

CHAPTER 64B5-7 DENTAL PRACTICE PERMITS

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64B5-7.001 Requirements for Approval and Operation of Internship and Residency Programs.

- (1) For the purpose of receiving a dental intern permit pursuant to Section 466.025(1), F.S., dental internships include dental residency programs for dental school graduates.
- (2) All dental internships or residency programs approved by the American Dental Association's Commission on Dental Accreditation are deemed to be Board approved programs.
- (3) Any hospital or institution which seeks to provide a dental internship or residency program which has not been approved pursuant to subsection 64B5-7.001(2), F.A.C., shall apply to the Board for approval. The application for approval shall contain:
 - (a) A plan for operation of the program which establishes compliance with subsection 64B5-7.001(4), F.A.C.;
 - (b) An outline of the duties and proposed schedule for dental interns or residents;
 - (c) Any information relating to the program review by the American Dental Association's Commission on Dental Accreditation or information regarding the program not being reviewed; and
 - (d) Any other information requested by the Board which is relevant to the Board's evaluation of the program.
- (4) Any dental internship or residency program shall be directed by an identified staff consisting of at least one Florida licensed dentist who shall provide for the continued education and instruction of the dental interns or residents.

Specific Authority 466.004(4), 466.025 FS. Law Implemented 466.025 FS. History—Repromulgated 1-1-75, Formerly 21G-7.01, Amended 1-29-89, Formerly 21G-7.001, 61F5-7.001, 59Q-7.001, Amended 3-28-99.

64B5-7.003 Permit Requirements for Dental Interns and Residents.

- (1) Any person wishing to be issued a permit as a dental intern or resident shall apply to the Department as required in Section 466.025(1), F.S., and provide proof of the following:
 - (a) Applicant's name and age, (b) Applicant's graduation from a dental college or school or verification that the applicant is expected to graduate within the next sixty days (The proof submitted shall include either a true and correct copy of a diploma awarded by the dental school or college or a letter from the dean of the dental school or college.),
 - (c) Applicant's licensure status in other jurisdictions, including disciplinary action and pending disciplinary action,
 - (d) The status of any dental malpractice actions that have been noticed or filed in any jurisdiction,
 - (e) The name and address of the internship or residency program at which the applicant will be practicing dentistry, and
- (2) Graduates of dental schools or colleges that are not accredited by the ADA shall be issued permits only for practice in internship or residency programs that are accredited by the ADA.
- (3) Any hospital, institution or clinic employing a dental intern or resident shall inform the Board office of the termination of that individual. Such notice shall be in writing and within 30 days of termination of employment or training.
- (4) Experience obtained by an individual pursuant to a permit issued under the authority of this rule and Section 466.025, F.S., is not acceptable for the purpose of fulfilling the supplemental education program set forth in Section 466.006(3)(c), F.S.
- (5) Every applicant is required to provide proof of current CPR certification prior to being issued a permit. Applicants who are not certified but who are otherwise eligible for a permit shall be allowed 60 days to obtain such certification following issuance of the permit.

(6) Dental intern and resident permits are subject to cancellation, revocation or other discipline by the Board for failure to comply with Chapters 455 and 466, F.S., and Chapter 64B5, F.A.C.

Specific Authority 466.004(4), 466.025 FS. Law Implemented 466.025 FS. History—Repromulgated 1-1-75, Amended 1-9-77, Formerly 21G-7.03 Amended 1-29-89, Formerly 21G-7.003, Amended 8-12-93, 3-30-94, 7-18-94, Formerly 61F5-7.003, Amended 7-12-95, Formerly 59Q-7.003, Amended 11-10-98, 3-28-99.

64B5-7.0035 Temporary Certificate Requirements for Dentists Practicing in State and County Government Facilities.

(1) Any unlicensed dentist who wishes to practice dentistry at a state or county government facility in Florida is required to obtain a temporary certificate.

(2) Any unlicensed dentist who is a graduate of a dental school accredited by the Commission on Accreditation of the American Dental Association and who applies to the Board for such certification shall be certified by the Board for receipt of a temporary certificate.

(3) Prior to issuance of a temporary certificate, the unlicensed dentist shall submit proof of current CPR certification. The facility at which the unlicensed dentist intends to practice shall provide to the board office the name(s) and license number(s) of the licensed dentist(s) under whose supervision the certificate holder shall work.

(4) Each state or county facility at which an unlicensed dentist practices dentistry shall inform the Board office of the termination or transfer of the temporary certificate holder. Such notice shall be in writing and within 30 days of termination or transfer of the certificate holder.

(5) A temporary certificate shall be renewed each biennium. At the time of renewal the certificate holder shall sign a statement that he or she has complied with all continuing education requirements of active licensees. Additionally, each certificate holder shall complete, no later than first renewal, a Board-approved course on Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) pertinent to the practice of dentistry and dental hygiene. A temporary certificate shall be canceled by the Board upon the unlicensed dentist being terminated from employment by a state or county government facility or upon a finding by the Board that the temporary certificate holder has violated any provision of Section 466.027 or 466.028, F.S., or has failed the Florida dental licensure examination.

Specific Authority 466.004(4) FS. Law Implemented 456.032, 466.017(4), 466.025 FS. History—New 8-12-93, Formerly 61F5-7.0035, 59Q-7.0035, Amended 11-10-98, 3-25-99, 12-25-01, 1-12-04, 12-25-06.

64B5-7.005 Teaching Permits.

(1) A teaching permit shall be issued by the Board of Dentistry to a full time dental instructor of a dental program accredited by the Commission on Dental Accreditation of the American Dental Association and, except for the orthodontic specialty program at Jacksonville University, shall be located within a dental school as defined herein or in a medical school accredited by the American Medical Association's Liaison Committee for Medical Education upon the request of the dean if the faculty member:

(a) Has a degree in dentistry and either: 1) is eligible to take the Florida dental licensure examination and has not failed the examination on three occasions or; 2) was at one time eligible to take the Florida examination, and has not failed the Florida dental licensure examination on three occasions or; 3) has successfully completed a post-doctoral training program of at least two years in duration and accredited by the Commission on Dental Accreditation of the American Dental Association or; 4) is not eligible to take the Florida examination, but obtained the degree from a foreign dental education program and agrees to practice dentistry only under the general supervision of a Florida licensed dentist; and

(b) Is a full-time dental instructor; and

(c) Does not engage in the practice of dentistry, except at the teaching facilities under the accredited dental program.

(2) A dental school is an educational institution that includes a predoctoral dental education program of not less than four years from which students graduate with a D.D.S. or D.M.D degree.

(3) A teaching permit or temporary teaching permit authorizes the holder to practice dentistry at the teaching facility under the following terms and conditions:

- (a) All records pertaining to the teaching practice shall be subject to review and available to the Board.
- (b) Upon the Board's request, the permit holder shall submit any information the Board deems necessary to evaluate compliance with Chapters 456 and 466, F.S., and Chapter 64B5, F.A.C.
- (c) Permits shall be in effect only as long as the holder is a full-time dental instructor and shall be automatically cancelled and nullified by the termination of the holder as a dental instructor at the teaching facility or third time failure of the Florida dental licensure examination.
- (d) Teaching permits are subject to cancellation or revocation by the Board for failure to comply with Chapters 456 and 466, F.S., and Chapter 64B5, F.A.C.
- (4) Prior to issuance of a teaching permit, each faculty member must provide proof of current CPR certification. If otherwise eligible, the faculty member will be granted a permit with the requirement that current CPR certification be obtained within 60 days. Each faculty member holding a teaching faculty permit shall maintain current CPR certification.

Specific Authority 466.002(6), 466.004(4) FS. Law Implemented 466.002(6), 466.017(4) FS. History--New 4-30-80, Amended 1-13-81, Formerly 21G-7.05, Amended 1-29-89, Formerly 21G-7.005, 61F5-7.005, Amended 10-16-96, 3-16-97, Formerly 59Q-7.005, Amended 11-10-98, 8-3-00, 1-12-04, 9-11-06.

64B5-7.006 Non-Profit Corporation Permits.

- (1) Any non-profit corporation which is chartered for the purposes specified in Section 466.025(3), F.S., seeking a permit to employ a non-Florida licensed dentist who is a graduate of a dental school accredited by the Commission on Dental Accreditation of the American Dental Association shall file an application with the Board which contains the following information:
 - (a) A certified copy of the non-profit corporation's charter which establishes one or more of the purposes for the organization which are specified in Section 466.025(3), F.S., and proof of registration with the Internal Revenue Service as a nonprofit organization pursuant to 26 U.S.C. § 501(c)(3).
 - (b) Justification for the need to provide dental services by dentists who are not licensed in this state.
 - (c) A plan of operation which establishes that any non-Florida licensed dentist employed by the permit holder will be practicing dentistry under the general supervision of a Florida licensed dentist.
 - (d) For non-profit corporations which provide dental care to indigent patients, statistics which establish that only indigent patients have been treated or admission criteria that only indigent patients will be treated. A description of the physical plant, available equipment and resources which establish that minimum standards of dentistry are or will be practiced at the facility.
 - (e) Any other information pertinent to the application which is requested by the Board.
 - (f) As to each non-Florida licensed dentist employed or sought to be employed:
 - 1. The dentist's name and age,
 - 2. Proof of said dentist's graduation from an accredited dental college or school,
 - 3. The dentist's licensure status in other jurisdictions, including disciplinary action and pending disciplinary action,
 - 4. The status of any dental malpractice actions that have been noticed or filed in any jurisdiction,
 - 5. Proof of having successfully completed Board approved courses on human immunodeficiency virus and acquired immune deficiency syndrome, a course in domestic violence, and proof of current CPR certification.
- (2) A non-profit corporation permit holder shall follow the requirements of subsection 64B5-7.001(4), F.A.C., and Rule 64B5-7.003, F.A.C., regarding application, requirements for conducting the program and qualifications for any permit holders who will be employed at their facility.
- (3) Any non-Florida licensed dentist employed by the holder of a permit pursuant to this rule shall be bound by all requirements for permit holders set forth in Rule 64B5-7.003, F.A.C., and shall be compensated only by salary which is not based upon productivity.
- (4) Each non-profit corporation at which a non-Florida licensed dentist practices dentistry shall inform the Board office of the termination of practice of said dentist. Such notice shall be in writing and within thirty (30) days of termination.

Specific Authority 466.004(4) FS. Law Implemented 466.025(3) FS. History--New 11-16-89, Formerly 21G-7.006, 61F5-7.006, 59Q-7.006, Amended 3-25-99, 6-12-00, 12-25-06.

64B5-7.007 Limited License as Allowed in Section 456.015, F.S.

(1) A limited license shall be issued by the Board of Dentistry to an applicant who has retired or intends to retire from the practice of dentistry or dental hygiene and intends to practice only pursuant to the restrictions of the limited license granted pursuant to Section 456.015, F.S., if the applicant:

(a) Has been licensed for practice in any jurisdiction in the United States for at least ten (10) years in the profession for which the applicant seeks a limited license.

(b) Has not committed or is not under investigation for prosecution for any act which would constitute the basis for discipline pursuant to the provisions of Chapter 466, F.S.

(c) Practices only in the employ of public agencies or non-profit agencies or institutions which meet the requirements of Section 501(c)(3), F.S. of the Internal Revenue Code, are permitted under Rule 64B5-7.006, F.A.C., and which provide professional liability coverage for acts or omissions of the limited licensee.

(d) Complies with all continuing education requirements of active licensees.

(e) Pays a fee of \$300. If the applicant for a limited license submits a notarized statement from the employer stating the applicant will not receive monetary compensation for any service involving the practice of dentistry or dental hygiene, the application fee and all licensure fees shall be waived.

(2) A limited licensee may provide services only to the indigent, or critical need populations within the state. The standard for determining indigency shall be recognized by the Federal Poverty Income Guidelines produced by the United States Department of Health and Human Services.

Specific Authority 456.015, 466.004 FS. Law Implemented 456.015, 466.006, 466.007, 466.011 FS. History—New 7-19-01, Amended 6-22-05.