

## **CHAPTER 64B5-10 INACTIVE LICENSURE STATUS, RENEWAL, REACTIVATION, AND EXEMPTIONS**

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### **64B5-10.004 Exemption of Spouses of Members of Armed Forces From Licensure Renewal Provisions.**

A licensee who is the spouse of a member of the Armed Forces of the United States and was caused to be absent from the State of Florida for a period of at least six consecutive months because of the spouse's duties with the armed forces and who at the time the absence became necessary was in good standing with the Board of Dentistry and entitled to practice dentistry or dental hygiene in Florida shall be exempt from all licensure renewal provisions under these rules. The licensee must show satisfactory proof of the absence and the spouse's military status.

*Specific Authority 456.024(2), 466.004(4) FS. Law Implemented 456.024(2) FS. History—New 12-31-86, Formerly 21G-10.004, 61F5-10.004, 59Q-10.004.*

### **64B5-10.005 Inactive Status and Renewal of Inactive Status.**

(1) A licensee may elect at any time to place the license into inactive status by filing with the Department a completed application for inactive status as set forth in Section 456.036, F.S., and the appropriate fees required by Rule Chapter 64B5-15, F.A.C. Active status licensees choosing inactive status at the time of license renewal must pay the fee for renewal of inactive license required by Rule 64B5-15.008, F.A.C., any applicable delinquency fee as required by Rule 64B5-15.011, F.A.C., and the Change of Status Processing fee required by Rule 64B5-15.012, F.A.C. Active status licensees choosing inactive status at any time other than at the time of license renewal shall pay the change of status processing fee required by Rule 64B5-15.012, F.A.C.

(2) Inactive licenses must be renewed biennially including payment of the renewal fee set forth in Rule 64B5-15.008, F.A.C.

(3) An inactive license can be reactivated at any time provided the licensee meets the requirements of Rule 64B5-10.007, F.A.C. Inactive status licensees choosing active status at the time of license renewal must pay the renewal fee required by Rule 64B5-15.006, F.A.C., the reactivation fee as required by Rule 64B5-15.009, F.A.C., any applicable delinquency fee as required by Rule 64B5-15.011, F.A.C., and the change of status processing fee required by Rule 64B5-15.012, F.A.C. Inactive status licensees choosing active status at any time other than at the time of license renewal shall pay the reactivation fee as required by Rule 64B5-15.009, F.A.C., and the change of status processing fee required by Rule 64B5-15.012, F.A.C.

*Specific Authority 466.004(4), 466.015 FS. Law Implemented 456.036 FS. History—New 7-12-95, Formerly 59Q-10.005, Amended 5-20-01.*

### **64B5-10.007 Requirements for Reactivation of an Inactive License.**

An inactive license shall be reactivated upon demonstration that the licensee has paid the applicable fees set forth in Rule Chapter 64B5-15, F.A.C., and has complied with the following requirements:

(1) As a condition to the reactivation of an inactive license, a dentist or dental hygienist must submit proof of having completed the appropriate continuing education requirements as set forth in Rule 64B5-12.013, F.A.C.

(2) However, any licensee whose license has been inactive for more than two consecutive biennial licensure cycles and who has not practiced for two out of the previous four years in another jurisdiction shall be required to appear before the Board and establish the ability to practice with the care and skill sufficient to protect the health, safety, and welfare of the public. At the time of such appearance, the licensee must:

- (a) Show compliance with paragraph (1) above;
  - (b) Account for any activities related to the practice of dentistry in this or any other jurisdiction during the period that the license was inactive and establish an absence of malpractice or disciplinary actions pending in any jurisdiction;
  - (c) Prove compliance with the financial responsibility requirements of subsection 456.009, F.S., and Rule 64B5-17.011, F.A.C. (dentists only);
  - (d) Prove compliance with subsection 456.033, F.S., and Rule 64B5-12.019, F.A.C.
- (3) The Department shall not reactivate the license of any dentist or dental hygienist who has:
- (a) Committed any act or offense in this or any other jurisdiction which would constitute the basis for disciplining a licensee pursuant to subsection 466.028, F.S.
  - (b) Failed to comply with the financial responsibility requirements of subsection 456.009, F.S., and Rule 64B5-17.011, F.A.C. (dentists only).
  - (c) Failed to comply with the provisions of subsection 456.033, F.S., and Rule 64B5-12.019, F.A.C.

*Specific Authority 466.004(4), 466.015 FS. Law Implemented 456.036, 466.015 FS. History—New 7-12-95, Formerly 59Q-10.007, Amended 5-20-01.*

**64B5-10.010 Delinquent Status License.**

- (1) The failure of any license holder to either renew the license or elect inactive status before the license expires shall cause the license to become delinquent.
- (2) The delinquent status licensee must affirmatively apply for active or inactive status during the licensure cycle in which the license becomes delinquent. The failure by the delinquent status licensee to cause the license to be renewed or made inactive before the expiration of the licensure cycle in which the license became delinquent shall render the license null and void without further action by the Board or the Department.
- (3) The delinquent status licensee who applies for license renewal or inactive status shall:
  - (a) Apply to the Department for either license renewal as required by Section 466.015, F.S., or inactive status as required by Section 456.036, F.S.
  - (b) Pay to the Board either the license renewal fee as set forth in Rule 64B5-15.006, F.A.C., or the inactive status fee as set forth in Rule 64B5-15.008, F.A.C.; the delinquency fee as set forth in Rule 64B5-15.011, F.A.C.; and, if applicable, the processing fee as set forth in Rule 64B5-15.012, F.A.C.; and
  - (c) If renewal is elected, demonstrate compliance with the continuing education requirements found in Rule 64B5-12.013 F.A.C.

*Specific Authority 466.004(4), 466.015 FS. Law Implemented 456.036 FS. History—New 7-12-95, Formerly 59Q-10.010.*

**64B5-10.011 Retired Status and Reactivation of Retired Status License.**

- (1) A licensee may place an active or inactive license in retired status at any time. If the license is placed in retired status at the time of renewal the licensee shall pay the retired status fee set forth in Rule 64B5-15.0122, F.A.C. If the licensee chooses to place the license in retired status at any time other than at the time of license renewal the licensee shall pay the change of status processing fee set forth in Rule 64B5-15.0121, F.A.C., and the retired status fee set forth in Rule 64B5-15.0122, F.A.C.
- (2) A licensee may reactivate a retired status license at any time, subject to meeting the following requirements:
  - (a) Paying the reactivation fee set forth in Rule 64B5-15.0091, F.A.C.;
  - (b) Showing documentary proof of satisfying the continuing education requirements of Rules 64B5-12.013, 64B5-12.016, 64B5-12.019, 64B5-12.020, F.A.C., for each licensure biennial period in which the license was in retired status.
  - (c) Dentists must demonstrate compliance with Rule 64B5-17.011, F.A.C., Financial Responsibility.
- (3) Any dentist whose license has been on retired status for more than five (5) years or a licensee from another state who has not been in the active practice of dentistry within the past five (5) years shall be required to appear before the Credentials Committee of the Board and establish the ability to practice with care and skill sufficient to protect the health, safety and welfare of the public. At the time of such

appearance, the dentist must:

(a) Demonstrate compliance with subsection (2) above;

(b) Account for any activities related to the practice of dentistry during the period that the licensee was on retired status or not practicing in another jurisdiction and establish an absence of malpractice or disciplinary actions pending in any jurisdiction.

(4) The Department shall refuse to reactivate the license of a retired status dentist who is under investigation or prosecution in any jurisdiction for an action that would constitute a violation of this chapter or the professional practice acts administered by the department and the boards, until 15 days after the Department receives the final results of the investigation or prosecution.

*Rulemaking Authority 456.036 FS. Law Implemented 456.036 FS. History—New 2-14-06, Amended 6-9-10.*