

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           amending s. 466.001, F.S.; revising legislative  
8           purpose and intent; amending s. 466.002, F.S.;  
9           providing applicability; amending s. 466.003, F.S.;  
10          defining the terms "dental therapist" and "dental  
11          therapy"; amending s. 466.004, F.S.; requiring the  
12          chair of the Board of Dentistry to appoint a Council  
13          on Dental Therapy, effective after a specified  
14          timeframe; providing for membership, meetings, and the  
15          purpose of the council; amending s. 466.006, F.S.;  
16          revising the definitions of the terms "full-time  
17          practice" to include full-time faculty members of  
18          certain dental therapy schools; amending s. 466.009,  
19          F.S.; requiring the Department of Health to allow any  
20          person who fails the dental therapy examination to  
21          retake the examination; providing that a person who  
22          fails a practical or clinical examination to practice  
23          dental therapy and who has failed one part or  
24          procedure of the examination may be required to retake  
25          only that part or procedure to pass the examination;

26 | amending s. 466.011, F.S.; requiring the board to  
27 | certify an applicant for licensure as a dental  
28 | therapist; creating s. 466.0136, F.S.; requiring the  
29 | board to require each licensed dental therapist to  
30 | complete a specified number of hours of continuing  
31 | education; requiring the board to adopt rules and  
32 | guidelines; authorizing the board to excuse licensees  
33 | from continuing education requirements in certain  
34 | circumstances; amending s. 466.016, F.S.; requiring a  
35 | practitioner of dental therapy to post and display her  
36 | or his license in each office where she or he  
37 | practices; amending s. 466.017, F.S.; requiring the  
38 | board to adopt certain rules relating to dental  
39 | therapists; authorizing a dental therapist to  
40 | administer local anesthesia under certain  
41 | circumstances; authorizing a dental therapist under  
42 | the general supervision of a dentist to perform  
43 | certain duties if specified requirements are met;  
44 | authorizing a dental therapist providing services in a  
45 | mobile dental unit under the general supervision of a  
46 | dentist to perform certain duties if specified  
47 | requirements are met; requiring a dental therapist to  
48 | notify the board in writing within a specified  
49 | timeframe after specified adverse incidents; requiring  
50 | a complete written report to be filed with the board

51 within a specified timeframe; providing for  
52 disciplinary action of a dental therapist; amending s.  
53 466.018, F.S.; providing that a dentist of record  
54 remains primarily responsible for the dental treatment  
55 of a patient regardless of whether the treatment is  
56 provided by a dental therapist; requiring that the  
57 initials of a dental therapist who renders treatment  
58 to a patient be placed in the record of the patient;  
59 creating s. 466.0225, F.S.; providing application  
60 requirements and examination and licensure  
61 qualifications for dental therapists; creating s.  
62 466.0227, F.S.; authorizing a dental therapist to  
63 perform specified services under the general  
64 supervision of a dentist under certain conditions;  
65 requiring that a collaborative management agreement be  
66 signed by a supervising dentist and a dental therapist  
67 and to include certain information; requiring the  
68 supervising dentist to determine the number of hours  
69 of practice that a dental therapist must complete  
70 before performing certain authorized services;  
71 authorizing a supervising dentist to restrict or limit  
72 the dental therapist's practice in a collaborative  
73 management agreement; providing that a supervising  
74 dentist may authorize a dental therapist to provide  
75 dental therapy services to a patient before the

76 dentist examines or diagnoses the patient under  
 77 certain conditions; requiring a supervising dentist to  
 78 be licensed and practicing in this state; specifying  
 79 that the supervising dentist is responsible for  
 80 certain services; amending s. 466.026, F.S.; providing  
 81 criminal penalties; amending s. 466.028, F.S.;  
 82 revising grounds for denial of a license or  
 83 disciplinary action to include the practice of dental  
 84 therapy; amending s. 466.0285, F.S.; prohibiting  
 85 persons other than licensed dentists from employing a  
 86 dental therapist in the operation of a dental office  
 87 and from controlling the use of any dental equipment  
 88 or material in certain circumstances; amending s.  
 89 921.0022, F.S.; conforming a provision to changes made  
 90 by the act; requiring the department, in consultation  
 91 with the board and the Agency for Health Care  
 92 Administration, to provide reports to the Legislature  
 93 by specified dates; requiring that certain information  
 94 and recommendations be included in the reports;  
 95 providing an effective date.

96  
 97 Be It Enacted by the Legislature of the State of Florida:

98  
 99 **Section 1. Paragraph (c) of subsection (1) of section**  
 100 **409.906, Florida Statutes, is amended, and paragraph (e) is**

101 **added to subsection (6) of that section, to read:**

102       409.906 Optional Medicaid services.—Subject to specific  
103 appropriations, the agency may make payments for services which  
104 are optional to the state under Title XIX of the Social Security  
105 Act and are furnished by Medicaid providers to recipients who  
106 are determined to be eligible on the dates on which the services  
107 were provided. Any optional service that is provided shall be  
108 provided only when medically necessary and in accordance with  
109 state and federal law. Optional services rendered by providers  
110 in mobile units to Medicaid recipients may be restricted or  
111 prohibited by the agency. Nothing in this section shall be  
112 construed to prevent or limit the agency from adjusting fees,  
113 reimbursement rates, lengths of stay, number of visits, or  
114 number of services, or making any other adjustments necessary to  
115 comply with the availability of moneys and any limitations or  
116 directions provided for in the General Appropriations Act or  
117 chapter 216. If necessary to safeguard the state's systems of  
118 providing services to elderly and disabled persons and subject  
119 to the notice and review provisions of s. 216.177, the Governor  
120 may direct the Agency for Health Care Administration to amend  
121 the Medicaid state plan to delete the optional Medicaid service  
122 known as "Intermediate Care Facilities for the Developmentally  
123 Disabled." Optional services may include:

124       (1) ADULT DENTAL SERVICES.—

125       (c) However, Medicaid will not provide reimbursement for

126 dental services provided in a mobile dental unit, except for a  
 127 mobile dental unit:

128 1. Owned by, operated by, or having a contractual  
 129 agreement with the Department of Health and complying with  
 130 Medicaid's county health department clinic services program  
 131 specifications as a county health department clinic services  
 132 provider.

133 2. Owned by, operated by, or having a contractual  
 134 arrangement with a federally qualified health center and  
 135 complying with Medicaid's federally qualified health center  
 136 specifications as a federally qualified health center provider.

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

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

141 5. Owned by, operated by, or having a contractual  
 142 agreement with a health access setting as defined in s.  
 143 466.003(13) or a similar setting or program.

144 (6) CHILDREN'S DENTAL SERVICES.—The agency may pay for  
 145 diagnostic, preventive, or corrective procedures, including  
 146 orthodontia in severe cases, provided to a recipient under age  
 147 21, by or under the supervision of a licensed dentist. The  
 148 agency may also reimburse a health access setting as defined in  
 149 s. 466.003 for the remediable tasks that a licensed dental  
 150 hygienist is authorized to perform under s. 466.024(2). Services

151 provided under this program include treatment of the teeth and  
152 associated structures of the oral cavity, as well as treatment  
153 of disease, injury, or impairment that may affect the oral or  
154 general health of the individual. However, Medicaid will not  
155 provide reimbursement for dental services provided in a mobile  
156 dental unit, except for a mobile dental unit:

157 (e) Owned by, operated by, or having a contractual  
158 agreement with a health access setting as defined in s.  
159 466.003(13) or a similar setting or program.

160 **Section 2. Section 466.001, Florida Statutes, is amended**  
161 **to read:**

162 466.001 Legislative purpose and intent.—The legislative  
163 purpose for enacting this chapter is to ensure that every  
164 dentist, dental therapist, or dental hygienist practicing in  
165 this state meets minimum requirements for safe practice without  
166 undue clinical interference by persons not licensed under this  
167 chapter. It is the legislative intent that dental services be  
168 provided only in accordance with ~~the provisions of~~ this chapter  
169 and not be delegated to unauthorized individuals. It is the  
170 further legislative intent that dentists, dental therapists, and  
171 dental hygienists who fall below minimum competency or who  
172 otherwise present a danger to the public ~~shall~~ be prohibited  
173 from practicing in this state. All provisions of this chapter  
174 relating to the practice of dentistry, dental therapy, and  
175 dental hygiene shall be liberally construed to carry out such

176 | purpose and intent.

177 |       **Section 3. Subsections (5) and (6) of section 466.002,**  
178 | **Florida Statutes, are amended to read:**

179 |       466.002 Persons exempt from operation of chapter.—Nothing  
180 | in this chapter shall apply to the following practices, acts,  
181 | and operations:

182 |       (5) Students in Florida schools of dentistry, dental  
183 | therapy, and dental hygiene or dental assistant educational  
184 | programs, while performing regularly assigned work under the  
185 | curriculum of such schools or programs.

186 |       (6) Instructors in Florida schools of dentistry,  
187 | instructors in dental programs that prepare persons holding  
188 | D.D.S. or D.M.D. degrees for certification by a specialty board  
189 | and that are accredited in the United States by January 1, 2005,  
190 | in the same manner as the board recognizes accreditation for  
191 | Florida schools of dentistry that are not otherwise affiliated  
192 | with a Florida school of dentistry, or instructors in Florida  
193 | schools of dental hygiene, dental therapy, or dental assistant  
194 | educational programs, while performing regularly assigned  
195 | instructional duties under the curriculum of such schools or  
196 | programs. A full-time dental instructor at a dental school or  
197 | dental program approved by the board may be allowed to practice  
198 | dentistry at the teaching facilities of such school or program,  
199 | upon receiving a teaching permit issued by the board, in strict  
200 | compliance with such rules as are adopted by the board



201 | pertaining to the teaching permit and with the established rules  
 202 | and procedures of the dental school or program as recognized in  
 203 | this section.

204 | **Section 4. Section 466.003, Florida Statutes, is reordered**  
 205 | **and amended to read:**

206 | 466.003 Definitions.—As used in this chapter, the term:

207 | (1) "Board" means the Board of Dentistry.

208 | (2)-(6) "Dental assistant" means a person, other than a  
 209 | dental hygienist, who, under the supervision and authorization  
 210 | of a dentist, provides dental care services directly to a  
 211 | patient. This term does ~~shall~~ not include a certified registered  
 212 | nurse anesthetist licensed under part I of chapter 464.

213 | (3)-(4) "Dental hygiene" means the rendering of  
 214 | educational, preventive, and therapeutic dental services  
 215 | pursuant to ss. 466.023 and 466.024 and any related extra-oral  
 216 | procedure required in the performance of such services.

217 | (4)-(5) "Dental hygienist" means a person licensed to  
 218 | practice dental hygiene pursuant to this chapter.

219 | (5) "Dental therapist" means a person licensed to practice  
 220 | dental therapy pursuant to s. 466.0225.

221 | (6) "Dental therapy" means the rendering of services  
 222 | pursuant to s. 466.0227 and any related extraoral services or  
 223 | procedures required in the performance of such services.

224 | (7)-(2) "Dentist" means a person licensed to practice  
 225 | dentistry pursuant to this chapter.

226        (8)~~(3)~~ "Dentistry" means the healing art which is  
227 concerned with the examination, diagnosis, treatment planning,  
228 and care of conditions within the human oral cavity and its  
229 adjacent tissues and structures. It includes the performance or  
230 attempted performance of any dental operation, or oral or oral-  
231 maxillofacial surgery and any procedures adjunct thereto,  
232 including physical evaluation directly related to such operation  
233 or surgery pursuant to hospital rules and regulations. It also  
234 includes dental service of any kind gratuitously or for any  
235 remuneration paid, or to be paid, directly or indirectly, to any  
236 person or agency. The term "dentistry" ~~shall~~ also includes  
237 ~~include~~ the following:

238        (a) ~~The~~ Taking ~~of~~ an impression of the human tooth, teeth,  
239 or jaws directly or indirectly and by any means or method.

240        (b) Supplying artificial substitutes for the natural teeth  
241 or furnishing, supplying, constructing, reproducing, or  
242 repairing any prosthetic denture, bridge, appliance, or any  
243 other structure designed to be worn in the human mouth except on  
244 the written work order of a duly licensed dentist.

245        (c) ~~The~~ Placing ~~of~~ an appliance or structure in the human  
246 mouth or the adjusting or attempting to adjust the same.

247        (d) Delivering the same to any person other than the  
248 dentist upon whose work order the work was performed.

249        (e) Professing to the public by any method to furnish,  
250 supply, construct, reproduce, or repair any prosthetic denture,

251 bridge, appliance, or other structure designed to be worn in the  
252 human mouth.

253 (f) Diagnosing, prescribing, or treating or professing to  
254 diagnose, prescribe, or treat disease, pain, deformity,  
255 deficiency, injury, or physical condition of the human teeth or  
256 jaws or oral-maxillofacial region.

257 (g) Extracting or attempting to extract human teeth.

258 (h) Correcting or attempting to correct malformations of  
259 teeth or of jaws.

260 (i) Repairing or attempting to repair cavities in the  
261 human teeth.

262 (9)~~(7)~~ "Department" means the Department of Health.

263 (10)~~(8)~~ "Digital scanning" means the use of digital  
264 technology that creates a computer-generated replica of the hard  
265 and soft tissue of the oral cavity using enhanced digital  
266 photography, lasers, or other optical scanning devices.

267 (11)~~(9)~~ "Direct supervision" means supervision whereby a  
268 dentist diagnoses the condition to be treated, a dentist  
269 authorizes the procedure to be performed, a dentist remains on  
270 the premises while the procedures are performed, and a dentist  
271 approves the work performed before dismissal of the patient.

272 (12)~~(11)~~ "General supervision" means supervision whereby a  
273 dentist authorizes the procedures which are being carried out  
274 but need not be present when the authorized procedures are being  
275 performed. The authorized procedures may also be performed at a

276 | place other than the dentist's usual place of practice. The  
277 | issuance of a written work authorization to a commercial dental  
278 | laboratory by a dentist does not constitute general supervision.

279 |       (13)~~(15)~~ "Health access setting" means a program or an  
280 | institution of the Department of Children and Families, the  
281 | Department of Health, the Department of Juvenile Justice, a  
282 | nonprofit community health center, a Head Start center, a  
283 | federally qualified health center or look-alike as defined by  
284 | federal law, a school-based prevention program, a clinic  
285 | operated by an accredited college of dentistry, or an accredited  
286 | dental hygiene program in this state if such community service  
287 | program or institution immediately reports to the Board of  
288 | Dentistry all violations of s. 466.027, s. 466.028, or other  
289 | practice act or standard of care violations related to the  
290 | actions or inactions of a dentist, dental hygienist, or dental  
291 | assistant engaged in the delivery of dental care in such  
292 | setting.

293 |       (14)~~(10)~~ "Indirect supervision" means supervision whereby  
294 | a dentist authorizes the procedure and a dentist is on the  
295 | premises while the procedures are performed.

296 |       (15)~~(12)~~ "Irremediable tasks" are those intraoral  
297 | treatment tasks which, when performed, are irreversible and  
298 | create unalterable changes within the oral cavity or the  
299 | contiguous structures or which cause an increased risk to the  
300 | patient. The administration of anesthetics other than topical

301 anesthesia is considered to be an "irremediable task" for  
 302 purposes of this chapter.

303 (16)~~(14)~~ "Oral and maxillofacial surgery" means the  
 304 specialty of dentistry involving diagnosis, surgery, and  
 305 adjunctive treatment of diseases, injuries, and defects  
 306 involving the functional and esthetic aspects of the hard and  
 307 soft tissues of the oral and maxillofacial regions. This term  
 308 may not be construed to apply to any individual exempt under s.  
 309 466.002(1).

310 (17)~~(13)~~ "Remediable tasks" are those intraoral treatment  
 311 tasks which are reversible and do not create unalterable changes  
 312 within the oral cavity or the contiguous structures and which do  
 313 not cause an increased risk to the patient.

314 (18)~~(16)~~ "School-based prevention program" means  
 315 preventive oral health services offered at a school by one of  
 316 the entities described ~~defined~~ in subsection (13) ~~(15)~~ or by a  
 317 nonprofit organization that is exempt from federal income  
 318 taxation under s. 501(a) of the Internal Revenue Code, and  
 319 described in s. 501(c)(3) of the Internal Revenue Code.

320 **Section 5. Subsection (2) of section 466.004, Florida**  
 321 **Statutes, is amended to read:**

322 466.004 Board of Dentistry.—

323 (2) To advise the board, it is the intent of the  
 324 Legislature that councils be appointed as specified in  
 325 paragraphs (a)-(d) ~~(a), (b), and (c)~~. The department shall

326 provide administrative support to the councils and shall provide  
327 public notice of meetings and agendas ~~agenda~~ of the councils.  
328 Councils must ~~shall~~ include at least one board member, who shall  
329 serve as chair, ~~the council~~ and must ~~shall~~ include nonboard  
330 members. All council members shall be appointed by the board  
331 chair. Council members shall be appointed for 4-year terms, and  
332 all members are ~~shall be~~ eligible for reimbursement of expenses  
333 in the manner of board members.

334 (a) A Council on Dental Hygiene shall be appointed by the  
335 board chair and shall include one dental hygienist member of the  
336 board, who shall chair the council, one dental member of the  
337 board, and three dental hygienists who are actively engaged in  
338 the practice of dental hygiene in this state. In making the  
339 appointments, the chair shall consider recommendations from the  
340 Florida Dental Hygiene Association. The council shall meet at  
341 the request of the board chair, a majority of the members of the  
342 board, or the council chair; however, the council must meet at  
343 least three times a year. The council is charged with the  
344 responsibility of and shall meet for the purpose of developing  
345 rules and policies for recommendation to the board, which the  
346 board shall consider, on matters pertaining to that part of  
347 dentistry consisting of educational, preventive, or therapeutic  
348 dental hygiene services; dental hygiene licensure, discipline,  
349 or regulation; and dental hygiene education. Rule and policy  
350 recommendations of the council must ~~shall~~ be considered by the

351 board at its next regularly scheduled meeting in the same manner  
352 in which it considers rule and policy recommendations from  
353 designated subcommittees of the board. Any rule or policy  
354 proposed by the board pertaining to the specified part of  
355 dentistry identified ~~defined~~ by this subsection must ~~shall~~ be  
356 referred to the council for a recommendation before final action  
357 by the board. The board may take final action on rules  
358 pertaining to the specified part of dentistry identified ~~defined~~  
359 by this subsection without a council recommendation if the  
360 council fails to submit a recommendation in a timely fashion as  
361 prescribed by the board.

362 (b) A Council on Dental Assisting shall be appointed by  
363 the board chair and shall include one board member who shall  
364 chair the council and three dental assistants who are actively  
365 engaged in dental assisting in this state. The council shall  
366 meet at the request of the board chair or a majority of the  
367 members of the board. The council shall meet for the purpose of  
368 developing recommendations to the board on matters pertaining to  
369 that part of dentistry related to dental assisting.

370 (c) Effective 28 months after the first dental therapy  
371 license is granted by the board, the board chair shall appoint a  
372 Council on Dental Therapy, which must include one board member  
373 who shall chair the council and three dental therapists who are  
374 actively engaged in the practice of dental therapy in this  
375 state. The council shall meet at the request of the board chair,

376 a majority of the members of the board, or the council chair;  
377 however, the council shall meet at least three times per year.  
378 The council is charged with the responsibility of, and shall  
379 meet for the purpose of, developing rules and policies for  
380 recommendation to the board on matters pertaining to that part  
381 of dentistry consisting of educational, preventive, or  
382 therapeutic dental therapy services; dental therapy licensure,  
383 discipline, or regulation; and dental therapy education. Rule  
384 and policy recommendations of the council must be considered by  
385 the board at its next regularly scheduled meeting in the same  
386 manner in which it considers rule and policy recommendations  
387 from designated subcommittees of the board. Any rule or policy  
388 proposed by the board pertaining to the specified part of  
389 dentistry identified by this subsection must be referred to the  
390 council for a recommendation before final action by the board.  
391 The board may take final action on rules pertaining to the  
392 specified part of dentistry identified by this subsection  
393 without a council recommendation if the council fails to submit  
394 a recommendation in a timely fashion as prescribed by the board.

395 (d) ~~(e)~~ With the concurrence of the State Surgeon General,  
396 the board chair may create and abolish other advisory councils  
397 relating to dental subjects, including, but not limited to:  
398 examinations, access to dental care, indigent care, nursing home  
399 and institutional care, public health, disciplinary guidelines,  
400 and other subjects as appropriate. Such councils shall be



401 appointed by the board chair and shall include at least one  
402 board member who shall serve as chair.

403 **Section 6. Paragraph (b) of subsection (4) of section**  
404 **466.006, Florida Statutes, is amended to read:**

405 466.006 Examination of dentists.—

406 (4) Notwithstanding any other provision of law in chapter  
407 456 pertaining to the clinical dental licensure examination or  
408 national examinations, to be licensed as a dentist in this  
409 state, an applicant must successfully complete both of the  
410 following:

411 (b) A practical or clinical examination, which must be the  
412 American Dental Licensing Examination produced by the American  
413 Board of Dental Examiners, Inc., or its successor entity, if  
414 any, which is administered in this state, provided that the  
415 board has attained, and continues to maintain thereafter,  
416 representation on the board of directors of the American Board  
417 of Dental Examiners, the examination development committee of  
418 the American Board of Dental Examiners, and such other  
419 committees of the American Board of Dental Examiners as the  
420 board deems appropriate by rule to assure that the standards  
421 established herein are maintained organizationally.

422 1. As an alternative to such practical or clinical  
423 examination, an applicant may submit scores from an American  
424 Dental Licensing Examination previously administered in a  
425 jurisdiction other than this state after October 1, 2011, and

426 such examination results are recognized as valid for the purpose  
427 of licensure in this state. A passing score on the American  
428 Dental Licensing Examination administered out of state is the  
429 same as the passing score for the American Dental Licensing  
430 Examination administered in this state. The applicant must have  
431 completed the examination after October 1, 2011. This  
432 subparagraph may not be given retroactive application.

433 2. If the date of an applicant's passing American Dental  
434 Licensing Examination scores from an examination previously  
435 administered in a jurisdiction other than this state under  
436 subparagraph 1. is older than 365 days, such scores are  
437 nevertheless valid for the purpose of licensure in this state,  
438 but only if the applicant demonstrates that all of the following  
439 additional standards have been met:

440 a. The applicant completed the American Dental Licensing  
441 Examination after October 1, 2011. This sub-subparagraph may not  
442 be given retroactive application.

443 b. The applicant graduated from a dental school accredited  
444 by the American Dental Association Commission on Dental  
445 Accreditation or its successor entity, if any, or any other  
446 dental accrediting organization recognized by the United States  
447 Department of Education. Provided, however, if the applicant did  
448 not graduate from such a dental school, the applicant may submit  
449 proof of having successfully completed a full-time supplemental  
450 general dentistry program accredited by the American Dental

451 Association Commission on Dental Accreditation of at least 2  
452 consecutive academic years at such accredited sponsoring  
453 institution. Such program must provide didactic and clinical  
454 education at the level of a D.D.S. or D.M.D. program accredited  
455 by the American Dental Association Commission on Dental  
456 Accreditation. For purposes of this sub-subparagraph, a  
457 supplemental general dentistry program does not include an  
458 advanced education program in a dental specialty.

459 c. The applicant currently possesses a valid and active  
460 dental license in good standing, with no restriction, which has  
461 never been revoked, suspended, restricted, or otherwise  
462 disciplined, from another state or territory of the United  
463 States, the District of Columbia, or the Commonwealth of Puerto  
464 Rico.

465 d. The applicant must disclose to the board during the  
466 application process if he or she has been reported to the  
467 National Practitioner Data Bank, the Healthcare Integrity and  
468 Protection Data Bank, or the American Association of Dental  
469 Boards Clearinghouse. This sub-subparagraph does not apply if  
470 the applicant successfully appealed to have his or her name  
471 removed from the data banks of these agencies.

472 e.(I)(A) The applicant submits proof of having been  
473 consecutively engaged in the full-time practice of dentistry in  
474 another state or territory of the United States, the District of  
475 Columbia, or the Commonwealth of Puerto Rico in the 5 years

476 immediately preceding the date of application for licensure in  
477 this state; or

478 (B) If the applicant has been licensed in another state or  
479 territory of the United States, the District of Columbia, or the  
480 Commonwealth of Puerto Rico for less than 5 years, the applicant  
481 submits proof of having been engaged in the full-time practice  
482 of dentistry since the date of his or her initial licensure.

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

488 (A) Active clinical practice of dentistry providing direct  
489 patient care.

490 (B) Full-time practice as a faculty member employed by a  
491 dental, dental therapy, or dental hygiene school approved by the  
492 board or accredited by the American Dental Association  
493 Commission on Dental Accreditation.

494 (C) Full-time practice as a student at a postgraduate  
495 dental education program approved by the board or accredited by  
496 the American Dental Association Commission on Dental  
497 Accreditation.

498 (III) The board shall develop rules to determine what type  
499 of proof of full-time practice is required and to recoup the  
500 cost to the board of verifying full-time practice under this

501 section. Such proof must, at a minimum, be:

502 (A) Admissible as evidence in an administrative  
503 proceeding;

504 (B) Submitted in writing;

505 (C) Further documented by an applicant's annual income tax  
506 return filed with the Internal Revenue Service for each year in  
507 the preceding 5-year period or, if the applicant has been  
508 practicing for less than 5 years, the period since initial  
509 licensure; and

510 (D) Specifically found by the board to be both credible  
511 and admissible.

512 (IV) The board may excuse applicants from the 1,200-hour  
513 requirement in the event of hardship, as defined by the board.

514 f. The applicant submits documentation that he or she has  
515 completed, or will complete before he or she is licensed in this  
516 state, continuing education equivalent to this state's  
517 requirements for the last full reporting biennium.

518 g. The applicant proves that he or she has never been  
519 convicted of, or pled nolo contendere to, regardless of  
520 adjudication, any felony or misdemeanor related to the practice  
521 of a health care profession in any jurisdiction.

522 h. The applicant has successfully passed a written  
523 examination on the laws and rules of this state regulating the  
524 practice of dentistry and the computer-based diagnostic skills  
525 examination.

526 i. The applicant submits documentation that he or she has  
 527 successfully completed the applicable examination administered  
 528 by the Joint Commission on National Dental Examinations or its  
 529 successor organization.

530 **Section 7. Subsection (1) of section 466.009, Florida**  
 531 **Statutes, is amended, and subsection (4) is added to that**  
 532 **section, to read:**

533 466.009 Reexamination.—

534 (1) Any person who fails an examination that is required  
 535 under s. 466.006, ~~or~~ s. 466.007, or s. 466.0225 may retake the  
 536 examination.

537 (4) If an applicant for a license to practice dental  
 538 therapy fails the practical or clinical examination and she or  
 539 he has failed only one part or procedure of such examination,  
 540 she or he may be required to retake only that part or procedure  
 541 to pass such examination. However, if any such applicant fails  
 542 more than one part or procedure of any such examination, she or  
 543 he must be required to retake the entire examination.

544 **Section 8. Section 466.011, Florida Statutes, is amended**  
 545 **to read:**

546 466.011 Licensure.—The board shall certify for licensure  
 547 by the department any applicant who satisfies the requirements  
 548 of s. 466.006, s. 466.0067, ~~or~~ s. 466.007, or s. 466.0225. The  
 549 board may refuse to certify an applicant who has violated ~~any of~~  
 550 ~~the provisions of~~ s. 466.026 or s. 466.028.

551           **Section 9. Section 466.0136, Florida Statutes, is created**  
552 **to read:**

553           466.0136 Continuing education; dental therapists.—In  
554 addition to any other requirements for relicensure for dental  
555 therapists specified in this chapter, the board shall require  
556 each licensed dental therapist to complete at least 24 hours,  
557 but not more than 36 hours, biennially of continuing education  
558 in dental subjects in programs approved by the board or in  
559 equivalent programs of continuing education. Programs of  
560 continuing education approved by the board must be programs of  
561 learning which, in the opinion of the board, contribute directly  
562 to the dental education of the dental therapist. An individual  
563 who is licensed as both a dental therapist and a dental  
564 hygienist may use 2 hours of continuing education that is  
565 approved for both dental therapy and dental hygiene education to  
566 satisfy both dental therapy and dental hygiene continuing  
567 education requirements. The board shall adopt rules and  
568 guidelines to administer and enforce this section. The dental  
569 therapist shall retain in her or his records any receipts,  
570 vouchers, or certificates necessary to document completion of  
571 the continuing education. Compliance with the continuing  
572 education requirements is mandatory for issuance of the renewal  
573 certificate. The board may excuse licensees, as a group or as  
574 individuals, from all or part of the continuing education  
575 requirements if an unusual circumstance, emergency, or hardship

576 prevents compliance with this section.

577 **Section 10. Subsection (1) of section 466.016, Florida**  
 578 **Statutes, is amended to read:**

579 466.016 License to be displayed.—

580 (1) Every practitioner of dentistry, dental therapy, or  
 581 dental hygiene within the meaning of this chapter shall post and  
 582 keep conspicuously displayed her or his license in the office  
 583 where ~~wherein~~ she or he practices, in plain sight of the  
 584 practitioner's patients. Any dentist, dental therapist, or  
 585 dental hygienist who practices at more than one location must  
 586 display a copy of her or his license in each office where she or  
 587 he practices.

588 **Section 11. Section 466.017, Florida Statutes, is amended,**  
 589 **to read:**

590 466.017 Prescription of drugs; anesthesia.—

591 (1) A dentist shall have the right to prescribe drugs or  
 592 medicine, subject to limitations imposed by law; perform  
 593 surgical operations within the scope of her or his practice and  
 594 training; administer general or local anesthesia or sedation,  
 595 subject to limitations imposed by law; and use such appliances  
 596 as may be necessary to the proper practice of dentistry.

597 (2) Pharmacists licensed pursuant to chapter 465 may fill  
 598 prescriptions of legally licensed dentists in this state for any  
 599 drugs necessary for the practice of dentistry.

600 (3) The board shall adopt rules which:



601 (a) Define general anesthesia.

602 (b) Specify which methods of general or local anesthesia  
603 or sedation, if any, are limited or prohibited for use by  
604 dentists.

605 (c) Establish minimal training, education, experience, or  
606 certification for a dentist to use general anesthesia or  
607 sedation, which rules may exclude, in the board's discretion,  
608 those dentists using general anesthesia or sedation in a  
609 competent and effective manner as of the effective date of the  
610 rules.

611 (d) Establish further requirements relating to the use of  
612 general anesthesia or sedation, including, but not limited to,  
613 office equipment and the training of dental assistants, dental  
614 therapists, or dental hygienists who work with dentists using  
615 general anesthesia or sedation.

616 (e) Establish an administrative mechanism enabling the  
617 board to verify compliance with training, education, experience,  
618 equipment, or certification requirements of dentists, dental  
619 therapists, dental hygienists, and dental assistants adopted  
620 pursuant to this subsection. The board may charge a fee to  
621 defray the cost of verifying compliance with requirements  
622 adopted pursuant to this paragraph.

623 (4) A dentist, dental therapist, or dental hygienist who  
624 administers or employs the use of any form of anesthesia must  
625 possess a certification in either basic cardiopulmonary

626 resuscitation for health professionals or advanced cardiac life  
627 support approved by the American Heart Association or the  
628 American Red Cross or an equivalent agency-sponsored course with  
629 recertification every 2 years. Each dental office that ~~which~~  
630 uses any form of anesthesia must have immediately available and  
631 in good working order such resuscitative equipment, oxygen, and  
632 other resuscitative drugs as are specified by rule of the board  
633 in order to manage possible adverse reactions.

634 (5) A dental hygienist under the general ~~direct~~  
635 supervision of a dentist may administer local anesthesia,  
636 including intraoral block anesthesia, soft tissue infiltration  
637 anesthesia, or both, to a nonsedated patient who is 18 years of  
638 age or older, if the following criteria are met:

639 (a) The dental hygienist has successfully completed a  
640 course in the administration of local anesthesia which is  
641 offered by a dental or dental hygiene program accredited by the  
642 Commission on Dental Accreditation of the American Dental  
643 Association or approved by the board. The course must include a  
644 minimum of 30 hours of didactic instruction and 30 hours of  
645 clinical experience, and instruction in:

- 646 1. Theory of pain control.
- 647 2. Selection-of-pain-control modalities.
- 648 3. Anatomy.
- 649 4. Neurophysiology.
- 650 5. Pharmacology of local anesthetics.

651           6. Pharmacology of vasoconstrictors.  
 652           7. Psychological aspects of pain control.  
 653           8. Systematic complications.  
 654           9. Techniques of maxillary anesthesia.  
 655           10. Techniques of mandibular anesthesia.  
 656           11. Infection control.  
 657           12. Medical emergencies involving local anesthesia.  
 658           (b) The dental hygienist presents evidence of current  
 659 certification in basic or advanced cardiac life support.  
 660           (c) The dental hygienist possesses a valid certificate  
 661 issued under subsection (7) ~~(6)~~.  
 662           (6) A dental therapist, under the general supervision of a  
 663 dentist may administer local anesthesia, including intraoral  
 664 block anesthesia, soft tissue infiltration anesthesia, or both,  
 665 if the following criteria are met:  
 666           (a) The dental therapist has successfully completed a  
 667 course in the administration of local anesthesia that meets the  
 668 requirements described in paragraph (5) (a).  
 669           (b) The dental therapist presents evidence of current  
 670 certification in basic or advanced cardiac life support.  
 671           (c) The dental therapist possesses a valid certificate  
 672 issued under subsection (7).  
 673           ~~(7)~~ (6) Any dental therapist or dental hygienist seeking a  
 674 certificate to administer local anesthesia must apply to the  
 675 department, remit an application fee, and submit proof of

676 successful completion of a course in the administration of local  
677 anesthesia pursuant to subsection (5). The board shall certify,  
678 and the department shall issue a certificate to, any dental  
679 therapist who fulfills the qualifications of subsection (6) or  
680 dental hygienist who fulfills the qualifications of subsection  
681 (5). The board shall establish a one-time application fee not to  
682 exceed \$35. The certificate is not subject to renewal but is  
683 part of the dental therapist's or dental hygienist's permanent  
684 record and must be prominently displayed at the location where  
685 the dental therapist or dental hygienist is authorized to  
686 administer local anesthesia. The board shall adopt rules  
687 necessary to administer subsections ~~subsection~~ (5) and (6) and  
688 this subsection.

689 ~~(8)-(7)~~ A licensed dentist, or a dental therapist who is  
690 authorized by her or his supervising dentist, may operate  
691 ~~utilize~~ an X-ray machine, expose dental X-ray films, and  
692 interpret or read such films. ~~Notwithstanding The provisions of~~  
693 ~~part IV of chapter 468 to the contrary notwithstanding,~~ a  
694 licensed dentist, or a dental therapist who is authorized by her  
695 or his supervising dentist, may authorize or direct a dental  
696 assistant to operate such equipment and expose such films under  
697 her or his direction and supervision, pursuant to rules adopted  
698 by the board in accordance with s. 466.024 which ensure that the  
699 ~~said~~ assistant is competent by reason of training and experience  
700 to operate the X-ray ~~said~~ equipment in a safe and efficient

701 manner. The board may charge a fee not to exceed \$35 to defray  
702 the cost of verifying compliance with requirements adopted  
703 pursuant to this section.

704 (9)~~(8)~~ Notwithstanding ~~The provisions of~~ s. 465.0276  
705 ~~notwithstanding~~, a dentist need not register with the board or  
706 comply with the continuing education requirements of that  
707 section if the dentist confines her or his dispensing activity  
708 to the dispensing of fluorides and chlorhexidine ~~chlorhexidine~~  
709 rinse solutions; provided that the dentist complies with and is  
710 subject to all laws and rules applicable to pharmacists and  
711 pharmacies, including, but not limited to, chapters 465, 499,  
712 and 893, and all applicable federal laws and regulations, when  
713 dispensing such products.

714 (10)~~(9)~~ Any adverse incident that occurs in an office  
715 maintained by a dentist must be reported to the department. The  
716 required notification to the department must be submitted in  
717 writing by certified mail and postmarked within 48 hours after  
718 the incident occurs.

719 (11)~~(10)~~ A dentist practicing in this state must notify  
720 the board in writing by certified mail within 48 hours after any  
721 adverse incident that occurs in the dentist's outpatient  
722 facility. A complete written report must be filed with the board  
723 within 30 days after the incident occurs.

724 (12)~~(11)~~ Any certified registered dental hygienist  
725 administering local anesthesia must notify the board in writing

726 by registered mail within 48 hours after any adverse incident  
727 that was related to or the result of the administration of local  
728 anesthesia. A complete written report must be filed with the  
729 board within 30 days after the mortality or other adverse  
730 incident.

731 (13) A dental therapist must notify the board in writing  
732 by registered mail within 48 hours after any adverse incident  
733 related to or resulting from the administration of local  
734 anesthesia. A complete written report must be filed with the  
735 board within 30 days after the mortality or other adverse  
736 incident.

737 (14)~~(12)~~ A failure by the dentist, dental therapist, or  
738 dental hygienist to timely and completely comply with all the  
739 reporting requirements in this section is the basis for  
740 disciplinary action by the board pursuant to s. 466.028(1).

741 (15)~~(13)~~ The department shall review each adverse incident  
742 and determine whether it involved conduct by a health care  
743 professional subject to disciplinary action, in which case s.  
744 456.073 applies. Disciplinary action, if any, shall be taken by  
745 the board under which the health care professional is licensed.

746 (16)~~(14)~~ As used in subsections (10)-(15) ~~(9)-(13)~~, the  
747 term "adverse incident" means any mortality that occurs during  
748 or as the result of a dental procedure, or an incident that  
749 results in a temporary or permanent physical or mental injury  
750 that requires hospitalization or emergency room treatment of a

751 dental patient which occurs during or as a direct result of the  
 752 use of general anesthesia, deep sedation, moderate sedation,  
 753 pediatric moderate sedation, oral sedation, minimal sedation  
 754 (anxiolysis), nitrous oxide, or local anesthesia.

755 ~~(17)-(15)~~ The board may adopt rules to administer this  
 756 section.

757 **Section 12. Subsection (1) of section 466.018, Florida**  
 758 **Statutes, is amended to read:**

759 466.018 Dentist of record; patient records.—

760 (1) Each patient must ~~shall~~ have a dentist of record. The  
 761 dentist of record shall remain primarily responsible for all  
 762 dental treatment on such patient regardless of whether the  
 763 treatment is rendered by that ~~the~~ dentist or by another dentist,  
 764 a dental therapist, a dental hygienist, or a dental assistant  
 765 rendering such treatment in conjunction with, at the direction  
 766 or request of, or under the supervision of such dentist of  
 767 record. The dentist of record must ~~shall~~ be identified in the  
 768 record of the patient. If treatment is rendered by a dentist  
 769 other than the dentist of record or by a dental hygienist,  
 770 dental therapist, or dental assistant, the name or initials of  
 771 such person must ~~shall~~ be placed in the record of the patient.  
 772 In any disciplinary proceeding brought pursuant to this chapter  
 773 or chapter 456, it must ~~shall~~ be presumed as a matter of law  
 774 that treatment was rendered by the dentist of record unless  
 775 otherwise noted on the patient record pursuant to this section.

776 The dentist of record and any other treating dentist are subject  
777 to discipline pursuant to this chapter or chapter 456 for  
778 treatment rendered to the patient and performed in violation of  
779 such chapter. One of the purposes of this section is to ensure  
780 that the responsibility for each patient is assigned to one  
781 dentist in a multidentist practice of any nature and to assign  
782 primary responsibility to the dentist for treatment rendered by  
783 a dental hygienist, dental therapist, or dental assistant under  
784 her or his supervision. This section may ~~shall~~ not be construed  
785 to assign any responsibility to a dentist of record for  
786 treatment rendered pursuant to a proper referral to another  
787 dentist who does not ~~in~~ practice with the dentist of record or  
788 to prohibit a patient from voluntarily selecting a new dentist  
789 without permission of the dentist of record.

790 **Section 13. Section 466.0225, Florida Statutes, is created**  
791 **to read:**

792 466.0225 Examination of dental therapists; licensing.—

793 (1) (a) Any person desiring to be licensed as a dental  
794 therapist must apply to the department.

795 (b) Applicants for licensure must also submit to  
796 background screening in accordance with s. 456.0135.

797 (2) The department shall issue a license to an applicant  
798 who the board certifies meets all of the following criteria:

799 (a) Is 18 years of age or older.

800 (b) Is a graduate of a dental therapy college or school



801 accredited by the American Dental Association Commission on  
802 Dental Accreditation or its successor entity, if any, or any  
803 other dental therapy accrediting entity recognized by the United  
804 States Department of Education. For applicants applying for a  
805 dental therapy license before January 1, 2030, the board must  
806 approve the applicant's dental therapy education program if the  
807 program was administered by a college or school that operates an  
808 accredited dental or dental hygiene program and the college or  
809 school certifies to the board that the applicant's education  
810 substantially conformed to the education standards established  
811 by the American Dental Association Commission on Dental  
812 Accreditation or its successor entity.

813 (c) Has successfully completed a dental therapy practical  
814 or clinical examination produced by the American Board of Dental  
815 Examiners, Inc., or its successor entity, if any, if the board  
816 finds that the successor entity's examination meets or exceeds  
817 the requirements of this section. If an applicant fails to pass  
818 such an examination in three attempts, the applicant is not  
819 eligible to retake the examination unless the applicant  
820 completes additional education requirements as specified by the  
821 board.

822 (d) Has successfully completed a written examination on  
823 the laws and rules of this state regulating the practice of  
824 dental therapy.

825 (e) Has not been disciplined by a board, except for

826 citation offenses or minor violations.

827 (f) Has not been convicted of or pled nolo contendere to,  
 828 regardless of adjudication, any felony or misdemeanor related to  
 829 the practice of a health care profession.

830 (3) An applicant who meets the requirements of this  
 831 section and who has successfully completed an examination  
 832 identified in paragraph (2) (c) in a jurisdiction other than this  
 833 state, or who has successfully completed a comparable  
 834 examination administered or approved by the licensing authority  
 835 in a jurisdiction other than this state, shall be licensed to  
 836 practice dental therapy in this state if the board determines  
 837 that the other jurisdiction's examination is substantially  
 838 similar to those identified in paragraph (2) (c).

839 **Section 14. Section 466.0227, Florida Statutes, is created**  
 840 **to read:**

841 466.0227 Dental therapists; scope and area of practice.—

842 (1) Except as otherwise provided in this chapter, a dental  
 843 therapist may perform the dental therapy services specified in  
 844 subsection (2) under the general supervision of a dentist in all  
 845 service scenarios including mobile dental units to the extent  
 846 authorized by the supervising dentist and provided within the  
 847 terms of a written collaborative management agreement signed by  
 848 the dental therapist and the supervising dentist which meets the  
 849 requirements of subsection (3).

850 (2) The scope of practice of a dental therapist, subject

851 to the terms of a written collaborative management agreement,  
852 includes all of the following:

853 (a) Oral evaluation and assessment of dental disease and  
854 formulation of an individualized treatment plan.

855 (b) Identification of oral and systemic conditions  
856 requiring evaluation or treatment by dentists, physicians, or  
857 other health care providers and managing referrals.

858 (c) Comprehensive charting of the oral cavity.

859 (d) Oral health instruction and disease prevention  
860 education, including, but not limited to, nutritional counseling  
861 and dietary analysis.

862 (e) Exposure and evaluation of radiographic images.

863 (f) Dental prophylaxis, including, but not limited to,  
864 subgingival scaling and polishing procedures.

865 (g) Dispensing and administration via the oral or topical  
866 route of nonnarcotic analgesic, anti-inflammatory, and  
867 antibiotic medications as prescribed by a licensed health care  
868 provider.

869 (h) Application of topical preventive or prophylactic  
870 agents, including, but not limited to, fluoride varnish,  
871 antimicrobial agents, caries arresting medicaments, and pit and  
872 fissure sealants.

873 (i) Pulp vitality testing.

874 (j) Application of desensitizing medications or resins.

875 (k) Fabrication of athletic mouth guards and soft occlusal

- 876 guards.
- 877 (l) Changing of periodontal dressings.
- 878 (m) Administration of local anesthetic and nitrous oxide.
- 879 (n) Simple extraction of erupted primary teeth.
- 880 (o) Nonsurgical extraction of periodontally diseased  
881 permanent teeth with tooth mobility of +3 to +4 to the extent  
882 authorized in the dental therapist's collaborative management  
883 agreement, except for the extraction of a tooth that is  
884 unerupted, impacted, or fractured or that needs to be sectioned  
885 for removal.
- 886 (p) Emergency palliative treatment of dental pain limited  
887 to the procedures in this subsection.
- 888 (q) Preparation and placement of direct restoration in  
889 primary and permanent teeth.
- 890 (r) Fabrication and placement of single-tooth temporary  
891 crowns.
- 892 (s) Preparation and placement of preformed crowns on  
893 primary teeth.
- 894 (t) Indirect and direct pulp capping on permanent teeth.
- 895 (u) Indirect pulp capping on primary teeth.
- 896 (v) Intraoral suture placement and removal.
- 897 (w) Minor adjustment and repair of removable prostheses.
- 898 (x) Placement and removal of space maintainers.
- 899 (y) Pulpotomy on primary teeth.
- 900 (z) Tooth reimplantation and stabilization.

- 901        (aa) Recementing of a permanent crown.
- 902        (bb) Additional services, treatments, or procedures as the  
903 board deems appropriate by rule.
- 904        (3) Before performing any of the services authorized in  
905 subsection (2), a dental therapist must enter into a written  
906 collaborative management agreement with a supervising dentist.  
907 The agreement must be signed by the dental therapist and the  
908 supervising dentist and must include all of the following  
909 information:
- 910            (a) Practice settings where services may be provided by  
911 the dental therapist and the populations to be served by the  
912 dental therapist.
- 913            (b) Any limitations on the services that may be provided  
914 by the dental therapist, including the level of supervision  
915 required by the supervising dentist. This may include  
916 telehealth.
- 917            (c) Age-specific and procedure-specific practice protocols  
918 for the dental therapist, including case selection criteria,  
919 assessment guidelines, and imaging frequency.
- 920            (d) A procedure for creating and maintaining dental  
921 records for the patients who are treated by the dental  
922 therapist.
- 923            (e) A plan to manage medical emergencies in each practice  
924 setting where the dental therapist provides care.
- 925            (f) A quality assurance plan for monitoring care provided

926 by the dental therapist, including patient care review, referral  
927 follow-up, and a quality assurance chart review.

928 (g) Protocols for the dental therapist to administer and  
929 dispense medications, including the specific conditions and  
930 circumstances under which the medications are to be dispensed  
931 and administered.

932 (h) Criteria relating to the provision of care by the  
933 dental therapist to patients with specific medical conditions or  
934 complex medication histories, including requirements for  
935 consultation before the initiation of care.

936 (i) Supervision criteria of dental therapists.

937 (j) A plan for the provision of clinical resources and  
938 referrals in situations that are beyond the capabilities of the  
939 dental therapist.

940 (4) A supervising dentist shall determine the number of  
941 hours of practice that a dental therapist must complete under  
942 direct or indirect supervision of the supervising dentist before  
943 the dental therapist may perform any of the services authorized  
944 in subsection (2) under general supervision.

945 (5) A supervising dentist may restrict or limit the dental  
946 therapist's practice in the written collaborative management  
947 agreement to be less than the full scope of practice for dental  
948 therapists which is authorized in subsection (2).

949 (6) A supervising dentist may authorize a dental therapist  
950 to provide dental therapy services to a patient before the

951 supervising dentist examines or diagnoses the patient if the  
952 authority, conditions, and protocols are established in a  
953 written collaborative management agreement and if the patient is  
954 subsequently referred to a dentist for any needed additional  
955 services that exceed the dental therapist's scope of practice or  
956 authorization under the collaborative management agreement.

957 (7) A supervising dentist must be licensed and practicing  
958 in this state. The supervising dentist is responsible for all  
959 services authorized and performed by the dental therapist  
960 pursuant to the collaborative management agreement and for  
961 providing or arranging followup services to be provided by a  
962 dentist for any additional services that exceed the dental  
963 therapist's scope of practice or authorization under the  
964 collaborative management agreement.

965 **Section 15. Section 466.026, Florida Statutes, is amended**  
966 **to read:**

967 466.026 Prohibitions; penalties.—

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

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

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

976 (c) Knowingly employing any person to perform duties  
977 outside the scope allowed such person under this chapter or the  
978 rules of the board.

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

981 (e) Selling or offering to sell a diploma conferring a  
982 degree from a dental college, ~~or~~ dental hygiene school or  
983 college, or dental therapy school or college, or a license  
984 issued pursuant to this chapter, or procuring such diploma or  
985 license with intent that it will ~~shall~~ be used as evidence of  
986 that which the document stands for, by a person other than the  
987 one upon whom it was conferred or to whom it was granted.

988 (2) Each of the following acts constitutes a misdemeanor  
989 of the first degree, punishable as provided in s. 775.082 or s.  
990 775.083:

991 (a) Using the name or title "dentist," the letters  
992 "D.D.S." or "D.M.D.", or any other words, letters, title, or  
993 descriptive matter which in any way represents a person as being  
994 able to diagnose, treat, prescribe, or operate for any disease,  
995 pain, deformity, deficiency, injury, or physical condition of  
996 the teeth or jaws or oral-maxillofacial region unless the person  
997 has an active dentist's license issued by the department  
998 pursuant to this chapter.

999 (b) Using the name "dental hygienist" or the initials  
1000 "R.D.H." or otherwise holding herself or himself out as an



1001 actively licensed dental hygienist or implying to any patient or  
 1002 consumer that she or he is an actively licensed dental hygienist  
 1003 unless that person has an active dental hygienist's license  
 1004 issued by the department pursuant to this chapter.

1005 (c) Using the name "dental therapist" or the initials  
 1006 "D.T." or otherwise holding herself or himself out as an  
 1007 actively licensed dental therapist or implying to any patient or  
 1008 consumer that she or he is an actively licensed dental therapist  
 1009 unless that person has an active dental therapist's license  
 1010 issued by the department pursuant to this chapter.

1011 (d)~~(e)~~ Presenting as her or his own the license of  
 1012 another.

1013 (e)~~(d)~~ Knowingly concealing information relative to  
 1014 violations of this chapter.

1015 (f)~~(e)~~ Performing any services as a dental assistant as  
 1016 defined herein, except in the office of a licensed dentist,  
 1017 unless authorized by this chapter or by rule of the board.

1018 **Section 16. Paragraphs (b), (c), (g), (s), and (t) of**  
 1019 **subsection (1) of section 466.028, Florida Statutes, are amended**  
 1020 **to read:**

1021 466.028 Grounds for disciplinary action; action by the  
 1022 board.—

1023 (1) The following acts constitute grounds for denial of a  
 1024 license or disciplinary action, as specified in s. 456.072(2):

1025 (b) Having a license to practice dentistry, dental

1026 therapy, or dental hygiene revoked, suspended, or otherwise  
 1027 acted against, including the denial of licensure, by the  
 1028 licensing authority of another state, territory, or country.

1029 (c) Being convicted or found guilty of or entering a plea  
 1030 of nolo contendere to, regardless of adjudication, a crime in  
 1031 any jurisdiction which relates to the practice of dentistry,  
 1032 dental therapy, or dental hygiene. A plea of nolo contendere  
 1033 creates ~~shall create~~ a rebuttable presumption of guilt to the  
 1034 underlying criminal charges.

1035 (g) Aiding, assisting, procuring, or advising any  
 1036 unlicensed person to practice dentistry, dental therapy, or  
 1037 dental hygiene contrary to this chapter or to a rule of the  
 1038 department or the board.

1039 (s) Being unable to practice her or his profession with  
 1040 reasonable skill and safety to patients by reason of illness or  
 1041 use of alcohol, drugs, narcotics, chemicals, or any other type  
 1042 of material or as a result of any mental or physical condition.  
 1043 In enforcing this paragraph, the department ~~shall have,~~ upon a  
 1044 finding of the State Surgeon General or her or his designee that  
 1045 probable cause exists to believe that the licensee is unable to  
 1046 practice dentistry, dental therapy, or dental hygiene because of  
 1047 the reasons stated in this paragraph, has the authority to issue  
 1048 an order to compel a licensee to submit to a mental or physical  
 1049 examination by physicians designated by the department. If the  
 1050 licensee refuses to comply with such order, the department's

1051 order directing such examination may be enforced by filing a  
 1052 petition for enforcement in the circuit court where the licensee  
 1053 resides or does business. The licensee against whom the petition  
 1054 is filed may ~~shall~~ not be named or identified by initials in any  
 1055 public court records or documents, and the proceedings must  
 1056 ~~shall~~ be closed to the public. The department is ~~shall be~~  
 1057 entitled to the summary procedure provided in s. 51.011. A  
 1058 licensee affected under this paragraph must ~~shall~~ at reasonable  
 1059 intervals be afforded an opportunity to demonstrate that she or  
 1060 he can resume the competent practice of her or his profession  
 1061 with reasonable skill and safety to patients.

1062 (t) Committing fraud, deceit, or misconduct in the  
 1063 practice of dentistry, dental therapy, or dental hygiene.

1064 **Section 17. Subsection (1) of section 466.0285, Florida**  
 1065 **Statutes, is amended to read:**

1066 466.0285 Proprietorship by nondentists.—

1067 (1) A ~~No~~ person other than a dentist licensed pursuant to  
 1068 this chapter, or ~~nor~~ any entity other than a professional  
 1069 corporation or limited liability company composed of dentists,  
 1070 may not:

1071 (a) Employ a dentist, a dental therapist, or a dental  
 1072 hygienist in the operation of a dental office.

1073 (b) Control the use of any dental equipment or material  
 1074 while such equipment or material is being used for the provision  
 1075 of dental services, whether those services are provided by a

1076 dentist, a dental therapist, a dental hygienist, or a dental  
 1077 assistant.

1078 (c) Direct, control, or interfere with a dentist's  
 1079 clinical judgment. To direct, control, or interfere with a  
 1080 dentist's clinical judgment may not be interpreted to mean  
 1081 dental services contractually excluded, the application of  
 1082 alternative benefits that may be appropriate given the dentist's  
 1083 prescribed course of treatment, or the application of  
 1084 contractual provisions and scope of coverage determinations in  
 1085 comparison with a dentist's prescribed treatment on behalf of a  
 1086 covered person by an insurer, health maintenance organization,  
 1087 or a prepaid limited health service organization.

1088  
 1089 Any lease agreement, rental agreement, or other arrangement  
 1090 between a nondentist and a dentist whereby the nondentist  
 1091 provides the dentist with dental equipment or dental materials  
 1092 shall contain a provision whereby the dentist expressly  
 1093 maintains complete care, custody, and control of the equipment  
 1094 or practice.

1095 **Section 18. Paragraph (g) of subsection (3) of section**  
 1096 **921.0022, Florida Statutes, is amended to read:**

- 1097 (3) OFFENSE SEVERITY RANKING CHART  
 1098 (g) LEVEL 7  
 1099

Florida	Felony	Description
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	Statute	Degree	
1100	316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
1101	316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
1102	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.
1103	327.35(3)(a)3.b.	3rd	Vessel BUI resulting in serious bodily injury.
1104	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.

1105	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1106	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1107	456.065 (2)	3rd	Practicing a health care profession without a license.
1108	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1109	458.327 (1)	3rd	Practicing medicine without a license.
1110	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1111	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1112			

1113	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1114	462.17	3rd	Practicing naturopathy without a license.
1115	463.015 (1)	3rd	Practicing optometry without a license.
1116	464.016 (1)	3rd	Practicing nursing without a license.
1117	465.015 (2)	3rd	Practicing pharmacy without a license.
1118	466.026 (1)	3rd	Practicing dentistry, <u>dental therapy,</u> or dental hygiene without a license.
1119	467.201	3rd	Practicing midwifery without a license.
1120	468.366	3rd	Delivering respiratory care services without a license.

1121	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1122	483.901 (7)	3rd	Practicing medical physics without a license.
1123	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1124	484.053	3rd	Dispensing hearing aids without a license.
1125	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.
1126	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.



1127	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1128	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
1129	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
1130	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
1131	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.

1132	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1133	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1134	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1135	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.

1136	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1137	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1138	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1139	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1140	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1141	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1142	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1143	784.081 (1)	1st	Aggravated battery on specified official or employee.

1144	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1145	784.083 (1)	1st	Aggravated battery on code inspector.
1146	787.025 (2) (b)	2nd	Luring or enticing a child; second or subsequent offense.
1147	787.025 (2) (c)	2nd	Luring or enticing a child with a specified prior conviction.
1148	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
1149	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.
1150	790.07 (4)	1st	Specified weapons violation

1151			subsequent to previous conviction of s. 790.07(1) or (2).
	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
1152			
	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1153			
	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1154			
	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1155			
	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1156			

1157	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1158	794.08 (4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
1159	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
1160	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1161	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older

1162			but younger than 16 years of age; offender 18 years of age or older.
	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
1163			
	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1164			
	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1165			
	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1166			
	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1167			

1168	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1169	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 causing other property damage; 1st degree grand theft.
1170	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1171	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1172	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
	812.014 (2) (g)	2nd	Grand theft; second degree; firearm with previous



			conviction of s. 812.014(2)(c)5.
1173	812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1174	812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1175	812.131(2)(a)	2nd	Robbery by sudden snatching.
1176	812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1177	817.034(4)(a)1.	1st	Communications fraud, value greater than \$50,000.
1178	817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1179	817.234(9)	2nd	Organizing, planning, or participating in an intentional

1180			motor vehicle collision.
	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1181			
	817.2341 (2) (b) & (3) (b)	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 insolvency of that entity.
1182			
	817.418 (2) (a)	3rd	Offering for sale or advertising personal protective equipment with intent to defraud.
1183			
	817.504 (1) (a)	3rd	Offering or advertising a vaccine with intent to defraud.
1184			
	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
1185			
	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49

1186			counterfeit credit cards or related documents.
	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1187			
	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.
1188			
	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1189			
	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1190			
	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
1191			

1192	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
1193	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1194	838.015	2nd	Bribery.
1195	838.016	2nd	Unlawful compensation or reward for official behavior.
1196	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1197	838.22	2nd	Bid tampering.
1198	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1199	843.0855 (3)	3rd	Unlawful simulation of legal process.

1200	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1201	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1202	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1203	872.06	2nd	Abuse of a dead human body.
1204	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
1205	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
	893.13 (1) (c) 1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s.

1206	893.13(1)(e)1.	1st	<p>893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.</p> <p>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.</p>
1207	893.13(4)(a)	1st	<p>Use or hire of minor; deliver to minor other controlled substance.</p>
1208	893.135(1)(a)1.	1st	<p>Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.</p>

1209	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1210	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1211	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
1212	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
1213	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
1214	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
1215			

1216	893.135 (1) (c) 4.b. (I)	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
1217	893.135 (1) (d) 1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
1218	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
1219	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
1220	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1221	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.



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1222	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1223	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1224	893.135 (1) (m) 2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.
1225	893.135 (1) (m) 2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
1226	893.135 (1) (n) 2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
1227	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
	896.101 (5) (a)	3rd	Money laundering, financial

1228			transactions exceeding \$300 but less than \$20,000.
	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1229			
	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1230			
	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1231			
	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
1232			
	943.0435 (13)	3rd	Failure to report or providing false information about a

1233	943.0435 (14)	3rd	sexual offender; harbor or conceal a sexual offender. Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1234	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
1235	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1236	944.607 (12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1237	944.607 (13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address

1238 verification; providing false  
registration information.

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

1239 985.4815(12) 3rd Failure to report or providing  
false information about a  
sexual offender; harbor or  
conceal a sexual offender.

1240 985.4815(13) 3rd Sexual offender; failure to  
report and reregister; failure  
to respond to address  
verification; providing false  
registration information.

1241  
1242  
1243 **Section 19.** The Department of Health, in consultation with  
1244 the Board of Dentistry and the Agency for Health Care  
1245 Administration, shall submit a progress report to the President  
1246 of the Senate and the Speaker of the House of Representatives by  
1247 July 1, 2029, and a final report 4 years after the first dental  
1248 therapy license is issued. The reports must include all of the

1249 following information and recommendations:

1250 (1) The progress that has been made in this state to  
 1251 implement dental therapy training programs, licensing, and  
 1252 Medicaid reimbursement.

1253 (2) Data demonstrating the effects of dental therapy in  
 1254 this state on all of the following:

1255 (a) Patient access to dental services.

1256 (b) Costs to dental providers, patients, dental insurance  
 1257 carriers, and the state.

1258 (c) The quality and safety of dental services.

1259 (3) Specific recommendations for any necessary  
 1260 legislative, administrative, or regulatory reform relating to  
 1261 the practice of dental therapy.

1262 (4) Any other information the department deems  
 1263 appropriate.

1264 **Section 20.** This act shall take effect July 1, 2026.