

CHAPTER 21

PROFESSIONS AND OCCUPATIONS

HOUSE BILL 09-1128

BY REPRESENTATIVE(S) Priola, Balmer, Baumgardner, Bradford, Casso, Frangas, Gardner C., Hullinghorst, Liston, Loooper, McNulty, Merrifield, Middleton, Roberts, Sonnenberg, Soper, Swalm, Todd, Gardner B., Gerou, Kerr J., Labuda, Ryden, Scanlan, Summers;
also SENATOR(S) Hodge, King K., Penry, Spence, Williams, Boyd.

AN ACT

CONCERNING THE ESTABLISHMENT OF AN ACADEMIC LICENSE TO ALLOW A DENTIST EMPLOYED BY A SCHOOL OF DENTISTRY TO ENGAGE IN THE PRACTICE OF DENTISTRY IN CONNECTION WITH PROGRAMS AFFILIATED WITH THE SCHOOL.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 12-35-103 (12), Colorado Revised Statutes, is amended to read:

12-35-103. Definitions. As used in this article, unless the context otherwise requires:

(12) "License" means the grant of authority by the board to any person to engage in the practice of dentistry or dental hygiene. ~~Such~~ "LICENSE" INCLUDES AN ACADEMIC LICENSE TO PRACTICE DENTISTRY PURSUANT TO SECTION 12-35-117.5. A license shall be a privilege personal to the licensee and may be revoked, suspended, or subjected to disciplinary conditions by the board for violation of any of the provisions of this article and shall be null and void upon the failure of the licensee to file an application for renewal and to pay the fee as required by section 12-35-121.

SECTION 2. 12-35-115 (1) (e), Colorado Revised Statutes, is amended to read:

12-35-115. Persons exempt from operation of this article. (1) Nothing in this article shall apply to the following practices, acts, and operations:

(e) The practice of ~~dentistry or~~ dental hygiene by instructors and students in schools or colleges of dentistry, ~~or~~ schools of dental hygiene, or schools of dental

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

assistant education while such instructors and students are participating in accredited programs of such schools or colleges;

SECTION 3. Part 1 of article 35 of title 12, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

12-35-117.5. Academic license. (1) (a) A DENTIST WHO IS EMPLOYED AT AN ACCREDITED SCHOOL OR COLLEGE OF DENTISTRY IN THIS STATE AND WHO PRACTICES DENTISTRY IN THE COURSE OF HIS OR HER EMPLOYMENT RESPONSIBILITIES SHALL EITHER MAKE WRITTEN APPLICATION TO THE BOARD FOR AN ACADEMIC LICENSE IN ACCORDANCE WITH THIS SECTION OR SHALL OTHERWISE BECOME LICENSED PURSUANT TO SECTIONS 12-35-117, 12-35-118, AND 12-35-119, AS APPLICABLE.

(b) NOTHING IN THIS SECTION SHALL REQUIRE A DENTIST WHO APPEARS IN A PROGRAM OF DENTAL EDUCATION OR RESEARCH, AS DESCRIBED IN SECTION 12-35-115 (1) (f), TO OBTAIN AN ACADEMIC LICENSE PURSUANT TO THIS SECTION.

(2) A PERSON WHO APPLIES FOR AN ACADEMIC LICENSE SHALL SUBMIT PROOF TO THE BOARD THAT HE OR SHE:

(a) GRADUATED FROM A SCHOOL OF DENTISTRY LOCATED IN THE UNITED STATES OR ANOTHER COUNTRY;

(b) IS EMPLOYED BY AN ACCREDITED SCHOOL OR COLLEGE OF DENTISTRY IN THIS STATE; AND

(c) SUCCESSFULLY PASSED THE JURISPRUDENCE EXAMINATION DESCRIBED IN SECTION 12-35-119 (1) (b).

(3) AN APPLICANT FOR AN ACADEMIC LICENSE SHALL SATISFY THE CREDENTIALING STANDARDS OF THE ACCREDITED SCHOOL OR COLLEGE OF DENTISTRY THAT EMPLOYS THE APPLICANT.

(4) AN ACADEMIC LICENSE SHALL AUTHORIZE THE LICENSEE TO PRACTICE DENTISTRY ONLY WHILE ENGAGED IN THE PERFORMANCE OF HIS OR HER OFFICIAL DUTIES AS AN EMPLOYEE OF THE ACCREDITED SCHOOL OR COLLEGE OF DENTISTRY AND ONLY IN CONNECTION WITH PROGRAMS AFFILIATED OR ENDORSED BY THE SCHOOL OR COLLEGE. AN ACADEMIC LICENSEE MAY NOT USE AN ACADEMIC LICENSE TO PRACTICE DENTISTRY OUTSIDE OF HIS OR HER ACADEMIC RESPONSIBILITIES.

(5) IN ADDITION TO THE REQUIREMENTS OF THIS SECTION, AN APPLICANT FOR AN ACADEMIC LICENSE SHALL COMPLETE ALL PROCEDURES FOR ACADEMIC LICENSING ESTABLISHED BY THE BOARD TO BECOME LICENSED, INCLUDING PAYMENT OF ANY FEE IMPOSED PURSUANT TO SECTION 12-35-117 (1).

SECTION 4. Act subject to petition - effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 4, 2009, if adjournment sine die is on May 6, 2009); except that, if a referendum petition is

filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 18, 2009

Editor's note: The August 4 date specified in the effective date section of this act reflects the ninetieth day, therefore the act takes effect at 12:01 a.m. on August 5, 2009.