Senate Research Center   H.B. 1491
                                                                        By: Branch et al. (Schwertner)
                                                                               Health & Human Services
                                                                                              4/29/2013
                                                                                             Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1491 creates a limited license procedure, enabling out-of-state dentists to provide professional dental services at charity events throughout the State of Texas. Mission of Mercy has provided free dental care since 1994 for the uninsured and underinsured. Organizations such as Mission of Mercy and Fluoride Fest depend on the contributions of volunteer dentists.

Applicants who receive a temporary license with H.B. 1491 are required to be from states that have similar licensure requirements as Texas. The license provided will allow the dentist to practice for a specific period of time and at a certain charitable event without receiving compensation.

H.B. 1491 will improve access to oral health care for the citizens of Texas by enabling more dentists to participate in charitable events.

H.B. 1491 amends current law relating to the temporary licensing of a dentist who performs voluntary charity care.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the State Board of Dental Examiners in SECTION 1 (Section 256.1016, Occupations Code) and SECTION 2 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 256, Occupations Code, by adding Section 256.1016, as follows:

> Sec. 256.1016. TEMPORARY LICENSE FOR CHARITABLE PURPOSE. (a) Defines "voluntary charity care" in this section.

> (b) Requires the State Board of Dental Examiners (TSBDE) to grant a temporary license for a dentist whose practice consists only of voluntary charity care to a reputable dentist who meets the requirements of Sections 256.101(a)(3) (relating to requiring TSBDE to issue a license to practice dentistry to a reputable dentist or a license to practice dental hygiene to a reputable dental hygienist who has not been the subject of a final disciplinary action and is not the subject of a pending disciplinary action in any jurisdiction in which the dentist or dental hygienist is or has been licensed), (4) (relating to requiring TSBDE to issue a license to practice dentistry to a reputable dentist or a license to practice dental hygiene to a reputable dental hygienist who has graduated from a dental or dental hygiene school accredited by the Commission on Dental Accreditation of the American Dental Association and approved by TSBDE under TSBDE rule), and (5) (relating to requiring TSBDE to issue a license to practice dentistry to a reputable dentist or a license to practice dental hygiene to a reputable dental hygienist who has passed a national or other examination relating to dentistry or dental hygiene and recognized by TSBDE) and who:

(1) ceased practicing dentistry in another state that TSBDE determined has licensing requirements that are substantially similar to the requirements of this state not more than two years before the date the dentist applies for a license under this section and was licensed in good standing at the time the dentist ceased practicing dentistry; or

(2) is currently licensed in another state that TSBDE has determined has licensing requirements that are substantially similar to the requirements of this state.

(c) Requires a dentist issued a license under this section to confine the dentist's practice to voluntary charity care; practice only in a geographic area specified by the license; and practice only for the period specified by the license.

(d) Requires TSBDE to adopt rules as necessary to implement this section.

(e) Requires TSBDE to take disciplinary action against a dentist licensed under this section for a violation of this subtitle or TSBDE rules in the same manner as against a dentist licensed under Subchapter A (Issuance of License to Practice Dentistry).

SECTION 2. Requires TSBDE to adopt rules as necessary to implement Section 256.1016, Occupations Code, as added by this Act, not later than January 1, 2014.

SECTION 3. Effective date: upon passage or September 1, 2013.