

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" and "full-time practice of dentistry within
18 the geographic boundaries of this state within 1 year"
19 to include full-time faculty members of certain dental
20 therapy schools; amending s. 466.009, F.S.; requiring
21 the Department of Health to allow any person who fails
22 the dental therapy examination to retake the
23 examination; providing that a person who fails a
24 practical or clinical examination to practice dental
25 therapy and who has failed one part or procedure of

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

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

76 supervising dentist may authorize a dental therapist
77 to provide dental therapy services to a patient before
78 the dentist examines or diagnoses the patient under
79 certain conditions; requiring a supervising dentist to
80 be licensed and practicing in this state; specifying
81 that the supervising dentist is responsible for
82 certain services; amending s. 466.026, F.S.; providing
83 criminal penalties; amending s. 466.028, F.S.;

84 revising grounds for denial of a license or
85 disciplinary action to include the practice of dental
86 therapy; amending s. 466.0285, F.S.; prohibiting
87 persons other than licensed dentists from employing a
88 dental therapist in the operation of a dental office
89 and from controlling the use of any dental equipment
90 or material in certain circumstances; amending s.
91 921.0022, F.S.; conforming a provision to changes made
92 by the act; requiring the department, in consultation
93 with the board and the Agency for Health Care
94 Administration, to provide reports to the Legislature
95 by specified dates; requiring that certain information
96 and recommendations be included in the reports;
97 providing an effective date.

98
99 Be It Enacted by the Legislature of the State of Florida:
100

101 **Section 1. Paragraph (c) of subsection (1) of section**
 102 **409.906, Florida Statutes, is amended, and paragraph (e) is**
 103 **added to subsection (6) of that section, to read:**

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

126 (1) ADULT DENTAL SERVICES.—

127 (c) However, Medicaid will not provide reimbursement for
 128 dental services provided in a mobile dental unit, except for a
 129 mobile dental unit:

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

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

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

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

143 5. Owned by, operated by, or having a contractual
 144 agreement with a health access setting as defined in s. 466.003
 145 or a similar setting or program.

146 (6) CHILDREN'S DENTAL SERVICES.—The agency may pay for
 147 diagnostic, preventive, or corrective procedures, including
 148 orthodontia in severe cases, provided to a recipient under age
 149 21, by or under the supervision of a licensed dentist. The
 150 agency may also reimburse a health access setting as defined in

151 s. 466.003 for the remediable tasks that a licensed dental
152 hygienist is authorized to perform under s. 466.024(2). Services
153 provided under this program include treatment of the teeth and
154 associated structures of the oral cavity, as well as treatment
155 of disease, injury, or impairment that may affect the oral or
156 general health of the individual. However, Medicaid will not
157 provide reimbursement for dental services provided in a mobile
158 dental unit, except for a mobile dental unit:

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

162 **Section 2. Section 466.001, Florida Statutes, is amended**
163 **to read:**

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

176 relating to the practice of dentistry, dental therapy, and
 177 dental hygiene shall be liberally construed to carry out such
 178 purpose and intent.

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

181 466.002 Persons exempt from operation of chapter. ~~Nothing~~
 182 ~~in~~ This chapter does not ~~shall~~ apply to the following practices,
 183 acts, and operations:

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

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

201 upon receiving a teaching permit issued by the board, in strict
202 compliance with such rules as are adopted by the board
203 pertaining to the teaching permit and with the established rules
204 and procedures of the dental school or program as recognized in
205 this section.

206 **Section 4. Section 466.003, Florida Statutes, is reordered**
207 **and amended to read:**

208 466.003 Definitions.—As used in this chapter, the term:

209 (1) "Board" means the Board of Dentistry.

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

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

219 (4)(5) "Dental hygienist" means a person licensed to
220 practice dental hygiene pursuant to this chapter.

221 (5) "Dental therapist" means a person licensed to practice
222 dental therapy pursuant to s. 466.0225.

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

226 (7)~~(2)~~ "Dentist" means a person licensed to practice
 227 dentistry pursuant to this chapter.

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

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

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

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

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

251 (e) Professing to the public by any method to furnish,
252 supply, construct, reproduce, or repair any prosthetic denture,
253 bridge, appliance, or other structure designed to be worn in the
254 human mouth.

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

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

260 (h) Correcting or attempting to correct malformations of
261 teeth or of jaws.

262 (i) Repairing or attempting to repair cavities in the
263 human teeth.

264 (9)~~(7)~~ "Department" means the Department of Health.

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

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

274 (12)~~(11)~~ "General supervision" means supervision whereby a
275 dentist authorizes the procedures which are being carried out

276 but need not be present when the authorized procedures are being
277 performed. The authorized procedures may also be performed at a
278 place other than the dentist's usual place of practice. The
279 issuance of a written work authorization to a commercial dental
280 laboratory by a dentist does not constitute general supervision.

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

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

298 (15)~~(12)~~ "Irremediable tasks" are those intraoral
299 treatment tasks which, when performed, are irreversible and
300 create unalterable changes within the oral cavity or the

301 contiguous structures or which cause an increased risk to the
 302 patient. The administration of anesthetics other than topical
 303 anesthesia is considered to be an "irremediable task" for
 304 purposes of this chapter.

305 (16)~~(14)~~ "Oral and maxillofacial surgery" means the
 306 specialty of dentistry involving diagnosis, surgery, and
 307 adjunctive treatment of diseases, injuries, and defects
 308 involving the functional and esthetic aspects of the hard and
 309 soft tissues of the oral and maxillofacial regions. This term
 310 may not be construed to apply to any individual exempt under s.
 311 466.002(1).

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

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

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

324 466.004 Board of Dentistry.—

325 (2) To advise the board, it is the intent of the

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

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

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

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

372 (c) Effective 28 months after the first dental therapy
373 license is granted by the board, the board chair shall appoint a
374 Council on Dental Therapy, which must include one board member
375 who shall chair the council and three dental therapists who are

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

397 (d) ~~(e)~~ With the concurrence of the State Surgeon General,
398 the board chair may create and abolish other advisory councils
399 relating to dental subjects, including, but not limited to:
400 examinations, access to dental care, indigent care, nursing home

401 and institutional care, public health, disciplinary guidelines,
402 and other subjects as appropriate. Such councils shall be
403 appointed by the board chair and shall include at least one
404 board member who shall serve as chair.

405 **Section 6. Paragraph (b) of subsection (4) of section**
406 **466.006, Florida Statutes, is amended to read:**

407 466.006 Examination of dentists.—

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

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

424 1. As an alternative to such practical or clinical
425 examination, an applicant may submit scores from an American

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

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

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

445 b. The applicant graduated from a dental school accredited
446 by the American Dental Association Commission on Dental
447 Accreditation or its successor entity, if any, or any other
448 dental accrediting organization recognized by the United States
449 Department of Education. Provided, however, if the applicant did
450 not graduate from such a dental school, the applicant may submit

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

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

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

474 e.(I) (A) The applicant submits proof of having been
475 consecutively engaged in the full-time practice of dentistry in

476 another state or territory of the United States, the District of
477 Columbia, or the Commonwealth of Puerto Rico in the 5 years
478 immediately preceding the date of application for licensure in
479 this state; or

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

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

490 (A) Active clinical practice of dentistry providing direct
491 patient care.

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

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

500 (III) The board shall develop rules to determine what type

501 of proof of full-time practice is required and to recoup the
502 cost to the board of verifying full-time practice under this
503 section. Such proof must, at a minimum, be:

504 (A) Admissible as evidence in an administrative
505 proceeding;

506 (B) Submitted in writing;

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

512 (D) Specifically found by the board to be both credible
513 and admissible.

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

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

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

524 h. The applicant has successfully passed a written
525 examination on the laws and rules of this state regulating the

526 practice of dentistry and the computer-based diagnostic skills
527 examination.

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

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

535 466.009 Reexamination.—

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

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

546 **Section 8. Section 466.011, Florida Statutes, is amended**
547 **to read:**

548 466.011 Licensure.—The board shall certify for licensure
549 by the department any applicant who satisfies the requirements
550 of s. 466.006, s. 466.0067, ~~or~~ s. 466.007, or s. 466.0225. The

551 board may refuse to certify an applicant who has violated ~~any of~~
552 ~~the provisions of~~ s. 466.026 or s. 466.028.

553 **Section 9. Section 466.0136, Florida Statutes, is created**
554 **to read:**

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

576 individuals, from all or part of the continuing education
 577 requirements if an unusual circumstance, emergency, or hardship
 578 prevents compliance with this section.

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

581 466.016 License to be displayed.—

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

590 **Section 11. Section 466.017, Florida Statutes, is amended,**
 591 **to read:**

592 466.017 Prescription of drugs; anesthesia.—

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

599 (2) Pharmacists licensed pursuant to chapter 465 may fill
 600 prescriptions of legally licensed dentists in this state for any

601 drugs necessary for the practice of dentistry.

602 (3) The board shall adopt rules which:

603 (d) Establish further requirements relating to the use of
604 general anesthesia or sedation, including, but not limited to,
605 office equipment and the training of dental assistants, dental
606 therapists, or dental hygienists who work with dentists using
607 general anesthesia or sedation.

608 (e) Establish an administrative mechanism enabling the
609 board to verify compliance with training, education, experience,
610 equipment, or certification requirements of dentists, dental
611 therapists, dental hygienists, and dental assistants adopted
612 pursuant to this subsection. The board may charge a fee to
613 defray the cost of verifying compliance with requirements
614 adopted pursuant to this paragraph.

615 (4) A dentist, dental therapist, or dental hygienist who
616 administers or employs the use of any form of anesthesia must
617 possess a certification in either basic cardiopulmonary
618 resuscitation for health professionals or advanced cardiac life
619 support approved by the American Heart Association or the
620 American Red Cross or an equivalent agency-sponsored course with
621 recertification every 2 years. Each dental office that ~~which~~
622 uses any form of anesthesia must have immediately available and
623 in good working order such resuscitative equipment, oxygen, and
624 other resuscitative drugs as are specified by rule of the board
625 in order to manage possible adverse reactions.

626 (5) A dental hygienist under the direct supervision of a
627 dentist may administer local anesthesia, including intraoral
628 block anesthesia, soft tissue infiltration anesthesia, or both,
629 to a nonsedated patient who is 18 years of age or older, if the
630 following criteria are met:

631 (a) The dental hygienist has successfully completed a
632 course in the administration of local anesthesia which is
633 offered by a dental or dental hygiene program accredited by the
634 Commission on Dental Accreditation of the American Dental
635 Association or approved by the board. The course must include a
636 minimum of 30 hours of didactic instruction and 30 hours of
637 clinical experience, and instruction in:

- 638 1. Theory of pain control.
- 639 2. Selection-of-pain-control modalities.
- 640 3. Anatomy.
- 641 4. Neurophysiology.
- 642 5. Pharmacology of local anesthetics.
- 643 6. Pharmacology of vasoconstrictors.
- 644 7. Psychological aspects of pain control.
- 645 8. Systematic complications.
- 646 9. Techniques of maxillary anesthesia.
- 647 10. Techniques of mandibular anesthesia.
- 648 11. Infection control.
- 649 12. Medical emergencies involving local anesthesia.

650 (b) The dental hygienist presents evidence of current

651 certification in basic or advanced cardiac life support.

652 (c) The dental hygienist possesses a valid certificate
653 issued under subsection (8) ~~(6)~~.

654 (6) A dental therapist, under the direct supervision of a
655 dentist may administer local anesthesia, including intraoral
656 block anesthesia, soft tissue infiltration anesthesia, or both,
657 if the following criteria are met:

658 (a) The dental therapist has successfully completed a
659 course in the administration of local anesthesia that meets the
660 requirements described in paragraph (5) (a).

661 (b) The dental therapist presents evidence of current
662 certification in basic or advanced cardiac life support.

663 (c) The dental therapist possesses a valid certificate
664 issued under subsection (8).

665 (7) A dental therapist providing services in a mobile
666 dental unit may administer local anesthesia, including intraoral
667 block anesthesia, soft tissue infiltration anesthesia, or both,
668 under the general supervision of a dentist, if she or he meets
669 the criteria described in subsection (6).

670 (8)~~(6)~~ Any dental therapist or dental hygienist seeking a

671 certificate to administer local anesthesia must apply to the

672 department, remit an application fee, and submit proof of

673 successful completion of a course in the administration of local

674 anesthesia pursuant to subsection (5). The board shall certify,

675 and the department shall issue a certificate to, any dental

676 therapist or dental hygienist who fulfills the qualifications of
677 subsection (5). The board shall establish a one-time application
678 fee not to exceed \$35. The certificate is not subject to renewal
679 but is part of the dental therapist's or dental hygienist's
680 permanent record and must be prominently displayed at the
681 location where the dental therapist or dental hygienist is
682 authorized to administer local anesthesia. The board shall adopt
683 rules necessary to administer subsections ~~subsection~~ (5), (6),
684 and (7) and this subsection.

685 ~~(9)-(7)~~ A licensed dentist, or a dental therapist who is
686 authorized by her or his supervising dentist, may operate
687 ~~utilize~~ an X-ray machine, expose dental X-ray films, and
688 interpret or read such films. Notwithstanding ~~The provisions of~~
689 part IV of chapter 468 ~~to the contrary notwithstanding,~~ a
690 licensed dentist, or a dental therapist who is authorized by her
691 or his supervising dentist, may authorize or direct a dental
692 assistant to operate such equipment and expose such films under
693 her or his direction and supervision, pursuant to rules adopted
694 by the board in accordance with s. 466.024 which ensure that the
695 ~~said~~ assistant is competent by reason of training and experience
696 to operate the X-ray ~~said~~ equipment in a safe and efficient
697 manner. The board may charge a fee not to exceed \$35 to defray
698 the cost of verifying compliance with requirements adopted
699 pursuant to this section.

700 ~~(10)-(8)~~ Notwithstanding ~~The provisions of~~ s. 465.0276

701 ~~notwithstanding~~, a dentist need not register with the board or
702 comply with the continuing education requirements of that
703 section if the dentist confines her or his dispensing activity
704 to the dispensing of fluorides and chlorhexidine ~~chlorhexidine~~
705 rinse solutions; provided that the dentist complies with and is
706 subject to all laws and rules applicable to pharmacists and
707 pharmacies, including, but not limited to, chapters 465, 499,
708 and 893, and all applicable federal laws and regulations, when
709 dispensing such products.

710 (11) ~~(9)~~ Any adverse incident that occurs in an office
711 maintained by a dentist must be reported to the department. The
712 required notification to the department must be submitted in
713 writing by certified mail and postmarked within 48 hours after
714 the incident occurs.

715 (12) ~~(10)~~ A dentist practicing in this state must notify
716 the board in writing by certified mail within 48 hours after any
717 adverse incident that occurs in the dentist's outpatient
718 facility. A complete written report must be filed with the board
719 within 30 days after the incident occurs.

720 (13) ~~(11)~~ Any certified registered dental hygienist
721 administering local anesthesia must notify the board in writing
722 by registered mail within 48 hours after any adverse incident
723 that was related to or the result of the administration of local
724 anesthesia. A complete written report must be filed with the
725 board within 30 days after the mortality or other adverse

726 incident.

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

733 (15)~~(12)~~ A failure by the dentist, dental therapist, or
734 dental hygienist to timely and completely comply with all the
735 reporting requirements in this section is the basis for
736 disciplinary action by the board pursuant to s. 466.028(1).

737 (16)~~(13)~~ The department shall review each adverse incident
738 and determine whether it involved conduct by a health care
739 professional subject to disciplinary action, in which case s.
740 456.073 applies. Disciplinary action, if any, shall be taken by
741 the board under which the health care professional is licensed.

742 (17)~~(14)~~ As used in subsections (11)-(16) ~~(9)-(13)~~, the
743 term "adverse incident" means any mortality that occurs during
744 or as the result of a dental procedure, or an incident that
745 results in a temporary or permanent physical or mental injury
746 that requires hospitalization or emergency room treatment of a
747 dental patient which occurs during or as a direct result of the
748 use of general anesthesia, deep sedation, moderate sedation,
749 pediatric moderate sedation, oral sedation, minimal sedation
750 (anxiolysis), nitrous oxide, or local anesthesia.

751 ~~(18)-(15)~~ The board may adopt rules to administer this
752 section.

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

755 466.018 Dentist of record; patient records.—

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

776 that the responsibility for each patient is assigned to one
777 dentist in a multidentist practice of any nature and to assign
778 primary responsibility to the dentist for treatment rendered by
779 a dental hygienist, dental therapist, or dental assistant under
780 her or his supervision. This section may ~~shall~~ not be construed
781 to assign any responsibility to a dentist of record for
782 treatment rendered pursuant to a proper referral to another
783 dentist who does not ~~in~~ practice with the dentist of record or
784 to prohibit a patient from voluntarily selecting a new dentist
785 without permission of the dentist of record.

786 **Section 13. Section 466.0225, Florida Statutes, is created**
787 **to read:**

788 466.0225 Examination of dental therapists; licensing.-

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

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

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

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

796 (b) Is a graduate of a dental therapy college or school
797 accredited by the American Dental Association Commission on
798 Dental Accreditation or its successor entity, if any, or any
799 other dental therapy accrediting entity recognized by the United
800 States Department of Education. For applicants applying for a

801 dental therapy license before January 1, 2030, the board must
802 approve the applicant's dental therapy education program if the
803 program was administered by a college or school that operates an
804 accredited dental or dental hygiene program and the college or
805 school certifies to the board that the applicant's education
806 substantially conformed to the education standards established
807 by the American Dental Association Commission on Dental
808 Accreditation or its successor entity.

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

818 (d) Has successfully completed a written examination on
819 the laws and rules of this state regulating the practice of
820 dental therapy.

821 (e) Has not been disciplined by a board, except for
822 citation offenses or minor violations.

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

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

835 **Section 14. Section 466.0227, Florida Statutes, is created**
836 **to read:**

837 466.0227 Dental therapists; scope and area of practice.—

838 (1) Except as otherwise provided in this chapter, a dental
839 therapist may perform the dental therapy services specified in
840 subsection (2) under the general supervision of a dentist if
841 providing services in a mobile dental unit and under direct
842 supervision of a dentist in all other service scenarios to the
843 extent authorized by the supervising dentist and provided within
844 the terms of a written collaborative management agreement signed
845 by the dental therapist and the supervising dentist which meets
846 the requirements of subsection (3).

847 (2) Dental therapy services include all of the following:

848 (a) All services, treatments, and competencies identified
849 by the American Dental Association Commission on Dental
850 Accreditation in the commission's Accreditation Standards for

851 Dental Therapy Education Programs.

852 (b) The following state-specific services, if the dental
853 therapist's education included curriculum content satisfying the
854 American Dental Association Commission on Dental Accreditation
855 criteria for state-specific dental therapy services:

856 1. Evaluating radiographs.

857 2. Placement of space maintainers.

858 3. Pulpotomies on primary teeth.

859 4. Dispensing and administering nonopioid analgesics,
860 including nitrous oxide, anti-inflammatories, and antibiotics,
861 as authorized by the supervising dentist and within the
862 parameters of the collaborative management agreement.

863 5. Oral evaluation and assessment of dental disease and
864 formulation of an individualized treatment plan if authorized by
865 the supervising dentist and subject to any conditions,
866 limitations, and protocols specified by the supervising dentist
867 in the collaborative management agreement.

868 (3) Before performing any of the services authorized in
869 subsection (2), a dental therapist must enter into a written
870 collaborative management agreement with a supervising dentist.
871 The agreement must be signed by the dental therapist and the
872 supervising dentist and must include all of the following
873 information:

874 (a) Practice settings where services may be provided by
875 the dental therapist and the populations to be served by the

876 dental therapist.

877 (b) Any limitations on the services that may be provided
878 by the dental therapist, including the level of supervision
879 required by the supervising dentist. This may include
880 telehealth.

881 (c) Age-specific and procedure-specific practice protocols
882 for the dental therapist, including case selection criteria,
883 assessment guidelines, and imaging frequency.

884 (d) A procedure for creating and maintaining dental
885 records for the patients who are treated by the dental
886 therapist.

887 (e) A plan to manage medical emergencies in each practice
888 setting where the dental therapist provides care.

889 (f) A quality assurance plan for monitoring care provided
890 by the dental therapist, including patient care review, referral
891 follow-up, and a quality assurance chart review.

892 (g) Protocols for the dental therapist to administer and
893 dispense medications, including the specific conditions and
894 circumstances under which the medications are to be dispensed
895 and administered.

896 (h) Criteria relating to the provision of care by the
897 dental therapist to patients with specific medical conditions or
898 complex medication histories, including requirements for
899 consultation before the initiation of care.

900 (i) Supervision criteria of dental therapists.

901 (j) A plan for the provision of clinical resources and
902 referrals in situations that are beyond the capabilities of the
903 dental therapist.

904 (4) A supervising dentist shall determine the number of
905 hours of practice that a dental therapist must complete under
906 direct or indirect supervision of the supervising dentist before
907 the dental therapist may perform any of the services authorized
908 in subsection (2) under general or direct supervision.

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

913 (6) A supervising dentist may authorize a dental therapist
914 to provide dental therapy services to a patient before the
915 supervising dentist examines or diagnoses the patient if the
916 authority, conditions, and protocols are established in a
917 written collaborative management agreement and if the patient is
918 subsequently referred to a dentist for any needed additional
919 services that exceed the dental therapist's scope of practice or
920 authorization under the collaborative management agreement.

921 (7) A supervising dentist must be licensed and practicing
922 in this state. The supervising dentist is responsible for all
923 services authorized and performed by the dental therapist
924 pursuant to the collaborative management agreement and for
925 providing or arranging followup services to be provided by a

926 dentist for any additional services that exceed the dental
 927 therapist's scope of practice or authorization under the
 928 collaborative management agreement.

929 **Section 15. Section 466.026, Florida Statutes, is amended**
 930 **to read:**

931 466.026 Prohibitions; penalties.—

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

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

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

940 (c) Knowingly employing any person to perform duties
 941 outside the scope allowed such person under this chapter or the
 942 rules of the board.

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

945 (e) Selling or offering to sell a diploma conferring a
 946 degree from a dental college, ~~or~~ dental hygiene school or
 947 college, or dental therapy school or college, or a license
 948 issued pursuant to this chapter, or procuring such diploma or
 949 license with intent that it will ~~shall~~ be used as evidence of
 950 that which the document stands for, by a person other than the

951 one upon whom it was conferred or to whom it was granted.

952 (2) Each of the following acts constitutes a misdemeanor
953 of the first degree, punishable as provided in s. 775.082 or s.
954 775.083:

955 (a) Using the name or title "dentist," the letters
956 "D.D.S." or "D.M.D.", or any other words, letters, title, or
957 descriptive matter which in any way represents a person as being
958 able to diagnose, treat, prescribe, or operate for any disease,
959 pain, deformity, deficiency, injury, or physical condition of
960 the teeth or jaws or oral-maxillofacial region unless the person
961 has an active dentist's license issued by the department
962 pursuant to this chapter.

963 (b) Using the name "dental hygienist" or the initials
964 "R.D.H." or otherwise holding herself or himself out as an
965 actively licensed dental hygienist or implying to any patient or
966 consumer that she or he is an actively licensed dental hygienist
967 unless that person has an active dental hygienist's license
968 issued by the department pursuant to this chapter.

969 (c) Using the name "dental therapist" or the initials
970 "D.T." or otherwise holding herself or himself out as an
971 actively licensed dental therapist or implying to any patient or
972 consumer that she or he is an actively licensed dental therapist
973 unless that person has an active dental therapist's license
974 issued by the department pursuant to this chapter.

975 (d) ~~(e)~~ Presenting as her or his own the license of

976 another.

977 (e)~~(d)~~ Knowingly concealing information relative to
 978 violations of this chapter.

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

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

985 466.028 Grounds for disciplinary action; action by the
 986 board.—

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

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

993 (c) Being convicted or found guilty of or entering a plea
 994 of nolo contendere to, regardless of adjudication, a crime in
 995 any jurisdiction which relates to the practice of dentistry,
 996 dental therapy, or dental hygiene. A plea of nolo contendere
 997 creates ~~shall create~~ a rebuttable presumption of guilt to the
 998 underlying criminal charges.

999 (g) Aiding, assisting, procuring, or advising any
 1000 unlicensed person to practice dentistry, dental therapy, or

1001 dental hygiene contrary to this chapter or to a rule of the
1002 department or the board.

1003 (s) Being unable to practice her or his profession with
1004 reasonable skill and safety to patients by reason of illness or
1005 use of alcohol, drugs, narcotics, chemicals, or any other type
1006 of material or as a result of any mental or physical condition.
1007 In enforcing this paragraph, the department ~~shall have~~, upon a
1008 finding of the State Surgeon General or her or his designee that
1009 probable cause exists to believe that the licensee is unable to
1010 practice dentistry, dental therapy, or dental hygiene because of
1011 the reasons stated in this paragraph, has the authority to issue
1012 an order to compel a licensee to submit to a mental or physical
1013 examination by physicians designated by the department. If the
1014 licensee refuses to comply with such order, the department's
1015 order directing such examination may be enforced by filing a
1016 petition for enforcement in the circuit court where the licensee
1017 resides or does business. The licensee against whom the petition
1018 is filed may ~~shall~~ not be named or identified by initials in any
1019 public court records or documents, and the proceedings must
1020 ~~shall~~ be closed to the public. The department is ~~shall be~~
1021 entitled to the summary procedure provided in s. 51.011. A
1022 licensee affected under this paragraph must ~~shall~~ at reasonable
1023 intervals be afforded an opportunity to demonstrate that she or
1024 he can resume the competent practice of her or his profession
1025 with reasonable skill and safety to patients.

1026 (t) Fraud, deceit, or misconduct in the practice of
 1027 dentistry, dental therapy, or dental hygiene.

1028 **Section 17. Paragraphs (a) and (b) of subsection (1) of**
 1029 **section 466.0285, Florida Statutes, are amended to read:**

1030 466.0285 Proprietorship by nondentists.—

1031 (1) No person other than a dentist licensed pursuant to
 1032 this chapter, nor any entity other than a professional
 1033 corporation or limited liability company composed of dentists,
 1034 may:

1035 (a) Employ a dentist, a dental therapist, or a dental
 1036 hygienist in the operation of a dental office.

1037 (b) Control the use of any dental equipment or material
 1038 while such equipment or material is being used for the provision
 1039 of dental services, whether those services are provided by a
 1040 dentist, a dental therapist, a dental hygienist, or a dental
 1041 assistant.

1042
 1043 Any lease agreement, rental agreement, or other arrangement
 1044 between a nondentist and a dentist whereby the nondentist
 1045 provides the dentist with dental equipment or dental materials
 1046 shall contain a provision whereby the dentist expressly
 1047 maintains complete care, custody, and control of the equipment
 1048 or practice.

1049 **Section 18. Paragraph (g) of subsection (3) of section**
 1050 **921.0022, Florida Statutes, is amended to read:**

1051	921.0022	Criminal Punishment Code; offense severity
1052		ranking chart.—
1053	(3)	OFFENSE SEVERITY RANKING CHART
1054	(g)	LEVEL 7
1055		
	Florida	Felony
	Statute	Degree
		Description
1056	316.027 (2) (c)	1st Accident involving death, failure to stop; leaving scene.
1057	316.193 (3) (c) 2.	3rd DUI resulting in serious bodily injury.
1058	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.
1059	327.35 (3) (c) 2.	3rd Vessel BUI resulting in serious bodily injury.

1060	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1061	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1062	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1063	456.065 (2)	3rd	Practicing a health care profession without a license.
1064	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1065	458.327 (1)	3rd	Practicing medicine without a license.
1066			

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1067	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1068	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1069	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1070	462.17	3rd	Practicing naturopathy without a license.
1071	463.015 (1)	3rd	Practicing optometry without a license.
1072	464.016 (1)	3rd	Practicing nursing without a license.
1073	465.015 (2)	3rd	Practicing pharmacy without a license.
1074	466.026 (1)	3rd	Practicing dentistry, <u>dental therapy</u> , or dental hygiene without a license.

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1075	467.201	3rd	Practicing midwifery without a license.
1076	468.366	3rd	Delivering respiratory care services without a license.
1077	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1078	483.901 (7)	3rd	Practicing medical physics without a license.
1079	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1080	484.053	3rd	Dispensing hearing aids without a license.
	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.

1081	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.
1082	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1083	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
1084	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
1085	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.

1086	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1087	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1088	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1089	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1090	782.072	2nd	Killing of a human being by the operation of a vessel in a

			reckless manner (vessel homicide).
1091	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1092	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1093	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1094	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1095	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1096	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1097	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.

1098	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1099	784.081 (1)	1st	Aggravated battery on specified official or employee.
1100	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1101	784.083 (1)	1st	Aggravated battery on code inspector.
1102	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
1103	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.
1104	790.07 (4)	1st	Specified weapons violation

			subsequent to previous conviction of s. 790.07(1) or (2).
1105	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
1106	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1107	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1108	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1109	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1110			

1111	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1112	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.
1113	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
1114	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1115	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

1116	800.04 (5) (e)	1st	but younger than 16 years of age; offender 18 years of age or older. 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.
1117	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1118	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1119	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1120	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1121			

1122	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1123	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.
1124	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1125	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1126	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.
1127	812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1128	812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1129	812.131(2)(a)	2nd	Robbery by sudden snatching.
1130	812.133(2)(b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1131	817.034(4)(a)1.	1st	Communications fraud, value greater than \$50,000.
1132	817.234(8)(a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1133	817.234(9)	2nd	Organizing, planning, or participating in an intentional

1134			motor vehicle collision.
	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1135			
	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.
1136			
	817.418 (2) (a)	3rd	Offering for sale or advertising personal protective equipment with intent to defraud.
1137			
	817.504 (1) (a)	3rd	Offering or advertising a vaccine with intent to defraud.
1138			
	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
1139			
	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49

1140			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.
1141			
	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.
1142			
	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1143			
	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1144			
	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
1145			

1146	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
1147	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1148	838.015	2nd	Bribery.
1149	838.016	2nd	Unlawful compensation or reward for official behavior.
1150	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1151	838.22	2nd	Bid tampering.
1152	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1153	843.0855 (3)	3rd	Unlawful simulation of legal process.

1154	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1155	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1156	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1157	872.06	2nd	Abuse of a dead human body.
1158	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
1159	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.

1160	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>
1161	893.13(4)(a)	1st	<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>
1162	893.135(1)(a)1.	1st	<p>Use or hire of minor; deliver to minor other controlled substance.</p> <p>Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.</p>

1163	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1164	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1165	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
1166	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
1167	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
1168	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
1169			

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1170	893.135 (1) (c) 4.b. (I)	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
1171	893.135 (1) (d) 1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
1172	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
1173	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
1174	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1175	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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1176	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1177	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
1178	893.135 (1) (m) 2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.
1179	893.135 (1) (m) 2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
1180	893.135 (1) (n) 2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
1181	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
	896.101 (5) (a)	3rd	Money laundering, financial

1182			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.
1183			
	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1184			
	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1185			
	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
1186			
	943.0435 (13)	3rd	Failure to report or providing false information about a

1187	943.0435 (14)	3rd	sexual offender; harbor or conceal a sexual offender.
1188	944.607 (9)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1189	944.607 (10) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
1190	944.607 (12)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1191	944.607 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
			Sexual offender; failure to report and reregister; failure to respond to address

1192 verification; providing false
 registration information.

1193 985.4815(10) 3rd Sexual offender; failure to
 submit to the taking of a
 digitized photograph.

1194 985.4815(12) 3rd Failure to report or providing
 false information about a
 sexual offender; harbor or
 conceal a sexual offender.

1195 985.4815(13) 3rd Sexual offender; failure to
 report and reregister; failure
 to respond to address
 verification; providing false
 registration information.

1196 **Section 19.** The Department of Health, in consultation with
 1197 the Board of Dentistry and the Agency for Health Care
 1198 Administration, shall submit a progress report to the President
 1199 of the Senate and the Speaker of the House of Representatives by
 1200 July 1, 2028, and a final report 4 years after the first dental
 1201 therapy license is issued. The reports must include all of the
 1202 following information and recommendations:

1203 (1) The progress that has been made in this state to
 1204 implement dental therapy training programs, licensing, and
 1205 Medicaid reimbursement.

1206 (2) Data demonstrating the effects of dental therapy in
 1207 this state on all of the following:

1208 (a) Patient access to dental services.

1209 (b) Costs to dental providers, patients, dental insurance
 1210 carriers, and the state.

1211 (c) The quality and safety of dental services.

1212 (3) Specific recommendations for any necessary
 1213 legislative, administrative, or regulatory reform relating to
 1214 the practice of dental therapy.

1215 (4) Any other information the department deems
 1216 appropriate.

1217 **Section 20.** This act shall take effect July 1, 2025.