

2024 Regular Session

SENATE BILL NO. 138

BY SENATOR OWEN

DENTISTRY. Provides relative to dentistry. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 37:753(C)(2)(b), 761(C), and 793(H)(2) and to enact R.S.  
3 37:753(K), relative to dentistry; to provide relative to the Louisiana State Board of  
4 Dentistry; to provide for board membership and terms of office; to provide for  
5 requirements of applications for dental licenses; to provide relative to anesthesia and  
6 sedation; to provide for an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 37:753(C)(2)(b), 761(C), and 793(H)(2) are hereby amended and  
9 reenacted and R.S. 37:753(K) is hereby enacted to read as follows:

10 §753. Louisiana State Board of Dentistry; appointment of members; term of office;  
11 vacancies; nominating meetings; quorum; domicile

12 \* \* \*

13 C. Each member of the board shall be appointed by the governor as follows:

14 \* \* \*

15 (2) Three dentists shall be appointed from the state at large to fill seats  
16 designated as "At-Large Seats A, B, and C" in accordance with the following  
17 requirements:

\* \* \*

(b) One seat shall be designated as "At-Large Seat B" and shall be appointed from a roster of all licensed dentists in the state and additionally shall be qualified as a board-eligible or board-certified pediatric dentist. A vacancy occurring in "At-Large Seat B" shall be filled by the governor without the necessity of a nomination or other requirement, except that the appointee shall be licensed and domiciled in the state and additionally shall be qualified as a board-eligible or board-certified pediatric dentist.

\* \* \*

K.(1) Notwithstanding the provisions of Subsection B and Subparagraph (C)(2)(b) of this Section, the board member appointed and serving in "At-Large Seat B" prior to implementation of Subparagraph (C)(2)(b) of this Section shall continue to serve the duration of his five-year term as a temporary appointment and shall be eligible to be appointed to a second five-year term as a temporary appointment in addition to the board member appointed to serve in "At-Large Seat B" pursuant to the requirements established by Subparagraph (C)(2)(b) of this Section.

(2) During the period of temporary appointment, the board shall be composed of sixteen members.

(3) Upon conclusion of the term of the temporary appointment of "At-Large Seat B" provided for in this Subsection, this Subsection shall terminate.

\* \* \*

§761. Requirements of applicants for dental license

\* \* \*

C. An applicant who has successfully completed any national, regional, or independent third-party clinical dental licensing examination approved by the board and who otherwise satisfies all requirements for a dental license, including satisfactory completion of an examination in jurisprudence and a background check,

1 may be granted a license by examination by applying for licensure in Louisiana  
2 within ~~three~~ **five** years following the successful completion of such clinical licensing  
3 examination.

4 \* \* \*

5 §793. Nitrous oxide inhalation analgesia; enteral moderate sedation; parenteral  
6 sedation; deep sedation; general anesthesia; definitions; permits;  
7 credentials; reporting; fees; limitations; exceptions

8 \* \* \*

9 H.

10 \* \* \*

11 (2) A personal permit is not required when the dentist uses the services of a  
12 third-party medical doctor, third-party doctor of osteopathy who specializes in  
13 anesthesiology, third-party certified registered nurse anesthetist, or **a Louisiana**  
14 **licensed dentist with an appropriate sedation permit for the level of anesthesia**  
15 **to be achieved** ~~an oral and maxillofacial surgeon who is permitted by the board to~~  
16 ~~administer moderate sedation, deep sedation, and general anesthesia.~~ Provided that  
17 the third-party anesthetist must remain on the premises of the dental facility until any  
18 patient given parenteral drugs is sufficiently recovered. However, when the  
19 requirement for obtaining a personal permit is waived by the board under the  
20 provisions of this Chapter with regard to the utilization of any third party provided  
21 for in this Paragraph, the dentist may utilize only the services of a third party  
22 previously determined by the board to be in compliance with the board's  
23 requirements for the administration of anesthesia in the dental facility following the  
24 initial inspection in relation to the application and equipment of the provider of  
25 anesthesia. Except for ~~oral and maxillofacial surgeons,~~ **a Louisiana licensed dentist**  
26 **with an appropriate sedation permit,** third-party anesthesia providers authorized  
27 pursuant to this Paragraph shall not be required to obtain a permit from the board or  
28 pay any fees or other assessments to the board.

29 \* \* \*

1           Section 2. This Act shall become effective upon signature by the governor or, if not  
 2 signed by the governor, upon expiration of the time for bills to become law without signature  
 3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 4 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 5 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Amanda Trapp.

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DIGEST

SB 138 Engrossed

2024 Regular Session

Owen

Present law establishes the Louisiana State Board of Dentistry and provides for the appointment of members to the board.

Proposed law requires that one at-large seat be qualified as a board-eligible or board-certified pediatric dentist and provides for the term of board member currently appointed to the seat.

Present law establishes requirements for applicants for dental licensure.

Proposed law extends the time frame between when an applicant completes licensing examination and when he may be granted licensure from three to five years.

Present law provides for requirements for the use of anesthesia and sedation and requires a personal permit issued by the board in certain circumstances.

Proposed law authorizes dentists with appropriate sedation permits to administer anesthesia without a personal permit.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 37:753(C)(2)(b), 761(C), and 793(H)(2); adds R.S. 37:753(K))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to  
 the original bill

1. Removes provisions changing the board's domicile and jurisdiction for judicial review of board adjudication.