

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; reordering and amending s.  
10          466.003, F.S.; defining the terms "dental therapist"  
11          and "dental therapy"; making technical changes;  
12          amending s. 466.004, F.S.; requiring the chair of the  
13          Board of Dentistry to appoint a Council on Dental  
14          Therapy, effective after a specified timeframe;  
15          providing for membership, meetings, and the purpose of  
16          the council; amending s. 466.006, F.S.; revising the  
17          definitions of the terms "full-time practice" and  
18          "full-time practice of dentistry within the geographic  
19          boundaries of this state within 1 year" to include  
20          full-time faculty members of certain dental therapy  
21          schools; amending s. 466.009, F.S.; requiring the  
22          Department of Health to allow any person who fails the  
23          dental therapy examination to retake the examination;  
24          providing that a person who fails a practical or  
25          clinical examination to practice dental therapy and

26 | who has failed one part or procedure of the  
27 | examination may be required to retake only that part  
28 | or procedure to pass the examination; amending s.  
29 | 466.011, F.S.; requiring the board to certify an  
30 | applicant for licensure as a dental therapist;  
31 | creating s. 466.0136, F.S.; requiring the board to  
32 | require each licensed dental therapist to complete a  
33 | specified number of hours of continuing education;  
34 | requiring the board to adopt rules and guidelines;  
35 | authorizing the board to excuse licensees from  
36 | continuing education requirements in certain  
37 | circumstances; amending s. 466.016, F.S.; requiring a  
38 | practitioner of dental therapy to post and display her  
39 | or his license in each office where she or he  
40 | practices; amending s. 466.017, F.S.; requiring the  
41 | board to adopt certain rules relating to dental  
42 | therapists; authorizing a dental therapist under the  
43 | general supervision of a dentist to administer local  
44 | anesthesia and operate an X-ray machine, expose dental  
45 | X-ray films, and interpret or read such films if  
46 | specified requirements are met; correcting the  
47 | spelling of a term; amending s. 466.018, F.S.;  
48 | providing that a dentist of record remains primarily  
49 | responsible for the dental treatment of a patient  
50 | regardless of whether the treatment is provided by a

51 dental therapist; requiring that the initials of a  
52 dental therapist who renders treatment to a patient be  
53 placed in the record of the patient; creating s.  
54 466.0225, F.S.; providing application requirements and  
55 examination and licensure qualifications for dental  
56 therapists; creating s. 466.0227, F.S.; authorizing a  
57 dental therapist to perform specified services under  
58 the general supervision of a dentist under certain  
59 conditions; specifying state-specific dental therapy  
60 services; requiring that a collaborative management  
61 agreement be signed by a supervising dentist and a  
62 dental therapist and to include certain information;  
63 requiring the supervising dentist to determine the  
64 number of hours of practice that a dental therapist  
65 must complete before performing certain authorized  
66 services; authorizing a supervising dentist to  
67 restrict or limit the dental therapist's practice in a  
68 collaborative management agreement; providing that a  
69 supervising dentist may authorize a dental therapist  
70 to provide dental therapy services to a patient before  
71 the dentist examines or diagnoses the patient under  
72 certain conditions; requiring a supervising dentist to  
73 be licensed and practicing in this state; specifying  
74 that the supervising dentist is responsible for  
75 certain services; amending s. 466.026, F.S.; providing

76 criminal penalties for practicing dental therapy  
 77 without an active license, selling or offering to sell  
 78 a diploma from a dental therapy school or college,  
 79 falsely using a specified name or initials, or holding  
 80 oneself out as an actively licensed dental therapist;  
 81 amending s. 466.028, F.S.; revising grounds for denial  
 82 of a license or disciplinary action to include the  
 83 practice of dental therapy; amending s. 466.0285,  
 84 F.S.; prohibiting persons other than licensed dentists  
 85 from employing a dental therapist in the operation of  
 86 a dental office and from controlling the use of any  
 87 dental equipment or material in certain circumstances;  
 88 requiring the department, in consultation with the  
 89 board and the Agency for Health Care Administration,  
 90 to provide reports to the Legislature by specified  
 91 dates; requiring that certain information and  
 92 recommendations be included in the reports; providing  
 93 an effective date.

94  
 95 Be It Enacted by the Legislature of the State of Florida:

96  
 97 Section 1. Paragraph (c) of subsection (1) of section  
 98 409.906, Florida Statutes, is amended, and paragraph (e) is  
 99 added to subsection (6) of that section, to read:

100 409.906 Optional Medicaid services.—Subject to specific

101 appropriations, the agency may make payments for services which  
 102 are optional to the state under Title XIX of the Social Security  
 103 Act and are furnished by Medicaid providers to recipients who  
 104 are determined to be eligible on the dates on which the services  
 105 were provided. Any optional service that is provided shall be  
 106 provided only when medically necessary and in accordance with  
 107 state and federal law. Optional services rendered by providers  
 108 in mobile units to Medicaid recipients may be restricted or  
 109 prohibited by the agency. Nothing in this section shall be  
 110 construed to prevent or limit the agency from adjusting fees,  
 111 reimbursement rates, lengths of stay, number of visits, or  
 112 number of services, or making any other adjustments necessary to  
 113 comply with the availability of moneys and any limitations or  
 114 directions provided for in the General Appropriations Act or  
 115 chapter 216. If necessary to safeguard the state's systems of  
 116 providing services to elderly and disabled persons and subject  
 117 to the notice and review provisions of s. 216.177, the Governor  
 118 may direct the Agency for Health Care Administration to amend  
 119 the Medicaid state plan to delete the optional Medicaid service  
 120 known as "Intermediate Care Facilities for the Developmentally  
 121 Disabled." Optional services may include:  
 122       (1) ADULT DENTAL SERVICES.—  
 123       (c) However, Medicaid will not provide reimbursement for  
 124 dental services provided in a mobile dental unit, except for a  
 125 mobile dental unit:

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

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

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

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

139 5. Owned by, operated by, or having a contractual  
 140 agreement with a health access setting as defined in s. 466.003  
 141 or a similar setting or program.

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

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151 of disease, injury, or impairment that may affect the oral or  
152 general health of the individual. However, Medicaid will not  
153 provide reimbursement for dental services provided in a mobile  
154 dental unit, except for a mobile dental unit:

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

158 Section 2. Section 466.001, Florida Statutes, is amended  
159 to read:

160 466.001 Legislative purpose and intent.—The legislative  
161 purpose for enacting this chapter is to ensure that every  
162 dentist, dental therapist, or dental hygienist practicing in  
163 this state meets minimum requirements for safe practice without  
164 undue clinical interference by persons not licensed under this  
165 chapter. It is the legislative intent that dental services be  
166 provided only in accordance with ~~the provisions of~~ this chapter  
167 and not be delegated to unauthorized individuals. It is the  
168 further legislative intent that dentists, dental therapists, and  
169 dental hygienists who fall below minimum competency or who  
170 otherwise present a danger to the public ~~shall~~ be prohibited  
171 from practicing in this state. All provisions of this chapter  
172 relating to the practice of dentistry, dental therapy, and  
173 dental hygiene shall be liberally construed to carry out such  
174 purpose and intent.

175 Section 3. Subsections (5) and (6) of section 466.002,

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176 Florida Statutes, are amended to read:

177       466.002 Persons exempt from operation of chapter.—Nothing  
178 in this chapter shall apply to the following practices, acts,  
179 and operations:

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

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



201 this section.

202 Section 4. Section 466.003, Florida Statutes, is reordered  
 203 and amended to read:

204 466.003 Definitions.—As used in this chapter, the term:

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

206 (7)~~(2)~~ "Dentist" means a person licensed to practice  
 207 dentistry pursuant to this chapter.

208 (8)~~(3)~~ "Dentistry" means the healing art which is  
 209 concerned with the examination, diagnosis, treatment planning,  
 210 and care of conditions within the human oral cavity and its  
 211 adjacent tissues and structures. It includes the performance or  
 212 attempted performance of any dental operation, or oral or oral-  
 213 maxillofacial surgery and any procedures adjunct thereto,  
 214 including physical evaluation directly related to such operation  
 215 or surgery pursuant to hospital rules and regulations. It also  
 216 includes dental service of any kind gratuitously or for any  
 217 remuneration paid, or to be paid, directly or indirectly, to any  
 218 person or agency. The term "dentistry" ~~shall~~ also includes  
 219 ~~include~~ the following:

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

222 (b) Supplying artificial substitutes for the natural teeth  
 223 or furnishing, supplying, constructing, reproducing, or  
 224 repairing any prosthetic denture, bridge, appliance, or any  
 225 other structure designed to be worn in the human mouth except on

226 | the written work order of a duly licensed dentist.

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

229 |       (d) Delivering the same to any person other than the  
230 | dentist upon whose work order the work was performed.

231 |       (e) Professing to the public by any method to furnish,  
232 | supply, construct, reproduce, or repair any prosthetic denture,  
233 | bridge, appliance, or other structure designed to be worn in the  
234 | human mouth.

235 |       (f) Diagnosing, prescribing, or treating or professing to  
236 | diagnose, prescribe, or treat disease, pain, deformity,  
237 | deficiency, injury, or physical condition of the human teeth or  
238 | jaws or oral-maxillofacial region.

239 |       (g) Extracting or attempting to extract human teeth.

240 |       (h) Correcting or attempting to correct malformations of  
241 | teeth or of jaws.

242 |       (i) Repairing or attempting to repair cavities in the  
243 | human teeth.

244 |       (3)~~(4)~~ "Dental hygiene" means the rendering of  
245 | educational, preventive, and therapeutic dental services  
246 | pursuant to ss. 466.023 and 466.024 and any related extra-oral  
247 | procedure required in the performance of such services.

248 |       (4)~~(5)~~ "Dental hygienist" means a person licensed to  
249 | practice dental hygiene pursuant to this chapter.

250 |       (2)~~(6)~~ "Dental assistant" means a person, other than a

251 dental hygienist, who, under the supervision and authorization  
252 of a dentist, provides dental care services directly to a  
253 patient. This term does ~~shall~~ not include a certified registered  
254 nurse anesthetist licensed under part I of chapter 464.

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

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

260 (9)-(7) "Department" means the Department of Health.

261 (10)-(8) "Direct supervision" means supervision whereby a  
262 dentist diagnoses the condition to be treated, a dentist  
263 authorizes the procedure to be performed, a dentist remains on  
264 the premises while the procedures are performed, and a dentist  
265 approves the work performed before dismissal of the patient.

266 (13)-(9) "Indirect supervision" means supervision whereby a  
267 dentist authorizes the procedure and a dentist is on the  
268 premises while the procedures are performed.

269 (11)-(10) "General supervision" means supervision whereby a  
270 dentist authorizes the procedures which are being carried out  
271 but need not be present when the authorized procedures are being  
272 performed. The authorized procedures may also be performed at a  
273 place other than the dentist's usual place of practice. The  
274 issuance of a written work authorization to a commercial dental  
275 laboratory by a dentist does not constitute general supervision.

276        (14)~~(11)~~ "Irremediable tasks" are those intraoral  
 277 treatment tasks which, when performed, are irreversible and  
 278 create unalterable changes within the oral cavity or the  
 279 contiguous structures or which cause an increased risk to the  
 280 patient. The administration of anesthetics other than topical  
 281 anesthesia is considered to be an "irremediable task" for  
 282 purposes of this chapter.

283        (16)~~(12)~~ "Remediable tasks" are those intraoral treatment  
 284 tasks which are reversible and do not create unalterable changes  
 285 within the oral cavity or the contiguous structures and which do  
 286 not cause an increased risk to the patient.

287        (15)~~(13)~~ "Oral and maxillofacial surgery" means the  
 288 specialty of dentistry involving diagnosis, surgery, and  
 289 adjunctive treatment of diseases, injuries, and defects  
 290 involving the functional and esthetic aspects of the hard and  
 291 soft tissues of the oral and maxillofacial regions. This term  
 292 may not be construed to apply to any individual exempt under s.  
 293 466.002 (1).

294        (12)~~(14)~~ "Health access setting" means a program or an  
 295 institution of the Department of Children and Families, the  
 296 Department of Health, the Department of Juvenile Justice, a  
 297 nonprofit community health center, a Head Start center, a  
 298 federally qualified health center or look-alike as defined by  
 299 federal law, a school-based prevention program, a clinic  
 300 operated by an accredited college of dentistry, or an accredited

301 dental hygiene program in this state if such community service  
 302 program or institution immediately reports to the Board of  
 303 Dentistry all violations of s. 466.027, s. 466.028, or other  
 304 practice act or standard of care violations related to the  
 305 actions or inactions of a dentist, dental hygienist, or dental  
 306 assistant engaged in the delivery of dental care in such  
 307 setting.

308 (17)~~(15)~~ "School-based prevention program" means  
 309 preventive oral health services offered at a school by one of  
 310 the entities described ~~defined~~ in subsection (12) ~~(14)~~ or by a  
 311 nonprofit organization that is exempt from federal income  
 312 taxation under s. 501(a) of the Internal Revenue Code, and  
 313 described in s. 501(c) (3) of the Internal Revenue Code.

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

316 466.004 Board of Dentistry.—

317 (2) To advise the board, it is the intent of the  
 318 Legislature that councils be appointed as specified in  
 319 paragraphs (a)-(d) ~~(a), (b), and (c)~~. The department shall  
 320 provide administrative support to the councils and shall provide  
 321 public notice of meetings and agendas ~~agenda~~ of the councils.  
 322 Councils must ~~shall~~ include at least one board member, who shall  
 323 serve as chair, ~~the council~~ and must ~~shall~~ include nonboard  
 324 members. All council members shall be appointed by the board  
 325 chair. Council members shall be appointed for 4-year terms, and

326 | all members are ~~shall be~~ eligible for reimbursement of expenses  
 327 | in the manner of board members.

328 |         (a) A Council on Dental Hygiene shall be appointed by the  
 329 | board chair and shall include one dental hygienist member of the  
 330 | board, who shall chair the council, one dental member of the  
 331 | board, and three dental hygienists who are actively engaged in  
 332 | the practice of dental hygiene in this state. In making the  
 333 | appointments, the chair shall consider recommendations from the  
 334 | Florida Dental Hygiene Association. The council shall meet at  
 335 | the request of the board chair, a majority of the members of the  
 336 | board, or the council chair; however, the council must meet at  
 337 | least three times a year. The council is charged with the  
 338 | responsibility of and shall meet for the purpose of developing  
 339 | rules and policies for recommendation to the board, which the  
 340 | board shall consider, on matters pertaining to that part of  
 341 | dentistry consisting of educational, preventive, or therapeutic  
 342 | dental hygiene services; dental hygiene licensure, discipline,  
 343 | or regulation; and dental hygiene education. Rule and policy  
 344 | recommendations of the council must ~~shall~~ be considered by the  
 345 | board at its next regularly scheduled meeting in the same manner  
 346 | in which it considers rule and policy recommendations from  
 347 | designated subcommittees of the board. Any rule or policy  
 348 | proposed by the board pertaining to the specified part of  
 349 | dentistry identified ~~defined~~ by this subsection must ~~shall~~ be  
 350 | referred to the council for a recommendation before final action

351 by the board. The board may take final action on rules  
352 pertaining to the specified part of dentistry identified ~~defined~~  
353 by this subsection without a council recommendation if the  
354 council fails to submit a recommendation in a timely fashion as  
355 prescribed by the board.

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

364 (c) Effective 28 months after the first dental therapy  
365 license is granted by the board, the board chair shall appoint a  
366 Council on Dental Therapy, which must include one board member  
367 who shall chair the council and three dental therapists who are  
368 actively engaged in the practice of dental therapy in this  
369 state. The council shall meet at the request of the board chair,  
370 a majority of the members of the board, or the council chair;  
371 however, the council shall meet at least three times per year.  
372 The council is charged with the responsibility of, and shall  
373 meet for the purpose of, developing rules and policies for  
374 recommendation to the board on matters pertaining to that part  
375 of dentistry consisting of educational, preventive, or

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376 therapeutic dental therapy services; dental therapy licensure,  
377 discipline, or regulation; and dental therapy education. Rule  
378 and policy recommendations of the council must be considered by  
379 the board at its next regularly scheduled meeting in the same  
380 manner in which it considers rule and policy recommendations  
381 from designated subcommittees of the board. Any rule or policy  
382 proposed by the board pertaining to the specified part of  
383 dentistry identified by this subsection must be referred to the  
384 council for a recommendation before final action by the board.  
385 The board may take final action on rules pertaining to the  
386 specified part of dentistry identified by this subsection  
387 without a council recommendation if the council fails to submit  
388 a recommendation in a timely fashion as prescribed by the board.

389 (d) With the concurrence of the State Surgeon General, the  
390 board chair may create and abolish other advisory councils  
391 relating to dental subjects, including, but not limited to:  
392 examinations, access to dental care, indigent care, nursing home  
393 and institutional care, public health, disciplinary guidelines,  
394 and other subjects as appropriate. Such councils shall be  
395 appointed by the board chair and shall include at least one  
396 board member who shall serve as chair.

397 Section 6. Paragraph (b) of subsection (4) and paragraph  
398 (b) of subsection (6) of section 466.006, Florida Statutes, are  
399 amended to read:

400 466.006 Examination of dentists.—



401 (4) Notwithstanding any other provision of law in chapter  
 402 456 pertaining to the clinical dental licensure examination or  
 403 national examinations, to be licensed as a dentist in this  
 404 state, an applicant must successfully complete both of the  
 405 following:

406 (b) A practical or clinical examination, which must be the  
 407 American Dental Licensing Examination produced by the American  
 408 Board of Dental Examiners, Inc., or its successor entity, if  
 409 any, that is administered in this state, provided that the board  
 410 has attained, and continues to maintain thereafter,  
 411 representation on the board of directors of the American Board  
 412 of Dental Examiners, the examination development committee of  
 413 the American Board of Dental Examiners, and such other  
 414 committees of the American Board of Dental Examiners as the  
 415 board deems appropriate by rule to assure that the standards  
 416 established herein are maintained organizationally. A passing  
 417 score on the American Dental Licensing Examination administered  
 418 in this state is valid for 365 days after the date the official  
 419 examination results are published.

420 1. As an alternative to such practical or clinical  
 421 examination, an applicant may submit scores from an American  
 422 Dental Licensing Examination previously administered in a  
 423 jurisdiction other than this state after October 1, 2011, and  
 424 such examination results must ~~shall~~ be recognized as valid for  
 425 the purpose of licensure in this state. A passing score on the

426 American Dental Licensing Examination administered out of state  
427 is ~~shall be~~ the same as the passing score for the American  
428 Dental Licensing Examination administered in this state. The  
429 examination results are valid for 365 days after the date the  
430 official examination results are published. The applicant must  
431 have 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 submits proof that he or she has never  
 466 been reported to the National Practitioner Data Bank, the  
 467 Healthcare Integrity and Protection Data Bank, or the American  
 468 Association of Dental Boards Clearinghouse. This sub-  
 469 subparagraph does not apply if the applicant successfully  
 470 appealed to have his or her name removed from the data banks of  
 471 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 and every  
 485 year in the consecutive 5-year period or, when applicable, the  
 486 period since initial licensure, and must include any combination  
 487 of the 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) Submitted by the applicant under oath with penalties  
506 of perjury attached;

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

511 (E) Specifically found by the board to be both credible  
512 and admissible.

513 (IV) An affidavit of only the applicant is not acceptable  
514 proof of full-time practice unless it is further attested to by  
515 someone unrelated to the applicant who has personal knowledge of  
516 the applicant's practice. If the board deems it necessary to  
517 assess credibility or accuracy, the board may require the  
518 applicant or the applicant's witnesses to appear before the  
519 board and give oral testimony under oath;

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

524 g. The applicant proves that he or she has never been  
525 convicted of, or pled nolo contendere to, regardless of

526 adjudication, any felony or misdemeanor related to the practice  
527 of a health care profession in any jurisdiction;

528 h. The applicant has successfully passed a written  
529 examination on the laws and rules of this state regulating the  
530 practice of dentistry and the computer-based diagnostic skills  
531 examination; and

532 i. The applicant submits documentation that he or she has  
533 successfully completed the applicable examination administered  
534 by the Joint Commission on National Dental Examinations or its  
535 successor organization.

536 (6)

537 (b)1. As used in this section, "full-time practice of  
538 dentistry within the geographic boundaries of this state within  
539 1 year" is defined as a minimum of 1,200 hours in the initial  
540 year of licensure, which must include any combination of the  
541 following:

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

544 b. Full-time practice as a faculty member employed by a  
545 dental, dental therapy, or dental hygiene school approved by the  
546 board or accredited by the American Dental Association  
547 Commission on Dental Accreditation and located within the  
548 geographic boundaries of this state.

549 c. Full-time practice as a student at a postgraduate  
550 dental education program approved by the board or accredited by

551 the American Dental Association Commission on Dental  
552 Accreditation and located within the geographic boundaries of  
553 this state.

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

560 a. Be admissible as evidence in an administrative  
561 proceeding;

562 b. Be submitted in writing;

563 c. Be submitted by the applicant under oath with penalties  
564 of perjury attached;

565 d. Be further documented by an affidavit of someone  
566 unrelated to the applicant who is familiar with the applicant's  
567 practice and testifies with particularity that the applicant has  
568 been engaged in full-time practice of dentistry within the  
569 geographic boundaries of this state within the last 365 days;  
570 and

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

573 3. An affidavit of only the applicant is not acceptable  
574 proof of full-time practice of dentistry within the geographic  
575 boundaries of this state within 1 year, unless it is further

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576 attested to by someone unrelated to the applicant who has  
577 personal knowledge of the applicant's practice within the last  
578 365 days. If the board deems it necessary to assess credibility  
579 or accuracy, the board may require the applicant or the  
580 applicant's witnesses to appear before the board and give oral  
581 testimony under oath.

582 Section 7. Subsection (1) of section 466.009, Florida  
583 Statutes, is amended, and subsection (4) is added to that  
584 section, to read:

585 466.009 Reexamination.—

586 (1) The department shall allow ~~permit~~ any person who fails  
587 an examination that ~~which~~ is required under s. 466.006, ~~or~~ s.  
588 466.007, or s. 466.0225 to retake the examination. If the  
589 examination to be retaken is a practical or clinical  
590 examination, the applicant must ~~shall~~ pay a reexamination fee  
591 set by rule of the board in an amount not to exceed the original  
592 examination fee.

593 (4) If an applicant for a license to practice dental  
594 therapy fails the practical or clinical examination and she or  
595 he has failed only one part or procedure of such examination,  
596 she or he may be required to retake only that part or procedure  
597 to pass such examination. However, if any such applicant fails  
598 more than one part or procedure of any such examination, she or  
599 he must be required to retake the entire examination.

600 Section 8. Section 466.011, Florida Statutes, is amended



601 to read:

602 466.011 Licensure.—The board shall certify for licensure  
 603 by the department any applicant who satisfies the requirements  
 604 of s. 466.006, s. 466.0067, ~~or~~ s. 466.007, or s. 466.0225. The  
 605 board may refuse to certify an applicant who has violated ~~any of~~  
 606 ~~the provisions of~~ s. 466.026 or s. 466.028.

607 Section 9. Section 466.0136, Florida Statutes, is created  
 608 to read:

609 466.0136 Continuing education; dental therapists.—In  
 610 addition to any other requirements for relicensure for dental  
 611 therapists specified in this chapter, the board shall require  
 612 each licensed dental therapist to complete at least 24 hours,  
 613 but not more than 36 hours, biennially of continuing education  
 614 in dental subjects in programs approved by the board or in  
 615 equivalent programs of continuing education. Programs of  
 616 continuing education approved by the board must be programs of  
 617 learning which, in the opinion of the board, contribute directly  
 618 to the dental education of the dental therapist. An individual  
 619 who is licensed as both a dental therapist and a dental  
 620 hygienist may use 2 hours of continuing education that is  
 621 approved for both dental therapy and dental hygiene education to  
 622 satisfy both dental therapy and dental hygiene continuing  
 623 education requirements. The board shall adopt rules and  
 624 guidelines to administer and enforce this section. The dental  
 625 therapist shall retain in her or his records any receipts,

626 vouchers, or certificates necessary to document completion of  
 627 the continuing education. Compliance with the continuing  
 628 education requirements is mandatory for issuance of the renewal  
 629 certificate. The board may excuse licensees, as a group or as  
 630 individuals, from all or part of the continuing education  
 631 requirements if an unusual circumstance, emergency, or hardship  
 632 prevented compliance with this section.

633 Section 10. Section 466.016, Florida Statutes, is amended  
 634 to read:

635 466.016 License to be displayed.—Every practitioner of  
 636 dentistry, dental therapy, or dental hygiene within the meaning  
 637 of this chapter shall post and keep conspicuously displayed her  
 638 or his license in the office where ~~wherein~~ she or he practices,  
 639 in plain sight of the practitioner's patients. Any dentist,  
 640 dental therapist, or dental hygienist who practices at more than  
 641 one location shall ~~be required to~~ display a copy of her or his  
 642 license in each office where she or he practices.

643 Section 11. Present subsections (7) through (15) of  
 644 section 466.017, Florida Statutes, are redesignated as  
 645 subsections (8) through (16), respectively, a new subsection (7)  
 646 is added to that section, and paragraphs (d) and (e) of  
 647 subsection (3), subsection (4), and present subsections (7),  
 648 (8), and (14) of that section are amended, to read:

649 466.017 Prescription of drugs; anesthesia.—

650 (3) The board shall adopt rules which:

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651 (d) Establish further requirements relating to the use of  
652 general anesthesia or sedation, including, but not limited to,  
653 office equipment and the training of dental assistants, dental  
654 therapists, or dental hygienists who work with dentists using  
655 general anesthesia or sedation.

656 (e) Establish an administrative mechanism enabling the  
657 board to verify compliance with training, education, experience,  
658 equipment, or certification requirements of dentists, dental  
659 therapists, dental hygienists, and dental assistants adopted  
660 pursuant to this subsection. The board may charge a fee to  
661 defray the cost of verifying compliance with requirements  
662 adopted pursuant to this paragraph.

663 (4) A dentist, dental therapist, or dental hygienist who  
664 administers or employs the use of any form of anesthesia must  
665 possess a certification in either basic cardiopulmonary  
666 resuscitation for health professionals or advanced cardiac life  
667 support approved by the American Heart Association or the  
668 American Red Cross or an equivalent agency-sponsored course with  
669 recertification every 2 years. Each dental office that ~~which~~  
670 uses any form of anesthesia must have immediately available and  
671 in good working order such resuscitative equipment, oxygen, and  
672 other resuscitative drugs as are specified by rule of the board  
673 in order to manage possible adverse reactions.

674 (7) A dental therapist, under the general supervision of a  
675 dentist, may administer local anesthesia, including intraoral

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676 block anesthesia or soft tissue infiltration anesthesia if she  
677 or he has completed the course described in subsection (5) and  
678 presents evidence of current certification in basic or advanced  
679 cardiac life support.

680 (8)-(7) A licensed dentist, or a dental therapist who is  
681 authorized by her or his supervising dentist, may operate  
682 utilize an X-ray machine, expose dental X-ray films, and  
683 interpret or read such films. Notwithstanding ~~The provisions of~~  
684 part IV of chapter 468 ~~to the contrary notwithstanding,~~ a  
685 licensed dentist, or a dental therapist who is authorized by her  
686 or his supervising dentist, may authorize or direct a dental  
687 assistant to operate such equipment and expose such films under  
688 her or his direction and supervision, pursuant to rules adopted  
689 by the board in accordance with s. 466.024 which ensure that the  
690 ~~said~~ assistant is competent by reason of training and experience  
691 to operate the X-ray ~~said~~ equipment in a safe and efficient  
692 manner. The board may charge a fee not to exceed \$35 to defray  
693 the cost of verifying compliance with requirements adopted  
694 pursuant to this section.

695 (9)-(8) Notwithstanding ~~The provisions of~~ s. 465.0276  
696 ~~notwithstanding,~~ a dentist need not register with the board or  
697 comply with the continuing education requirements of that  
698 section if the dentist confines her or his dispensing activity  
699 to the dispensing of fluorides and chlorhexidine ~~chlorhexidine~~  
700 rinse solutions; provided that the dentist complies with and is

701 subject to all laws and rules applicable to pharmacists and  
 702 pharmacies, including, but not limited to, chapters 465, 499,  
 703 and 893, and all applicable federal laws and regulations, when  
 704 dispensing such products.

705 ~~(15)-(14)~~ As used in subsections (10)-(14) ~~(9)-(13)~~, the  
 706 term "adverse incident" means any mortality that occurs during  
 707 or as the result of a dental procedure, or an incident that  
 708 results in a temporary or permanent physical or mental injury  
 709 that requires hospitalization or emergency room treatment of a  
 710 dental patient which occurs during or as a direct result of the  
 711 use of general anesthesia, deep sedation, moderate sedation,  
 712 pediatric moderate sedation, oral sedation, minimal sedation  
 713 (anxiolysis), nitrous oxide, or local anesthesia.

714 Section 12. Subsection (1) of section 466.018, Florida  
 715 Statutes, is amended to read:

716 466.018 Dentist of record; patient records.—

717 (1) Each patient must ~~shall~~ have a dentist of record. The  
 718 dentist of record shall remain primarily responsible for all  
 719 dental treatment on such patient regardless of whether the  
 720 treatment is rendered by that ~~the~~ dentist or by another dentist,  
 721 a dental therapist, a dental hygienist, or a dental assistant  
 722 rendering such treatment in conjunction with, at the direction  
 723 or request of, or under the supervision of such dentist of  
 724 record. The dentist of record must ~~shall~~ be identified in the  
 725 record of the patient. If treatment is rendered by a dentist

726 other than the dentist of record or by a dental hygienist,  
 727 dental therapist, or dental assistant, the name or initials of  
 728 such person must ~~shall~~ be placed in the record of the patient.  
 729 In any disciplinary proceeding brought pursuant to this chapter  
 730 or chapter 456, it must ~~shall~~ be presumed as a matter of law  
 731 that treatment was rendered by the dentist of record unless  
 732 otherwise noted on the patient record pursuant to this section.  
 733 The dentist of record and any other treating dentist are subject  
 734 to discipline pursuant to this chapter or chapter 456 for  
 735 treatment rendered to the patient and performed in violation of  
 736 such chapter. One of the purposes of this section is to ensure  
 737 that the responsibility for each patient is assigned to one  
 738 dentist in a multidentist practice of any nature and to assign  
 739 primary responsibility to the dentist for treatment rendered by  
 740 a dental hygienist, dental therapist, or dental assistant under  
 741 her or his supervision. This section may ~~shall~~ not be construed  
 742 to assign any responsibility to a dentist of record for  
 743 treatment rendered pursuant to a proper referral to another  
 744 dentist who does not ~~in~~ practice with the dentist of record or  
 745 to prohibit a patient from voluntarily selecting a new dentist  
 746 without permission of the dentist of record.

747 Section 13. Section 466.0225, Florida Statutes, is created  
 748 to read:

749 466.0225 Examination of dental therapists; licensing.-

750 (1) Any person desiring to be licensed as a dental

751 therapist must apply to the department to take the licensure  
752 examinations and shall verify the information required on the  
753 application by oath. The application must include two recent  
754 photographs of the applicant.

755 (2) An applicant is entitled to take the examinations  
756 required under this section and receive licensure to practice  
757 dental therapy in this state if the applicant meets all of the  
758 following criteria:

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

760 (b) Is a graduate of a dental therapy college or school  
761 accredited by the American Dental Association Commission on  
762 Dental Accreditation or its successor entity, if any, or any  
763 other dental therapy accrediting entity recognized by the United  
764 States Department of Education. For applicants applying for a  
765 dental therapy license before January 1, 2029, the board must  
766 approve the applicant's dental therapy education program if the  
767 program was administered by a college or school that operates an  
768 accredited dental or dental hygiene program and the college or  
769 school certifies to the board that the applicant's education  
770 substantially conformed to the education standards established  
771 by the American Dental Association Commission on Dental  
772 Accreditation or its successor entity.

773 (c) Has successfully completed a dental therapy practical  
774 or clinical examination produced by the American Board of Dental  
775 Examiners, Inc., (ADEX) or its successor entity, if any, if the

776 board finds that the successor entity's examination meets or  
777 exceeds the requirements of this section. If an applicant fails  
778 to pass such an examination after three attempts, the applicant  
779 is not eligible to retake the examination unless the applicant  
780 completes additional education requirements as specified by the  
781 board. If a dental therapy examination has not been established  
782 by ADEX, the board must administer or approve an alternative  
783 examination.

784 (d) Has not been disciplined by a board, except for  
785 citation offenses or minor violations.

786 (e) Has not been convicted of or pled nolo contendere to,  
787 regardless of adjudication, any felony or misdemeanor related to  
788 the practice of a health care profession.

789 (f) Has successfully completed a written examination on  
790 the laws and rules of this state regulating the practice of  
791 dental therapy.

792 (3) An applicant who meets the requirements of this  
793 section and who has successfully completed an examination  
794 identified in paragraph (2) (c) in a jurisdiction other than this  
795 state, or who has successfully completed a comparable  
796 examination administered or approved by the licensing authority  
797 in a jurisdiction other than this state, must be licensed to  
798 practice dental therapy in this state if the board determines  
799 that the other jurisdiction's examination is substantially  
800 similar to those identified in paragraph (2) (c).



801 Section 14. Section 466.0227, Florida Statutes, is created  
802 to read:

803 466.0227 Dental therapists; scope and area of practice.-

804 (1) Except as otherwise provided in this chapter, a dental  
805 therapist may perform the dental therapy services specified in  
806 subsection (2) under the general supervision of a dentist to the  
807 extent authorized by the supervising dentist and provided within  
808 the terms of a written collaborative management agreement signed  
809 by the dental therapist and the supervising dentist which meets  
810 the requirements of subsection (3).

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

812 (a) All services, treatments, and competencies identified  
813 by the American Dental Association Commission on Dental  
814 Accreditation in the commission's Accreditation Standards for  
815 Dental Therapy Education Programs.

816 (b) The following state-specific services, if the dental  
817 therapist's education included curriculum content satisfying the  
818 American Dental Association Commission on Dental Accreditation  
819 criteria for state-specific dental therapy services:

820 1. Evaluating radiographs.

821 2. Placement of space maintainers.

822 3. Pulpotomies on primary teeth.

823 4. Dispensing and administering nonopioid analgesics,  
824 including nitrous oxide, anti-inflammatories, and antibiotics,  
825 as authorized by the supervising dentist and within the

826 parameters of the collaborative management agreement.

827 5. Oral evaluation and assessment of dental disease and  
828 formulation of an individualized treatment plan if authorized by  
829 the supervising dentist and subject to any conditions,  
830 limitations, and protocols specified by the supervising dentist  
831 in the collaborative management agreement.

832 (3) Before performing any of the services authorized in  
833 subsection (2), a dental therapist must enter into a written  
834 collaborative management agreement with a supervising dentist.  
835 The agreement must be signed by the dental therapist and the  
836 supervising dentist and must include all of the following  
837 information:

838 (a) Practice settings where services may be provided by  
839 the dental therapist and the populations to be served by the  
840 dental therapist.

841 (b) Any limitations on the services that may be provided  
842 by the dental therapist, including the level of supervision  
843 required by the supervising dentist. This may include  
844 telehealth.

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

848 (d) A procedure for creating and maintaining dental  
849 records for the patients who are treated by the dental  
850 therapist.

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

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

856 (g) Protocols for the dental therapist to administer and  
857 dispense medications, including the specific conditions and  
858 circumstances under which the medications are to be dispensed  
859 and administered.

860 (h) Criteria relating to the provision of care by the  
861 dental therapist to patients with specific medical conditions or  
862 complex medication histories, including requirements for  
863 consultation before the initiation of care.

864 (i) Supervision criteria of dental therapists.

865 (j) A plan for the provision of clinical resources and  
866 referrals in situations that are beyond the capabilities of the  
867 dental therapist.

868 (4) A supervising dentist shall determine the number of  
869 hours of practice that a dental therapist must complete under  
870 direct or indirect supervision of the supervising dentist before  
871 the dental therapist may perform any of the services authorized  
872 in subsection (2) under general supervision.

873 (5) A supervising dentist may restrict or limit the dental  
874 therapist's practice in the written collaborative management  
875 agreement to be less than the full scope of practice for dental

876 therapists which is authorized in subsection (2).

877 (6) A supervising dentist may authorize a dental therapist  
 878 to provide dental therapy services to a patient before the  
 879 supervising dentist examines or diagnoses the patient if the  
 880 authority, conditions, and protocols are established in a  
 881 written collaborative management agreement and if the patient is  
 882 subsequently referred to a dentist for any needed additional  
 883 services that exceed the dental therapist's scope of practice or  
 884 authorization under the collaborative management agreement.

885 (7) A supervising dentist must be licensed and practicing  
 886 in this state. The supervising dentist is responsible for all  
 887 services authorized and performed by the dental therapist  
 888 pursuant to the collaborative management agreement and for  
 889 providing or arranging follow-up services to be provided by a  
 890 dentist for any additional services that exceed the dental  
 891 therapist's scope of practice or authorization under the  
 892 collaborative management agreement.

893 Section 15. Section 466.026, Florida Statutes, is amended  
 894 to read:

895 466.026 Prohibitions; penalties.—

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

899 (a) Practicing dentistry, dental therapy, or dental  
 900 hygiene unless the person has an appropriate, active license

901 issued by the department pursuant to this chapter.

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

904 (c) Knowingly employing any person to perform duties  
 905 outside the scope allowed such person under this chapter or the  
 906 rules of the board.

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

909 (e) Selling or offering to sell a diploma conferring a  
 910 degree from a dental college, ~~or~~ dental hygiene school or  
 911 college, or dental therapy school or college, or a license  
 912 issued pursuant to this chapter, or procuring such diploma or  
 913 license with intent that it will ~~shall~~ be used as evidence of  
 914 that which the document stands for, by a person other than the  
 915 one upon whom it was conferred or to whom it was granted.

916 (2) Each of the following acts constitutes a misdemeanor  
 917 of the first degree, punishable as provided in s. 775.082 or s.  
 918 775.083:

919 (a) Using the name or title "dentist," the letters  
 920 "D.D.S." or "D.M.D.", or any other words, letters, title, or  
 921 descriptive matter which in any way represents a person as being  
 922 able to diagnose, treat, prescribe, or operate for any disease,  
 923 pain, deformity, deficiency, injury, or physical condition of  
 924 the teeth or jaws or oral-maxillofacial region unless the person  
 925 has an active dentist's license issued by the department

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926 | pursuant to this chapter.

927 |       (b) Using the name "dental hygienist" or the initials  
928 | "R.D.H." or otherwise holding herself or himself out as an  
929 | actively licensed dental hygienist or implying to any patient or  
930 | consumer that she or he is an actively licensed dental hygienist  
931 | unless that person has an active dental hygienist's license  
932 | issued by the department pursuant to this chapter.

933 |       (c) Using the name "dental therapist" or the initials  
934 | "D.T." or otherwise holding herself or himself out as an  
935 | actively licensed dental therapist or implying to any patient or  
936 | consumer that she or he is an actively licensed dental therapist  
937 | unless that person has an active dental therapist's license  
938 | issued by the department pursuant to this chapter.

939 |       (d) Presenting as her or his own the license of another.

940 |       ~~(e)-(d)~~ Knowingly concealing information relative to  
941 | violations of this chapter.

942 |       ~~(f)-(e)~~ Performing any services as a dental assistant as  
943 | defined herein, except in the office of a licensed dentist,  
944 | unless authorized by this chapter or by rule of the board.

945 |       Section 16. Paragraphs (b), (c), (g), (s), and (t) of  
946 | subsection (1) of section 466.028, Florida Statutes, are amended  
947 | to read:

948 |       466.028 Grounds for disciplinary action; action by the  
949 | board.—

950 |       (1) The following acts constitute grounds for denial of a

951 license or disciplinary action, as specified in s. 456.072(2):

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

956 (c) Being convicted or found guilty of or entering a plea  
 957 of nolo contendere to, regardless of adjudication, a crime in  
 958 any jurisdiction which relates to the practice of dentistry,  
 959 dental therapy, or dental hygiene. A plea of nolo contendere  
 960 creates ~~shall create~~ a rebuttable presumption of guilt to the  
 961 underlying criminal charges.

962 (g) Aiding, assisting, procuring, or advising any  
 963 unlicensed person to practice dentistry, dental therapy, or  
 964 dental hygiene contrary to this chapter or to a rule of the  
 965 department or the board.

966 (s) Being unable to practice her or his profession with  
 967 reasonable skill and safety to patients by reason of illness or  
 968 use of alcohol, drugs, narcotics, chemicals, or any other type  
 969 of material or as a result of any mental or physical condition.  
 970 In enforcing this paragraph, the department ~~shall have,~~ upon a  
 971 finding of the State Surgeon General or her or his designee that  
 972 probable cause exists to believe that the licensee is unable to  
 973 practice dentistry, dental therapy, or dental hygiene because of  
 974 the reasons stated in this paragraph, has the authority to issue  
 975 an order to compel a licensee to submit to a mental or physical

976 examination by physicians designated by the department. If the  
 977 licensee refuses to comply with such order, the department's  
 978 order directing such examination may be enforced by filing a  
 979 petition for enforcement in the circuit court where the licensee  
 980 resides or does business. The licensee against whom the petition  
 981 is filed may ~~shall~~ not be named or identified by initials in any  
 982 public court records or documents, and the proceedings must  
 983 ~~shall~~ be closed to the public. The department is ~~shall be~~  
 984 entitled to the summary procedure provided in s. 51.011. A  
 985 licensee affected under this paragraph must ~~shall~~ at reasonable  
 986 intervals be afforded an opportunity to demonstrate that she or  
 987 he can resume the competent practice of her or his profession  
 988 with reasonable skill and safety to patients.

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

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

993 466.0285 Proprietorship by nondentists.—

994 (1) No person other than a dentist licensed pursuant to  
 995 this chapter, nor any entity other than a professional  
 996 corporation or limited liability company composed of dentists,  
 997 may:

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

1000 (b) Control the use of any dental equipment or material



1001 while such equipment or material is being used for the provision  
 1002 of dental services, whether those services are provided by a  
 1003 dentist, a dental therapist, a dental hygienist, or a dental  
 1004 assistant.

1005  
 1006 Any lease agreement, rental agreement, or other arrangement  
 1007 between a nondentist and a dentist whereby the nondentist  
 1008 provides the dentist with dental equipment or dental materials  
 1009 shall contain a provision whereby the dentist expressly  
 1010 maintains complete care, custody, and control of the equipment  
 1011 or practice.

1012 Section 18. The Department of Health, in consultation with  
 1013 the Board of Dentistry and the Agency for Health Care  
 1014 Administration, shall submit a progress report to the President  
 1015 of the Senate and the Speaker of the House of Representatives by  
 1016 July 1, 2027, and a final report 4 years after the first dental  
 1017 therapy license is issued. The reports must include all of the  
 1018 following information and recommendations:

1019 (1) The progress that has been made in this state to  
 1020 implement dental therapy training programs, licensing, and  
 1021 Medicaid reimbursement.

1022 (2) Data demonstrating the effects of dental therapy in  
 1023 this state on all of the following:

1024 (a) Patient access to dental services.

1025 (b) Costs to dental providers, patients, dental insurance

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1026 | carriers, and the state.  
 1027 |       (c) The quality and safety of dental services.  
 1028 |       (3) Specific recommendations for any necessary  
 1029 | legislative, administrative, or regulatory reform relating to  
 1030 | the practice of dental therapy.  
 1031 |       (4) Any other information the department deems  
 1032 | appropriate.  
 1033 |       Section 19. This act shall take effect July 1, 2024.