DIGEST

CONFERENCE COMMITTEE REPORT DIGEST

HB 210   **2017 Regular Session**   **Coussan**

Keyword and oneliner of the instrument as it left the House

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

Report adopts Senate amendments to:

1.   Provide that a retired volunteer dentist license is valid for two years.

2.   Require notice of limited liability be given to persons receiving dental care from licensed retired volunteer dentists.

3.   Makes technical changes.

Report rejects Senate amendments which would have:

1.   Established the domicile of the LSBD in New Orleans.

2.   Established venue for appeals of decisions by the LSBD as the parish in which the appellant is domiciled.

3.   Added two consumer members to the LSBD.

4.   Required a performance audit to be conducted by the legislative auditor no later than Feb. 1, 2018.

Digest of the bill as proposed by the Conference Committee

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. Further provides that the license is valid for a period of one year and expires annually on June thirtieth.

Proposed law extends the period of validity to two years and set the expiration date as provided in law.

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 provides that the limited liability shall be applicable only if the person receiving the healthcare services is given notice of 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))