

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

*As Engrossed: H2/28/03*

# A Bill

HOUSE BILL 1743

5 By: Representative Roebuck  
6 By: Senator Whitaker  
7  
8

## For An Act To Be Entitled

9 AN ACT TO AMEND THE ARKANSAS DENTAL PRACTICE ACT;  
10 AND FOR OTHER PURPOSES.  
11  
12

### Subtitle

13 AN ACT TO AMEND THE ARKANSAS DENTAL  
14 PRACTICE ACT.  
15  
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code § 17-82-304(c), concerning the refunding of  
21 licensure application fees for dentists, is amended to read as follows:

22 (c)(1) If the board determines that the applicant is qualified to take  
23 the examination required for licensing, it shall notify the applicant of the  
24 time and place to report before it for examination.

25 ~~(2) If after considering an application and its accompanying~~  
26 ~~records the board finds that the applicant is not qualified to take the~~  
27 ~~examination, the board shall refund the entire amount of the examination and~~  
28 ~~licensing fee paid by the applicant.~~

29 ~~(3)~~(2) If a qualified applicant fails to appear for examination,  
30 the fee shall be retained by the board and the applicant is entitled to take  
31 any examination required for licensing held at any time within three (3)  
32 years thereafter, if he or she is then qualified, without additional fee  
33 charge, unless the amount of the fee is increased by the board, in which  
34 event the applicant must pay the difference between the amount of fee  
35 credited to him or her and the increased fee amount.

36 ~~(4)~~(3) If an applicant fails to make the grade or percentage



1 required by the board, the fee paid by him or her shall be retained by the  
2 board.

3 ~~(5)~~(4) If an applicant makes the grade or percentage required by  
4 the board, then it shall issue to him or her without further initial cost a  
5 license to practice dentistry in the State of Arkansas.

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7 SECTION 2. Arkansas Code § 17-82-305(c), concerning licensing  
8 procedures for dental specialists, is amended to read as follows:

9 (c) The board is authorized to certify specialists in all specialty  
10 areas approved by the American Dental Association, ~~but no licensed dentist~~  
11 ~~may be certified in more than one (1) specialty.~~

12

13 SECTION 3. Arkansas Code § 17-82-306(c), concerning the refunding of  
14 licensure application fees for dental hygienists, is amended to read as  
15 follows:

16 (c)(1) If the board determines that the applicant is qualified to take  
17 the examination required for licensing, it shall notify the applicant of the  
18 time and place to report before it for examination.

19 ~~(2) If after considering an application and its accompanying~~  
20 ~~records the board finds that the applicant is not qualified to take the~~  
21 ~~examination, the board shall refund the entire amount of the examination and~~  
22 ~~licensing fee paid by the applicant.~~

23 ~~(3)~~(2) If a qualified applicant fails to appear for examination,  
24 the fee shall be retained by the board and the applicant is entitled to take  
25 any examination required for licensing held at any time within three (3)  
26 years thereafter, if he or she is then qualified, without additional fee  
27 charge, unless the amount of the fee is increased by the board, in which  
28 event the applicant must pay the difference between the amount of the fee  
29 credited to him or her and the increased fee amount.

30 ~~(4)~~(3) If an applicant fails to make the grade or percentage  
31 required by the board, the fee paid by him or her shall be retained by the  
32 board.

33 ~~(5)~~(4) If an applicant makes the grade or percentage required by  
34 the board, it shall issue to him or her without further initial cost a  
35 license to practice dental hygiene in the State of Arkansas.

36

1 SECTION 4. Arkansas Code § 17-82-310(a), concerning renewal of the  
2 licensure fee for dentists, is amended to read as follows:

3 (a) All licenses to practice dentistry or dental hygiene issued in the  
4 State of Arkansas shall continue in full force and effect until forfeited,  
5 suspended, or revoked, subject to the following provisions:

6 (1) On January 1 of ~~each year~~ even numbered years, every dentist  
7 and dental hygienist must renew his or her license with the Arkansas State  
8 Board of Dental Examiners on forms prepared and furnished by the board,  
9 supplying all the information and data requested on the forms; and

10 (2) A renewal fee in an amount to be determined by the board as  
11 being necessary to provide funds for the operation of the board and for other  
12 expenses in administering this chapter must be paid to the board upon the  
13 filing of the form, duly executed, with the board.  
14

15 SECTION 5. Arkansas Code § 17-82-310(c)(1), concerning the procedure  
16 for renewal of the licensure fee for dentists, is amended to read as follows:

17 (c)(1) During the month of December of ~~each year~~ odd numbered years,  
18 the Secretary of the Arkansas State Board of Dental Examiners shall mail the  
19 approved renewal form to every dentist and dental hygienist registered in the  
20 State of Arkansas to his or her last known address.  
21

22 SECTION 6. Arkansas Code § 17-82-311 is amended to read as follows:

23 17-82-311. ~~Annual renewal~~ Renewal - Penalties for noncompliance.

24 Failure to renew a license within a period of thirty (30) days after  
25 January 1 of ~~each year~~ even numbered years shall result in forfeiture of the  
26 license.  
27

28 SECTION 7. Arkansas Code § 17-82-313 is amended to read as follows:

29 17-82-313. ~~Annual renewal~~ Renewal - Nonresidents.

30 (a)(1) A dentist or dental hygienist who has been licensed and who  
31 becomes a nonresident of the State of Arkansas may continue in effect his or  
32 her license to practice in the State of Arkansas by paying the ~~annual~~ renewal  
33 fee required of resident dentists and dental hygienists.

34 (2) Before resuming the practice of his or her profession in the  
35 State of Arkansas, the dentist or dental hygienist shall:

36 (A) First furnish satisfactory proof to the Arkansas State

1 Board of Dental Examiners that he or she has continuously practiced dentistry  
2 or dental hygiene since leaving the State of Arkansas and has at all times  
3 conducted himself or herself in an ethical and proper fashion; and

4 (B) Pass such examinations and provide such evidence and  
5 information as the board may require as delineated in its rules and  
6 regulations.

7 (3) Upon the furnishing of such proof to the board, the board  
8 shall cause to be issued to the applicant the authority to resume his or her  
9 practice in the State of Arkansas.

10 (b) A dentist or dental hygienist who has been licensed and who  
11 becomes a nonresident of the State of Arkansas and who fails to pay the  
12 ~~annual~~ registration fee required of resident dentists or dental hygienists as  
13 permitted by this section shall be entitled to resume practice in the State  
14 of Arkansas by complying with the requirements of § 17-82-312.

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16 SECTION 8. Arkansas Code § 17-82-405(a) and (b), concerning renewal of  
17 permits for dental assistants with expanded duties, is amended to read as  
18 follows:

19 (a) For dental assistants who perform expanded duties, all permits  
20 issued by the Arkansas State Board of Dental Examiners shall continue in full  
21 force and effect until forfeited, suspended, or revoked. Provided, on ~~July~~  
22 January 1 of ~~each year~~ odd numbered years every dental assistant must  
23 register his or her permit with the board on forms prepared and furnished by  
24 the board.

25 (b) A registration fee of not more than ~~thirty dollars (\$30.00)~~ sixty  
26 dollars (\$60.00) to be fixed by the board must be paid to the board upon the  
27 filing of the form duly executed with the board.

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29 /s/ Roebuck  
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