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## TITLE 828 STATE BOARD OF DENTISTRY

### Proposed Rule

LSA Document #02-113

### DIGEST

Amends 828 IAC 1-3 concerning requirements for licensure by endorsement. Repeals 828 IAC 1-3-1. Effective 30 days after filing with the secretary of state.

**828 IAC 1-3-1**                      **828 IAC 1-3-2**  
**828 IAC 1-3-1.1**                **828 IAC 1-3-3**  
**828 IAC 1-3-1.5**

SECTION 1. 828 IAC 1-3-1.1 IS ADDED TO READ AS FOLLOWS:

#### **828 IAC 1-3-1.1 Dental licensure by endorsement; credentials**

Authority: IC 25-14-1-13

Affected: IC 25-14-1-16

**Sec. 1.1. (a) Persons seeking licensure to practice dentistry by endorsement shall file an application on a form supplied by the board and submit the fees required by 828 IAC 0.5-2-3.**

**(b) The applicant for a license shall provide the following:**

**(1) Where the name on any document differs from the applicant's name, a notarized or certified copy of a marriage certificate or legal proof of name change.**

**(2) Two (2) recent passport-type photographs of the applicant, taken within eight (8) weeks prior to filing of the application.**

**(3) An original transcript of the applicant's dental hygiene education, including the degree or degrees conferred and the date each degree was conferred.**

**(4) If the applicant has been convicted of a criminal offense, excluding minor traffic violations, the applicant shall submit a notarized statement detailing all criminal offenses, excluding minor traffic violations, for which the applicant has been convicted. This notarized statement must include the following:**

**(A) The offense of which the applicant was convicted.**

**(B) The court in which the applicant was convicted.**

**(C) The cause number under which the applicant was convicted.**

**(D) The penalty imposed by the court.**

**(5) An applicant who is now, or has been, licensed to practice any health profession in another state or Canadian province must submit verification of license status. This information must be sent by the state or province that issued the license directly to the Indiana board.**

**(6) The applicant shall submit a self-query form completed by the National Practitioner Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB) data bank.**

**(7) The applicant shall submit proof of completion of at least twenty (20) hours of continuing dental education taken in the previous two (2) years. No more than two (2) hours of training in basic life support shall count toward this requirement.**

**(8) The applicant shall submit proof that the applicant successfully completed the National Board Dental Examination provided by the Joint Commission on Dental Examinations or successfully completed the National Dental Examining Board of Canada Written Examination provided by the National Dental Examining Board of Canada.**

(9) The applicant shall submit proof that the applicant satisfactorily completed a regional, state, or provincial clinical licensing examination in any other state or Canadian province having and maintaining a standard of examination for licensure and laws regulating the practice of dentistry within that state or province that are substantially equivalent to the examination and licensing requirements of Indiana.

(10) The applicant shall submit proof that the applicant has been engaged in the active practice of dentistry for not less than five (5) years out of the nine (9) years immediately preceding the submission of the application.

(11) The applicant shall submit written statements from at least three (3) practicing dentists verifying the applicant's active, moral, and ethical practice of dentistry. The statements must be originals and must have been written not more than eight (8) weeks prior to the submission of the application.

(12) The applicant shall submit proof that the applicant is currently certified in basic life support or advanced cardiac life support.

(13) All information on the application shall be submitted under oath or affirmation, subject to the penalties for perjury.

(c) An applicant who has previously failed an examination for licensure administered by the board is not eligible to apply for a license by endorsement, until such applicant has passed all portions of the examination in which he or she failed or provides the board with proof that additional training has been received in the subjects of the failure. (*State Board of Dentistry; 828 IAC 1-3-1.1*)

SECTION 2. 828 IAC 1-3-1.5 IS ADDED TO READ AS FOLLOWS:

**828 IAC 1-3-1.5 Licensure to practice dental hygiene by endorsement; credentials**

Authority: IC 25-13-1-5; IC 25-14-1-13

Affected: IC 25-13-1-7; IC 25-13-1-17

Sec. 1.5. (a) Persons seeking licensure to practice dental hygiene by endorsement shall file an application on a form supplied by the board and submit the fees required by 828 IAC 0.5-2-4.

(b) The applicant for a license shall provide the following:

(1) Where the name on any document differs from the applicant's name, a notarized or certified copy of a marriage certificate or legal proof of name change.

(2) Two (2) recent passport-type photographs of the applicant, taken within eight (8) weeks prior to filing of the application.

(3) An original transcript of the applicant's dental hygiene education, including the degree or degrees conferred and the date each degree was conferred.

(4) If the applicant has been convicted of a criminal offense, excluding minor traffic violations, the applicant shall submit a notarized statement detailing all criminal offenses, excluding minor traffic violations, for which the applicant has been convicted. This notarized statement must include the following:

(A) The offense of which the applicant was convicted.

(B) The court in which the applicant was convicted.

(C) The cause number under which the applicant was convicted.

(D) The penalty imposed by the court.

(5) An applicant who is now, or has been, licensed to practice any health profession in another state must submit verification of license status. This information must be sent by the state that issued the license directly to the Indiana board.

(6) The applicant shall submit a self-query form completed by the National Practitioner Data Bank (NPDB) and the Healthcare Integrity and Protection Data Bank (HIPDB) data bank.

(7) The applicant shall submit proof of completion of at least fourteen (14) hours of continuing dental hygiene education taken within the previous two (2) years. No more than two (2) hours of training in basic life support shall count toward this requirement.

(8) All information on the application shall be submitted under oath or affirmation, subject to the penalties for perjury.

(9) The applicant shall submit proof that the applicant satisfactorily completed the National Board Dental

**Hygiene Examination provided by the Joint Commission on Dental Examinations.**

**(10) The applicant shall submit proof that the applicant satisfactorily completed a regional or state clinical licensing examination in any other state having and maintaining a standard of examination for licensure and laws regulating the practice of dental hygiene within that state or province that are substantially equivalent to the examination and licensing requirements of Indiana.**

**(11) The applicant shall submit proof that the applicant has been engaged in the active practice of dental hygiene for not less than two (2) years out of the five (5) years immediately preceding the submission of the application.**

**(12) The applicant shall submit written statements from at least three (3) practicing dentists verifying the applicant's active, moral, and ethical practice of dental hygiene. The statements must be originals and must have been written not more than eight (8) weeks prior to the submission of the application.**

**(13) The applicant shall submit proof that the applicant is currently certified in basic life support.**

**(c) An applicant who has previously failed an examination for licensure administered by the board is not eligible to apply for a license by endorsement, until such applicant has passed all portions of the examination in which he or she failed or provides the board with proof that additional training has been received in the subjects of the failure. (State Board of Dentistry; 828 IAC 1-3-1.5)**

SECTION 3. 828 IAC 1-3-2 IS AMENDED TO READ AS FOLLOWS:

**828 IAC 1-3-2 "Practice of dentistry" defined**

**Authority:** IC 25-14-1-13

**Affected:** IC 25-14-1-16

Sec. 2. (a) Under IC 25-14-1-16(b)(2), an applicant for licensure by endorsement must have practiced dentistry for at least five (5) out of the nine (9) years preceding the date of application.

(b) "Practice of dentistry" means that the applicant has actively engaged in clinical patient contact for at least an average of twenty (20) hours per week for five (5) years. A maximum of two (2) years of the five (5) year requirement may have been in postdoctoral training **in a program approved by the board.** (State Board of Dentistry; 828 IAC 1-3-2; filed Apr 19, 1991, 3:00 p.m.: 14 IR 1728; readopted filed Apr 11, 2001, 3:21 p.m.: 24 IR 2896)

SECTION 4. 828 IAC 1-3-3 IS AMENDED TO READ AS FOLLOWS:

**828 IAC 1-3-3 "Satisfactory practice of dental hygiene" defined**

**Authority:** IC 25-13-1-5

**Affected:** IC 25-13-1-17

Sec. 3. (a) An applicant for a dental hygiene license under IC 25-13-1-17(a) must have engaged in the satisfactory practice of dental hygiene for at least ~~five (5)~~ **two (2) years** out of the preceding ~~seven (7)~~ **five (5)** years.

(b) As used in this section, "satisfactory practice of dental hygiene" means that the applicant has actively engaged in practicing dental hygiene for at least an average of twenty (20) hours per week for ~~five (5)~~ **two (2)** years. A maximum of ~~two (2) years~~ **one (1) year** of the ~~five (5)~~ **two (2)** year requirement may have been in post associate degree training in dental hygiene **in a program approved by the board.** (State Board of Dentistry; 828 IAC 1-3-3; filed Apr 19, 1991, 3:00 p.m.: 14 IR 1728; filed Feb 4, 1994, 5:00 p.m.: 17 IR 1094; readopted filed Apr 11, 2001, 3:21 p.m.: 24 IR 2896)

SECTION 5. 828 IAC 1-3-1 IS REPEALED.

***Notice of Public Hearing***

*Under IC 4-22-2-24, notice is hereby given that on August 2, 2002 at 10:45 a.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room A, Indianapolis, Indiana the State Board of Dentistry will hold a public hearing on proposed amendments concerning requirements for licensure by endorsement. Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W041 and*

*Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Lisa R. Hayes  
Executive Director  
Health Professions Bureau