clearinghouse. This sub-  
424 subparagraph does not apply if the applicant successfully  
425 appealed to have his or her name removed from the data banks of  
426 these agencies;

427 e. (I) (A) The applicant submits proof of having been  
428 consecutively engaged in the full-time practice of dentistry in  
429 another state or territory of the United States, the District of  
430 Columbia, or the Commonwealth of Puerto Rico in the 5 years  
431 immediately preceding the date of application for licensure in  
432 this state; or

433 (B) If the applicant has been licensed in another state or  
434 territory of the United States, the District of Columbia, or the  
435 Commonwealth of Puerto Rico for less than 5 years, the applicant

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436 submits proof of having been engaged in the full-time practice  
437 of dentistry since the date of his or her initial licensure.

438 (II) As used in this section, "full-time practice" is  
439 defined as a minimum of 1,200 hours per year for each and every  
440 year in the consecutive 5-year period or, when applicable, the  
441 period since initial licensure, and must include any combination  
442 of the following:

443 (A) Active clinical practice of dentistry providing direct  
444 patient care.

445 (B) Full-time practice as a faculty member employed by a  
446 dental, dental therapy, or dental hygiene school approved by the  
447 board or accredited by the American Dental Association  
448 Commission on Dental Accreditation.

449 (C) Full-time practice as a student at a postgraduate  
450 dental education program approved by the board or accredited by  
451 the American Dental Association Commission on Dental  
452 Accreditation.

453 (III) The board shall develop rules to determine what type  
454 of proof of full-time practice is required and to recoup the  
455 cost to the board of verifying full-time practice under this  
456 section. Such proof must, at a minimum, be:

457 (A) Admissible as evidence in an administrative proceeding;

458 (B) Submitted in writing;

459 (C) Submitted by the applicant under oath with penalties of  
460 perjury attached;

461 (D) Further documented by an affidavit of someone unrelated  
462 to the applicant who is familiar with the applicant's practice  
463 and testifies with particularity that the applicant has been  
464 engaged in full-time practice; and



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465 (E) Specifically found by the board to be both credible and  
466 admissible.

467 (IV) An affidavit of only the applicant is not acceptable  
468 proof of full-time practice unless it is further attested to by  
469 someone unrelated to the applicant who has personal knowledge of  
470 the applicant's practice. If the board deems it necessary to  
471 assess credibility or accuracy, the board may require the  
472 applicant or the applicant's witnesses to appear before the  
473 board and give oral testimony under oath;

474 f. The applicant submits documentation that he or she has  
475 completed, or will complete before he or she is licensed in this  
476 state, continuing education equivalent to this state's  
477 requirements for the last full reporting biennium;

478 g. The applicant proves that he or she has never been  
479 convicted of, or pled nolo contendere to, regardless of  
480 adjudication, any felony or misdemeanor related to the practice  
481 of a health care profession in any jurisdiction;

482 h. The applicant has successfully passed a written  
483 examination on the laws and rules of this state regulating the  
484 practice of dentistry and the computer-based diagnostic skills  
485 examination; and

486 i. The applicant submits documentation that he or she has  
487 successfully completed the applicable examination administered  
488 by the Joint Commission on National Dental Examinations or its  
489 successor organization.

490 (6)

491 (b)1. As used in this section, "full-time practice of  
492 dentistry within the geographic boundaries of this state within  
493 1 year" is defined as a minimum of 1,200 hours in the initial

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494 year of licensure, which must include any combination of the  
495 following:

496 a. Active clinical practice of dentistry providing direct  
497 patient care within the geographic boundaries of this state.

498 b. Full-time practice as a faculty member employed by a  
499 dental, dental therapy, or dental hygiene school approved by the  
500 board or accredited by the American Dental Association  
501 Commission on Dental Accreditation and located within the  
502 geographic boundaries of this state.

503 c. Full-time practice as a student at a postgraduate dental  
504 education program approved by the board or accredited by the  
505 American Dental Association Commission on Dental Accreditation  
506 and located within the geographic boundaries of this state.

507 2. The board shall develop rules to determine what type of  
508 proof of full-time practice of dentistry within the geographic  
509 boundaries of this state for 1 year is required in order to  
510 maintain active licensure and shall develop rules to recoup the  
511 cost to the board of verifying maintenance of such full-time  
512 practice under this section. Such proof must, at a minimum:

513 a. Be admissible as evidence in an administrative  
514 proceeding;

515 b. Be submitted in writing;

516 c. Be submitted by the applicant under oath with penalties  
517 of perjury attached;

518 d. Be further documented by an affidavit of someone  
519 unrelated to the applicant who is familiar with the applicant's  
520 practice and testifies with particularity that the applicant has  
521 been engaged in full-time practice of dentistry within the  
522 geographic boundaries of this state within the last 365 days;

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523 and

524 e. Include such additional proof as specifically found by  
525 the board to be both credible and admissible.

526 3. An affidavit of only the applicant is not acceptable  
527 proof of full-time practice of dentistry within the geographic  
528 boundaries of this state within 1 year, unless it is further  
529 attested to by someone unrelated to the applicant who has  
530 personal knowledge of the applicant's practice within the last  
531 365 days. If the board deems it necessary to assess credibility  
532 or accuracy, the board may require the applicant or the  
533 applicant's witnesses to appear before the board and give oral  
534 testimony under oath.

535 Section 7. Section 466.0075, Florida Statutes, is amended  
536 to read:

537 466.0075 Applicants for examination; medical malpractice  
538 insurance.—The board may require any person applying to take the  
539 examination to practice dentistry in this state, the examination  
540 to practice dental therapy in this state, or the examination to  
541 practice dental hygiene in this state to maintain medical  
542 malpractice insurance in amounts sufficient to cover any  
543 incident of harm to a patient during the clinical examination.

544 Section 8. Section 466.009, Florida Statutes, is amended to  
545 read:

546 466.009 Reexamination.—

547 (1) The department shall allow ~~permit~~ any person who fails  
548 an examination that ~~which~~ is required under s. 466.006, ~~or~~ s.  
549 466.007, or s. 466.0225 to retake the examination. If the  
550 examination to be retaken is a practical or clinical  
551 examination, the applicant must ~~shall~~ pay a reexamination fee

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552 set by rule of the board in an amount not to exceed the original  
553 examination fee.

554 (2) If an applicant for a license to practice dentistry  
555 fails the practical or clinical examination because of a failing  
556 grade on just one part or procedure tested, she or he must ~~shall~~  
557 ~~be required to~~ retake and receive a passing score on only the  
558 failed that part or procedure to be eligible for licensure.  
559 However, if ~~any~~ such applicant fails more than one part or  
560 procedure of any such examination, she or he must ~~shall be~~  
561 ~~required to~~ retake the entire examination.

562 (3) If an applicant for a license to practice dental  
563 hygiene fails ~~one portion of~~ the practical or clinical  
564 examination because of a failing grade on just one part or  
565 procedure tested, such applicant must shall be required to  
566 retake and receive a passing score on only the failed part or  
567 procedure to be eligible for licensure that portion if she or he  
568 reapplies within 12 months. If, however, the applicant fails the  
569 prophylaxis, she or he must ~~shall be required to~~ retake the  
570 entire examination.

571 (4) If an applicant for a license to practice dental  
572 therapy fails the practical or clinical examination because of a  
573 failing grade on just one part or procedure tested, she or he  
574 must retake and receive a passing score on only the failed part  
575 or procedure to be eligible for licensure. However, if such  
576 applicant fails more than one part or procedure of any such  
577 examination, she or he must retake the entire examination.

578 Section 9. Section 466.011, Florida Statutes, is amended to  
579 read:

580 466.011 Licensure.—The board shall certify for licensure by

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581 the department any applicant who satisfies the requirements of  
582 s. 466.006, s. 466.0067, ~~or~~ s. 466.007, or s. 466.0225. The  
583 board may refuse to certify an applicant who has violated ~~any of~~  
584 ~~the provisions of~~ s. 466.026 or s. 466.028.

585 Section 10. Section 466.0136, Florida Statutes, is created  
586 to read:

587 466.0136 Continuing education; dental therapists.—In  
588 addition to any other requirements specified in this chapter for  
589 relicensure of dental therapists, the board shall require each  
590 licensed dental therapist to complete at least 24 hours, but not  
591 more than 36 hours, biennially of continuing education in dental  
592 subjects in programs approved by the board or in equivalent  
593 programs of continuing education. Programs of continuing  
594 education approved by the board must be programs of learning  
595 which, in the opinion of the board, contribute directly to the  
596 dental education of the dental therapist. An individual who is  
597 licensed as both a dental therapist and a dental hygienist may  
598 use continuing education that is approved for both dental  
599 therapy and dental hygiene education to satisfy both dental  
600 therapy and dental hygiene continuing education requirements.  
601 The board shall adopt rules and guidelines to administer and  
602 enforce this section. A dental therapist shall retain in her or  
603 his records any receipts, vouchers, or certificates necessary to  
604 document completion of the required continuing education.  
605 Compliance with the continuing education requirements is  
606 mandatory for issuance of the renewal certificate. The board may  
607 excuse licensees, as a group or as individuals, from all or part  
608 of the continuing education requirements if an unusual  
609 circumstance, emergency, or hardship prevents compliance with

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610 this section.

611 Section 11. Section 466.016, Florida Statutes, is amended  
612 to read:

613 466.016 License to be displayed.—Every practitioner of  
614 dentistry, dental therapy, or dental hygiene within the meaning  
615 of this chapter shall post and keep conspicuously displayed her  
616 or his license in the office where ~~wherein~~ she or he practices,  
617 in plain sight of the practitioner's patients. Any dentist,  
618 dental therapist, or dental hygienist who practices at more than  
619 one location shall ~~be required to~~ display a copy of her or his  
620 license in each office where she or he practices.

621 Section 12. Present subsections (7) through (10) and (11)  
622 through (15) of section 466.017, Florida Statutes, are  
623 redesignated as subsections (8) through (11) and (13) through  
624 (17), respectively, new subsections (7) and (12) are added to  
625 that section, and paragraphs (d) and (e) of subsection (3),  
626 subsection (4), and present subsections (7), (8), (12), and (14)  
627 of that section are amended, to read:

628 466.017 Prescription of drugs; anesthesia.—

629 (3) The board shall adopt rules which:

630 (d) Establish further requirements relating to the use of  
631 general anesthesia or sedation, including, but not limited to,  
632 office equipment and the training of dental assistants, dental  
633 therapists, or dental hygienists who work with dentists using  
634 general anesthesia or sedation.

635 (e) Establish an administrative mechanism enabling the  
636 board to verify compliance with training, education, experience,  
637 equipment, or certification requirements of dentists, dental  
638 therapists, dental hygienists, and dental assistants adopted

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639 pursuant to this subsection. The board may charge a fee to  
640 defray the cost of verifying compliance with requirements  
641 adopted pursuant to this paragraph.

642 (4) A dentist, dental therapist, or dental hygienist who  
643 administers or employs the use of any form of anesthesia must  
644 possess a certification in either basic cardiopulmonary  
645 resuscitation for health professionals or advanced cardiac life  
646 support approved by the American Heart Association or the  
647 American Red Cross or an equivalent agency-sponsored course with  
648 recertification every 2 years. Each dental office that ~~which~~  
649 uses any form of anesthesia must have immediately available and  
650 in good working order such resuscitative equipment, oxygen, and  
651 other resuscitative drugs as are specified by rule of the board  
652 in order to manage possible adverse reactions.

653 (7) A dental therapist under the general supervision of a  
654 dentist may administer local anesthesia, including intraoral  
655 block anesthesia or soft tissue infiltration anesthesia, or  
656 both, if she or he has completed the course described in  
657 paragraph (5) (a) and presents evidence of current certification  
658 in basic or advanced cardiac life support.

659 (8) (7) A licensed dentist, or a dental therapist who is  
660 authorized by her or his supervising dentist, may operate  
661 ~~utilize~~ an X-ray machine, expose dental X-ray films, and  
662 interpret or read such films. Notwithstanding ~~The provisions of~~  
663 ~~part IV of chapter 468 to the contrary notwithstanding,~~ a  
664 licensed dentist, or a dental therapist who is authorized by her  
665 or his supervising dentist, may authorize or direct a dental  
666 assistant to operate such equipment and expose such films under  
667 her or his direction and supervision, pursuant to rules adopted

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668 by the board in accordance with s. 466.024 which ensure that the  
669 ~~said~~ assistant is competent by reason of training and experience  
670 to operate the X-ray ~~said~~ equipment in a safe and efficient  
671 manner. The board may charge a fee not to exceed \$35 to defray  
672 the cost of verifying compliance with requirements adopted  
673 pursuant to this section.

674 (9)~~(8)~~ Notwithstanding ~~The provisions of~~ s. 465.0276  
675 ~~notwithstanding~~, a dentist need not register with the board or  
676 comply with the continuing education requirements of that  
677 section if the dentist confines her or his dispensing activity  
678 to the dispensing of fluorides and chlorhexidine ~~chlorhexidine~~  
679 rinse solutions, ~~+~~ provided that the dentist complies with and is  
680 subject to all laws and rules applicable to pharmacists and  
681 pharmacies, including, but not limited to, chapters 465, 499,  
682 and 893, and all applicable federal laws and regulations, when  
683 dispensing such products.

684 (12) A licensed dental therapist administering local  
685 anesthesia must notify the board in writing by registered mail  
686 within 48 hours after any adverse incident that was related to  
687 or the result of the administration of local anesthesia. A  
688 complete written report must be filed with the board within 30  
689 days after the mortality or other adverse incident.

690 (14)~~(12)~~ A failure by the dentist, dental therapist, or  
691 dental hygienist to timely and completely comply with all the  
692 reporting requirements in this section is the basis for  
693 disciplinary action by the board pursuant to s. 466.028(1).

694 (16)~~(14)~~ As used in subsections (10)-(15) ~~(9)-(13)~~, the  
695 term "adverse incident" means any mortality that occurs during  
696 or as the result of a dental procedure, or an incident that



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697 results in a temporary or permanent physical or mental injury  
698 that requires hospitalization or emergency room treatment of a  
699 dental patient which occurs during or as a direct result of the  
700 use of general anesthesia, deep sedation, moderate sedation,  
701 pediatric moderate sedation, oral sedation, minimal sedation  
702 (anxiolysis), nitrous oxide, or local anesthesia.

703 Section 13. Subsection (1) of section 466.018, Florida  
704 Statutes, is amended to read:

705 466.018 Dentist of record; patient records.-

706 (1) Each patient shall have a dentist of record. The  
707 dentist of record shall remain primarily responsible for all  
708 dental treatment on such patient regardless of whether the  
709 treatment is rendered by the dentist or by another dentist,  
710 dental therapist, dental hygienist, or dental assistant  
711 rendering such treatment in conjunction with, at the direction  
712 or request of, or under the supervision of such dentist of  
713 record. The dentist of record shall be identified in the record  
714 of the patient. If treatment is rendered by a dentist other than  
715 the dentist of record or by a dental therapist, dental  
716 hygienist, or dental assistant, the name or initials of such  
717 person must ~~shall~~ be placed in the record of the patient. In any  
718 disciplinary proceeding brought pursuant to this chapter or  
719 chapter 456, it is ~~shall be~~ presumed as a matter of law that  
720 treatment was rendered by the dentist of record unless otherwise  
721 noted on the patient record pursuant to this section. The  
722 dentist of record and any other treating dentist are subject to  
723 discipline pursuant to this chapter or chapter 456 for treatment  
724 rendered to the patient and performed in violation of such  
725 chapter. One of the purposes of this section is to ensure that

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726 the responsibility for each patient is assigned to one dentist  
727 in a multidentist practice of any nature and to assign primary  
728 responsibility to the dentist for treatment rendered by a dental  
729 therapist, dental hygienist, or dental assistant under her or  
730 his supervision. This section shall not be construed to assign  
731 any responsibility to a dentist of record for treatment rendered  
732 pursuant to a proper referral to another dentist who does not ~~in~~  
733 practice with the dentist of record or to prohibit a patient  
734 from voluntarily selecting a new dentist without permission of  
735 the dentist of record.

736 Section 14. Section 466.0225, Florida Statutes, is created  
737 to read:

738 466.0225 Examination of dental therapists; licensing.-

739 (1) Any person desiring to be licensed as a dental  
740 therapist shall apply to the department to take the licensure  
741 examinations and shall verify the information required on the  
742 application by oath. The application must be accompanied by two  
743 recent photographs of the applicant.

744 (2) An applicant is entitled to take the examinations  
745 required under this section and receive licensure to practice  
746 dental therapy in this state if the applicant:

747 (a) Is 18 years of age or older;

748 (b) Is a graduate of a dental therapy college or school  
749 accredited by the American Dental Association Commission on  
750 Dental Accreditation or its successor entity, if any, or any  
751 other dental therapy accrediting entity recognized by the United  
752 States Department of Education. For applicants applying for a  
753 dental therapy license before January 1, 2025, the board shall  
754 approve the applicant's dental therapy education program if the

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755 program was administered by a college or school that operates an  
756 accredited dental or dental hygiene education program and the  
757 college or school certifies to the board that the applicant's  
758 education substantially conformed to the education standards  
759 established by the American Dental Association Commission on  
760 Dental Accreditation;

761 (c) Has successfully completed a dental therapy practical  
762 or clinical examination produced by the American Board of Dental  
763 Examiners, Inc., (ADEX) or its successor entity, if any, if the  
764 board finds that the successor entity's examination meets or  
765 exceeds the provisions of this section. If an applicant fails to  
766 pass such an examination after three attempts, the applicant is  
767 not eligible to retake the examination unless the applicant  
768 completes additional education requirements as specified by the  
769 board. If a dental therapy examination has not been established  
770 by the ADEX, the board shall administer or approve an  
771 alternative examination;

772 (d) Has not been disciplined by a board, except for  
773 citation offenses or minor violations;

774 (e) Has not been convicted of or pled nolo contendere to,  
775 regardless of adjudication, any felony or misdemeanor related to  
776 the practice of a health care profession; and

777 (f) Has successfully completed a written examination on the  
778 laws and rules of this state regulating the practice of dental  
779 therapy.

780 (3) An applicant who meets the requirements of this section  
781 and who has successfully completed the examinations identified  
782 in paragraph (2)(c) in a jurisdiction other than this state, or  
783 who has successfully completed comparable examinations

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784 administered or approved by the licensing authority in a  
785 jurisdiction other than this state, shall be licensed to  
786 practice dental therapy in this state if the board determines  
787 that the other jurisdiction's examinations and scope of practice  
788 are substantially similar to those identified in paragraph  
789 (2) (c).

790 Section 15. Section 466.0227, Florida Statutes, is created  
791 to read:

792 466.0227 Dental therapists; scope and area of practice.—

793 (1) The Legislature finds that authorizing licensed dental  
794 therapists to perform the services specified in subsection (3)  
795 would improve access to high-quality, affordable oral health  
796 services for all residents in this state. The Legislature  
797 intends to rapidly improve such access for low-income,  
798 uninsured, and underserved patients and communities. To further  
799 this intent, a dental therapist licensed under this chapter is  
800 limited to practicing dental therapy in the following settings  
801 or programs:

802 (a) A health access setting, as defined in s. 466.003(16).

803 (b) A community health center, including an off-site care  
804 setting.

805 (c) A nursing facility.

806 (d) A military or veterans' hospital or clinic, including  
807 an off-site care setting.

808 (e) A governmental or public health clinic, including an  
809 off-site care setting.

810 (f) A school, a Head Start program, or a school-based  
811 prevention program as defined in s. 466.003(17).

812 (g) An oral health education institution, including an off-

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813 site care setting.

814 (h) A hospital.

815 (i) A correctional facility clinic setting.

816 (j) A geographic area designated as a dental health  
817 professional shortage area by the state or the Federal  
818 Government.

819 (k) A health facility operated by the Indian Health Service  
820 or by a tribal organization.

821 (l) Any other clinic or practice setting if at least 50  
822 percent of the patients served by the dental therapist in such  
823 clinic or practice setting:

824 1. Are enrolled in Medicaid or another state or local  
825 governmental health care program for low-income or uninsured  
826 patients; or

827 2. Do not have dental insurance and report a gross annual  
828 income that is less than 200 percent of the applicable federal  
829 poverty guidelines.

830 (2) Except as otherwise provided in this chapter, a dental  
831 therapist may perform the dental therapy services specified in  
832 subsection (3) under the general supervision of a dentist to the  
833 extent authorized by the supervising dentist and provided within  
834 the terms of a written collaborative management agreement signed  
835 by the dental therapist and the supervising dentist which meets  
836 the requirements of subsection (4).

837 (3) Dental therapy services include all of the following:

838 (a) All services, treatments, and competencies identified  
839 by the American Dental Association Commission on Dental  
840 Accreditation in its Dental Therapy Education Accreditation  
841 Standards.

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842 (b) All of the following state-specific services, if the  
843 dental therapist's education included curriculum content  
844 satisfying the American Dental Association Commission on Dental  
845 Accreditation criteria for state-specific dental therapy  
846 services:

- 847 1. Evaluation of radiographs.
- 848 2. Placement of space maintainers.
- 849 3. Pulpotomies on primary teeth.
- 850 4. Tooth reimplantation and stabilization.
- 851 5. Recementation of permanent dental crowns.
- 852 6. Direct pulp capping of primary teeth.
- 853 7. Fabrication of soft occlusal guards.
- 854 8. Dispensing and administering nonopioid analgesics,  
855 including nitrous oxide, anti-inflammatories, and antibiotics,  
856 as authorized by the supervising dentist and within the  
857 parameters of the collaborative management agreement.
- 858 9. Oral evaluation and assessment of dental disease and  
859 formulation of an individualized treatment plan if authorized by  
860 a supervising dentist and subject to any conditions,  
861 limitations, and protocols specified by the supervising dentist  
862 in the collaborative management agreement.

863 (c) Any other task deemed appropriate by the board.

864 (4) Before performing any of the services authorized in  
865 subsection (3), a dental therapist must enter into a written  
866 collaborative management agreement with a supervising dentist.  
867 The agreement must be signed by the dental therapist and the  
868 supervising dentist and must include all of the following:

869 (a) Any limitation on the practice settings, services, and  
870 populations which may be provided. If the agreement is silent as

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871 to any such limitation, the full scope of practice is permitted  
872 under the agreement.

873 (b) A procedure for creating and maintaining dental records  
874 for the patients who are treated by the dental therapist.

875 (c) A plan to manage medical emergencies in each practice  
876 setting where the dental therapist provides care.

877 (d) A quality assurance plan for monitoring care provided  
878 by the dental therapist, including patient care review, referral  
879 followup, and a quality assurance chart review.

880 (e) Protocols for the dental therapist to administer and  
881 dispense medications, including the specific conditions and  
882 circumstances under which the medications are to be dispensed  
883 and administered.

884 (f) Criteria relating to the provision of care by the  
885 dental therapist to patients with specific medical conditions or  
886 complex medication histories, including requirements for  
887 consultation before the initiation of care.

888 (g) Supervision criteria for dental therapists.

889 (h) A plan for the provision of clinical resources and  
890 referrals in situations that are beyond the capabilities of the  
891 dental therapist.

892 (5) A supervising dentist shall determine the number of  
893 hours of practice a dental therapist must complete under direct  
894 or indirect supervision of the supervising dentist before the  
895 dental therapist may perform any of the services authorized in  
896 subsection (3) under general supervision.

897 (6) A supervising dentist may restrict or limit the dental  
898 therapist's practice in a collaborative management agreement to  
899 be less than the full scope of practice for dental therapists

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900 which is authorized in subsection (3).

901 (7) A dental therapist may provide dental therapy services  
902 to a patient before the supervising dentist examines or  
903 diagnoses the patient if the applicable authority, conditions,  
904 and protocols are established in a written collaborative  
905 management agreement and the patient is subsequently referred to  
906 a dentist for any needed additional services that exceed the  
907 dental therapist's scope of practice or authorization under the  
908 collaborative management agreement.

909 (8) A supervising dentist must be licensed under chapter  
910 466 or registered under s. 456.47 and practicing in this state.  
911 The supervising dentist is responsible for all services  
912 authorized and performed by the dental therapist pursuant to the  
913 collaborative management agreement and for providing or  
914 arranging followup services to be provided by a dentist for  
915 those services that are beyond the dental therapist's scope of  
916 practice and authorization under the collaborative management  
917 agreement.

918 Section 16. Section 466.026, Florida Statutes, is amended  
919 to read:

920 466.026 Prohibitions; penalties.—

921 (1) Each of the following acts constitutes a felony of the  
922 third degree, punishable as provided in s. 775.082, s. 775.083,  
923 or s. 775.084:

924 (a) Practicing dentistry, dental therapy, or dental hygiene  
925 unless the person has an appropriate, active license issued by  
926 the department pursuant to this chapter.

927 (b) Using or attempting to use a license issued pursuant to  
928 this chapter which license has been suspended or revoked.



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929 (c) Knowingly employing any person to perform duties  
930 outside the scope allowed such person under this chapter or the  
931 rules of the board.

932 (d) Giving false or forged evidence to the department or  
933 board for the purpose of obtaining a license.

934 (e) Selling or offering to sell a diploma conferring a  
935 degree from a dental college or a dental therapy or dental  
936 hygiene school or college, or a license issued pursuant to this  
937 chapter, or procuring such diploma or license with intent that  
938 it shall be used as evidence of that which the document stands  
939 for, by a person other than the one upon whom it was conferred  
940 or to whom it was granted.

941 (2) Each of the following acts constitutes a misdemeanor of  
942 the first degree, punishable as provided in s. 775.082 or s.  
943 775.083:

944 (a) Using the name or title "dentist," the initials ~~letters~~  
945 "D.D.S." or "D.M.D.", or any other words, letters, title, or  
946 descriptive matter which in any way represents a person as being  
947 able to diagnose, treat, prescribe, or operate for any disease,  
948 pain, deformity, deficiency, injury, or physical condition of  
949 the teeth or jaws or oral-maxillofacial region unless the person  
950 has an active dentist's license issued by the department  
951 pursuant to this chapter.

952 (b) Using the name or title "dental therapist" or the  
953 initials "D.T." or otherwise holding herself or himself out as  
954 an actively licensed dental therapist or implying to any patient  
955 or consumer that she or he is an actively licensed dental  
956 therapist unless that person has an active dental therapist's  
957 license issued by the department pursuant to this chapter.

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958        (c) Using the name or title "dental hygienist" or the  
959 initials "R.D.H." or otherwise holding herself or himself out as  
960 an actively licensed dental hygienist or implying to any patient  
961 or consumer that she or he is an actively licensed dental  
962 hygienist unless that person has an active dental hygienist's  
963 license issued by the department pursuant to this chapter.

964        ~~(d)(e)~~ Presenting as her or his own the license of another.

965        ~~(e)(d)~~ Knowingly concealing information relative to  
966 violations of this chapter.

967        ~~(f)(e)~~ Performing any services as a dental assistant as  
968 defined herein, except in the office of a licensed dentist,  
969 unless authorized by this chapter or by rule of the board.

970        Section 17. Paragraphs (b), (c), (g), (s), and (t) of  
971 subsection (1) of section 466.028, Florida Statutes, are amended  
972 to read:

973        466.028 Grounds for disciplinary action; action by the  
974 board.—

975        (1) The following acts constitute grounds for denial of a  
976 license or disciplinary action, as specified in s. 456.072(2):

977        (b) Having a license to practice dentistry, dental therapy,  
978 or dental hygiene revoked, suspended, or otherwise acted  
979 against, including the denial of licensure, by the licensing  
980 authority of another state, territory, or country.

981        (c) Being convicted or found guilty of or entering a plea  
982 of nolo contendere to, regardless of adjudication, a crime in  
983 any jurisdiction which relates to the practice of dentistry,  
984 dental therapy, or dental hygiene. A plea of nolo contendere  
985 shall create a rebuttable presumption of guilt to the underlying  
986 criminal charges.

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987 (g) Aiding, assisting, procuring, or advising any  
988 unlicensed person to practice dentistry, dental therapy, or  
989 dental hygiene contrary to this chapter or to a rule of the  
990 department or the board.

991 (s) Being unable to practice her or his profession with  
992 reasonable skill and safety to patients by reason of illness or  
993 use of alcohol, drugs, narcotics, chemicals, or any other type  
994 of material or as a result of any mental or physical condition.  
995 In enforcing this paragraph, the department shall have, upon a  
996 finding of the State Surgeon General or her or his designee that  
997 probable cause exists to believe that the licensee is unable to  
998 practice dentistry, dental therapy, or dental hygiene because of  
999 the reasons stated in this paragraph, the authority to issue an  
1000 order to compel a licensee to submit to a mental or physical  
1001 examination by physicians designated by the department. If the  
1002 licensee refuses to comply with such order, the department's  
1003 order directing such examination may be enforced by filing a  
1004 petition for enforcement in the circuit court where the licensee  
1005 resides or does business. The licensee against whom the petition  
1006 is filed shall not be named or identified by initials in any  
1007 public court records or documents, and the proceedings shall be  
1008 closed to the public. The department shall be entitled to the  
1009 summary procedure provided in s. 51.011. A licensee affected  
1010 under this paragraph shall at reasonable intervals be afforded  
1011 an opportunity to demonstrate that she or he can resume the  
1012 competent practice of her or his profession with reasonable  
1013 skill and safety to patients.

1014 (t) Fraud, deceit, or misconduct in the practice of  
1015 dentistry, dental therapy, or dental hygiene.

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1016 Section 18. Paragraph (g) of subsection (3) of section  
 1017 921.0022, Florida Statutes, is amended to read:  
 1018 921.0022 Criminal Punishment Code; offense severity ranking  
 1019 chart.—

1020 (3) OFFENSE SEVERITY RANKING CHART

1021 (g) LEVEL 7

1022

Florida Statute	Felony Degree	Description
316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
327.35(3)(c)2.	3rd	Vessel BUI resulting in

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1027			serious bodily injury.
	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1028			
	409.920	3rd	Medicaid provider fraud; \$10,000 or less.
	(2) (b) 1.a.		
1029			
	409.920	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
	(2) (b) 1.b.		
1030			
	456.065(2)	3rd	Practicing a health care profession without a license.
1031			
	456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1032			
	458.327(1)	3rd	Practicing medicine without a license.
1033			

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1034

459.013 (1) 3rd Practicing osteopathic medicine without a license.

1035

460.411 (1) 3rd Practicing chiropractic medicine without a license.

1036

461.012 (1) 3rd Practicing podiatric medicine without a license.

1037

462.17 3rd Practicing naturopathy without a license.

1038

463.015 (1) 3rd Practicing optometry without a license.

1039

464.016 (1) 3rd Practicing nursing without a license.

1040

465.015 (2) 3rd Practicing pharmacy without a license.

1041

466.026 (1) 3rd Practicing dentistry, dental therapy, or dental hygiene without a license.

467.201 3rd Practicing midwifery

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			without a license.
1042	468.366	3rd	Delivering respiratory care services without a license.
1043	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1044	483.901 (7)	3rd	Practicing medical physics without a license.
1045	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1046	484.053	3rd	Dispensing hearing aids without a license.
1047	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
1048	560.123 (8) (b) 1.	3rd	Failure to report currency

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1049	560.125 (5) (a)	3rd	<p>or payment instruments exceeding \$300 but less than \$20,000 by a money services business.</p>
1050	655.50 (10) (b) 1.	3rd	<p>Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.</p>
1051	775.21 (10) (a)	3rd	<p>Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.</p>
1052	775.21 (10) (b)	3rd	<p>Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.</p>
1053	775.21 (10) (g)	3rd	<p>Sexual predator working where children regularly congregate.</p>
			<p>Failure to report or providing false</p>



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1054			information about a sexual predator; harbor or conceal a sexual predator.
	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1055			
	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1056			
	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1057			
	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1058			
	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing

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			great bodily harm or disfigurement.
1059	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1060	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1061	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1062	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1063	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1064	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1065	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1066	784.081 (1)	1st	Aggravated battery on

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			specified official or employee.
1067	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1068	784.083 (1)	1st	Aggravated battery on code inspector.
1069	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
1070	787.06 (3) (e) 2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
1071	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
1072	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.

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1073

790.165 (2)

2nd

Manufacture, sell,  
possess, or deliver hoax  
bomb.

1074

790.165 (3)

2nd

Possessing, displaying, or  
threatening to use any  
hoax bomb while committing  
or attempting to commit a  
felony.

1075

790.166 (3)

2nd

Possessing, selling,  
using, or attempting to  
use a hoax weapon of mass  
destruction.

1076

790.166 (4)

2nd

Possessing, displaying, or  
threatening to use a hoax  
weapon of mass destruction  
while committing or  
attempting to commit a  
felony.

1077

790.23

1st, PBL

Possession of a firearm by  
a person who qualifies for  
the penalty enhancements  
provided for in s. 874.04.

1078

794.08 (4)

3rd

Female genital mutilation;

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			consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
1079	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
1080	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1081	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
1082	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
1083	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but

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1084			younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1085			
	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1086			
	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1087			
	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1088			
	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1089			
	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while

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1090			causing other property damage; 1st degree grand theft.
	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1091			
	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1092			
	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1093			
	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1094			
	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1095			
	812.131 (2) (a)	2nd	Robbery by sudden

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1096			snatching.
	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1097			
	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
1098			
	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1099			
	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1100			
	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1101			
	817.2341	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the
	(2) (b) & (3) (b)		



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1102			insolvency of that entity.
	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
1103			
	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
1104			
	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1105			
	825.103 (3) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.
1106			
	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1107			
	827.04 (3)	3rd	Impregnation of a child under 16 years of age by

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1108

person 21 years of age or older.

837.05(2)

3rd

Giving false information about alleged capital felony to a law enforcement officer.

1109

838.015

2nd

Bribery.

1110

838.016

2nd

Unlawful compensation or reward for official behavior.

1111

838.021(3)(a)

2nd

Unlawful harm to a public servant.

1112

838.22

2nd

Bid tampering.

1113

843.0855(2)

3rd

Impersonation of a public officer or employee.

1114

843.0855(3)

3rd

Unlawful simulation of legal process.

1115

843.0855(4)

3rd

Intimidation of a public officer or employee.

1116

847.0135(3)

3rd

Solicitation of a child,

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			via a computer service, to commit an unlawful sex act.
1117	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1118	872.06	2nd	Abuse of a dead human body.
1119	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
1120	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
1121	893.13 (1) (c) 1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 5.) within 1,000

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1122	893.13(1)(e)1.	1st	feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
1123	893.13(4)(a)	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5., within 1,000 feet of property used for religious services or a specified business site.
1124	893.135(1)(a)1.	1st	Use or hire of minor; deliver to minor other controlled substance.
1125	893.135 (1)(b)1.a.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.  Trafficking in cocaine, more than 28 grams, less than 200 grams.

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893.135	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
(1) (c) 1.a.		
893.135	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
(1) (c) 2.a.		
893.135	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
(1) (c) 2.b.		
893.135	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
(1) (c) 3.a.		
893.135	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
(1) (c) 3.b.		
893.135	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
(1) (c) 4.b. (I)		
893.135	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
(1) (d) 1.a.		

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1134	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
1135	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
1136	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1137	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1138	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1139	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
	893.135	1st	Trafficking in synthetic

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1140	(1) (m) 2.a.		cannabinoids, 280 grams or more, less than 500 grams.
	893.135	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
1141	(1) (m) 2.b.		
	893.135	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
1142	(1) (n) 2.a.		
	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1143			
	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1144			
	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.

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943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.



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944.607(9) 3rd Sexual offender; failure to comply with reporting requirements.

1152

944.607(10) (a) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

1153

944.607(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

1154

944.607(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

1155

985.4815(10) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

985.4815(12) 3rd Failure to report or providing false information about a sexual offender; harbor or

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conceal a sexual offender.

1156

985.4815(13)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

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Section 19. The Department of Health, in consultation with the Board of Dentistry and the Agency for Health Care Administration, shall submit a progress report to the President of the Senate and the Speaker of the House of Representatives by July 1, 2024, and shall submit a final report 3 years after the first dental therapy license is issued. The reports must include all of the following components:

(1) The progress that has been made in this state to implement training programs, licensing, and Medicaid reimbursement for dental therapists.

(2) Data demonstrating the effects of authorizing the practice of dental therapy in this state on:

(a) Patient access to dental services;

(b) The use of primary and preventive dental services in underserved regions and populations, including the Medicaid population;

(c) Costs to dental providers, patients, dental insurance carriers, and the state; and

(d) The quality and safety of dental services.

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1178       (3) Specific recommendations for any necessary legislative,  
1179 administrative, or regulatory reforms relating to the practice  
1180 of dental therapy.

1181       (4) Any other information the department deems appropriate.  
1182       Section 20. This act shall take effect July 1, 2021.