

GREEN SHEET REDIGEST

HB 210

2017 Regular Session

Coussan

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

**DENTISTRY/DENTISTS: Provides for the licensure of retired volunteer dentists**

DIGEST

Present law authorizes the La. State Board of Dentistry (LSBD) to issue a retired volunteer dental license to an applicant to practice dentistry in a community healthcare clinic. Such license shall be valid for a period fo one year and shall expire annually on June thirtieth.

Proposed law provides that a retired volunteer license shall be valid for a period of two years.

Proposed law expands eligibility for the license to any applicant if the dentist's practice consists only of voluntary care, as defined by LSBD rule.

Present law provides that the provisions of present law relative to a limitation of liability for gratuitous service by a healthcare provider in a community healthcare clinic or community pharmacy applies to an individual practicing pursuant to a retired volunteer dentist license issued by the LSBD.

Proposed law repeals present law and extends the limitation of liability to any dentist holding a retired volunteer license to practice dentistry who in good faith gratuitously renders health care to a patient unless the damages were caused by the gross negligence or willful or wanton misconduct of the dentist. Further exempts from the limitation of liability a dentist holding a retired volunteer license who treats a patient in a private clinic where payment by the patient is expected and the patient or the patient's private insurer pays the clinic or the clinic owner for the treatment, even if the dentist holding the volunteer license is providing the treatment without being remunerated.

Proposed law requires that the limited liability shall be applicable only if the person receiving the health care services provided by proposed law receives notice of the limitation of liability.

Proposed law provides that failure to provide notice negates the limitation of liability.

Present law requires the holder of the retired volunteer dental license to practice a minimum, on average, of eight hours per month. Further requires the license to be automatically revoked if the community healthcare clinic at which the retired volunteer dentist seeks to practice permanently ceases operation unless the licensee begins practicing in another community healthcare clinic for the required minimum number of hours per month within 90 days.

Proposed law repeals present law.

Present law authorizes any person licensed as a retired volunteer dentist to apply for a return to active licensure status. Further requires licensees who have not practiced at least one year out of the five years immediately preceding the application for an active license to document and certify to the LSBD how they have maintained their professional ability, skills, and knowledge.

Proposed law retains present law but changes the time period for practice to one year immediately preceding the application for an active license.

(Amends R.S. 37:761.1(A), (D), (F), and (H); adds R.S. 37:761.1(L))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the engrossed bill

1. Provides for two year licenses for retired volunteer dentists.
2. Requires notice of limited liability be given to persons receiving dental care from licensed retired volunteer dentists.