

FOR OFFICE USE ONLY	

HOUSE FLOOR AMENDMENTS

2015 Regular Session

Amendments proposed by Representative Hoffmann to Engrossed House Bill No. 346 by Representative Hoffmann

1 AMENDMENT NO. 1

2 On page 1, line 4, change "repeal the option" to "provide for the opportunity"

3 AMENDMENT NO. 2

4 On page 1, line 8, after "reenacted" and before "to read" insert " and R.S. 37:775(C) and
5 795(B)(1)(n) are hereby enacted"

6 AMENDMENT NO. 3

7 On page 2, delete lines 14 through 29 in their entirety and insert in lieu thereof the following:

8 ~~"(2) (3) Whenever~~ In order to assist an advertising dentist in
9 determining which language in a communication constitutes unprofessional
10 conduct under Paragraphs (A)(3), (4), and (5) of this Section, whenever the
11 board determines that an advertisement constitutes unprofessional conduct
12 under Paragraphs (A)(3), (4), or (5) of this Section, unless the
13 communication is a clear violation or the communication involves a general
14 dentist suggesting or implying that he is a specialist, before taking any
15 further action pursuant to R.S. 37:776 and 780, the board shall notify the
16 advertising dentist by mail of its determination and the specific portion of the
17 advertisement that constitutes unprofessional conduct. The dentist shall have
18 thirty days from the date of receipt of the notice by the dentist to correct the
19 portions of the advertisement in violation and submit to the board proof of
20 such the correction. If the advertisement is corrected to remove the violation
21 within thirty days of receipt of notice, the board shall take no further action
22 against the advertising dentist for unprofessional conduct with regard to such
23 the advertisement. In the event an advertisement cannot be corrected within
24 the thirty days, it shall be deemed sufficient if the dentist submits proof to the
25 board within thirty days of receipt of notice that he has directed that the
26 correction be made at the next publication date. Pursuant to the provisions
27 of this Paragraph, a dentist shall have this right to correct an advertisement
28 deemed by the board to be unprofessional conduct under Paragraphs (A)(3),
29 (4), or (5) of this Section only the first two times notified of such violation;
30 there shall be no right to correct a third or any subsequent violation, whether
31 for the same advertisement or for a subsequent advertisement. If an
32 advertisement is run by or on behalf of a corporation, company, association,
33 limited liability company, or trade name, the aforementioned right to correct
34 shall be limited to two times, regardless of the number of dentists in or
35 associated with the corporation, association, limited liability company, or
36 trade name.

37 AMENDMENT NO. 4

38 On page 3, delete lines 1 through 8 in their entirety

1 AMENDMENT NO. 5

2 On page 4, between lines 7 and 8, insert the following:

3 "(4) If the board subsequently finds that an advertisement determined
4 to be in compliance with the provisions of this Chapter in a prior advisory
5 opinion issued by the board pursuant to this Subsection is in violation of any
6 provision of this Chapter, the board may require the dentist to change or
7 remove the advertisement. The board shall not take any further action
8 against the dentist unless the dentist fails to take steps either to bring the
9 advertisement into compliance with the provisions of this Chapter or remove
10 the advertisement within thirty days after receipt of notification of the
11 violation."

12 AMENDMENT NO. 6

13 On page 4, delete lines 18 through 20 in their entirety