

2017 Regular Session

HOUSE BILL NO. 210

BY REPRESENTATIVE COUSSAN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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

1 AN ACT

2 To amend and reenact R.S. 37:761.1(A), (D), (F), and (H), relative to retired volunteer  
3 dentists; to authorize the licensure of retired dentists who provide voluntary dental  
4 services; to provide for a limitation of liability for retired volunteer dentists and an  
5 exception to the limitation of liability; to repeal minimum work requirements; to  
6 provide for a return to active licensure status; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 37:761.1(A), (D), (F), and (H) are hereby amended and reenacted to  
9 read as follows:

10 §761.1. Retired volunteer dental license; issuance; applicant's requirements;  
11 ~~validity~~; limitation of liability; denial; violations; status change; continuing  
12 dental education

13 A. The board may issue a retired volunteer dental license to an applicant to  
14 practice dentistry ~~in a community health care clinic as defined in R.S.~~  
15 ~~9:2799.5(D)(1)~~; if the dentist's practice consists only of voluntary care, as defined by  
16 board rule. Holders of a retired volunteer dental license shall submit with the  
17 application to the board a notarized statement that they shall not accept any form of  
18 remuneration directly or indirectly for providing dental services. Any application  
19 for licensure ~~under~~ pursuant to this Section shall be in the form and manner

1 designated by the board. ~~The provisions of R.S. 9:2799.5 shall apply to all licenses~~  
2 ~~issued under this Section.~~

3 \* \* \*

4 D.(1) ~~A retired volunteer license shall be valid for a period of one year and~~  
5 ~~shall expire annually on June thirtieth.~~ No dentist holding a retired volunteer license  
6 to practice dentistry who in good faith gratuitously renders health care to a patient  
7 shall be liable for any civil damages as a result of any act or omission in rendering  
8 the care or services or as a result of any act or failure to act to provide or arrange for  
9 further medical or dental treatment or care to any person receiving the services,  
10 unless the damages were caused by the gross negligence or willful or wanton  
11 misconduct of the dentist.

12 (2) This Subsection shall not apply if the dentist holding a retired volunteer  
13 license treats a patient in a private clinic where payment by the patient is expected  
14 and the patient or the patient's private insurer pays the clinic or the clinic owner for  
15 the treatment, even if the dentist holding the volunteer license is providing the  
16 treatment without being remunerated.

17 \* \* \*

18 F. The board shall deny issuance of a retired volunteer dental license to a  
19 person who is not qualified ~~under~~ pursuant to this Section to hold a retired volunteer  
20 dental license. ~~The holder of the retired volunteer dental license shall practice a~~  
21 ~~minimum, on average, eight hours per month.~~ ~~If the community health care clinic~~  
22 ~~at which a retired volunteer dentist seeks to practice permanently ceases operation,~~  
23 ~~the license issued under this Section shall be automatically revoked unless the~~  
24 ~~licensee begins practicing in another community health care clinic for the required~~  
25 ~~minimum number of hours per month within ninety days.~~

26 \* \* \*

27 H. Any person licensed ~~under~~ pursuant to this Section may apply to the  
28 board for a return to active licensure status by filing an application in the form and  
29 manner prescribed by the board and meeting all requirements of this Chapter.



and certify to the LSBDB 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))