

RÉSUMÉ DIGEST

ACT 407 (HB 210)

2017 Regular Session

Coussan

Prior law authorized 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. Further provided that the license was valid for a period of one year and expired annually on June thirtieth.

New law expands eligibility for the license to any applicant if the dentist's practice consists only of voluntary care, as defined by LSBD rule. Further extends the period of validity to two years and sets the expiration date as provided in law.

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

New law repeals prior law and provides for a limitation of liability for 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.

New law 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.

New law provides that the limited liability shall be applicable only if the person receiving the healthcare services is given notice of the limitation of liability.

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

New law repeals prior law.

Existing law authorizes any person licensed as a retired volunteer dentist to apply for a return to active licensure status.

Prior law required licensees who had 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.

New law changes the time period for practice to one year immediately preceding the application for an active license.

Effective August 1, 2017.

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