

SENATE BILL NO. 138

BY SENATOR OWEN

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AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

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

* * *

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

* * *

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

* * *

(b) One seat shall be designated as "At-Large Seat B" and shall be appointed from a roster of all licensed board-eligible or board-certified pediatric dentists in the state. 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 a board-eligible or board-certified pediatric dentist.

* * *

K.(1) Notwithstanding the provisions of Subsection B and Subparagraph

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

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

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

13 * * *

14 §761. Requirements of applicants for dental license

15 * * *

16 C. An applicant who has successfully completed any national, regional, or
 17 independent third-party clinical dental licensing examination approved by the board
 18 and who otherwise satisfies all requirements for a dental license, including
 19 satisfactory completion of an examination in jurisprudence and a background check,
 20 may be granted a license by examination by applying for licensure in Louisiana
 21 within ~~three~~ **five** years following the successful completion of such clinical licensing
 22 examination.

23 * * *

24 §793. Nitrous oxide inhalation analgesia; enteral moderate sedation; parenteral
 25 sedation; deep sedation; general anesthesia; definitions; permits;
 26 credentials; reporting; fees; limitations; exceptions

27 * * *

28 H.

29 * * *

30 (2) A personal permit is not required when the dentist uses the services of a

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

* * *

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

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____