

SECOND REGULAR SESSION
[PERFECTED]
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1422
92ND GENERAL ASSEMBLY

Reported from the Committee on Professional Registration and Licensing, March 10, 2004, with recommendation that the House Committee Substitute for House Bill No. 1422 Do Pass by Consent.

Perfected by Consent March 18, 2004.

STEPHEN S. DAVIS, Chief Clerk

4242L.02P

AN ACT

To amend chapter 332, RSMo, by adding thereto one new section relating to dentists.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 332, RSMo, is amended by adding thereto one new section, to be
2 known as section 332.361, to read as follows:

**332.361. 1. All duly registered and currently licensed dentists in Missouri who
2 prescribe and administer deep sedation or general anesthesia agents in the course of
3 providing dental services shall possess a deep sedation or general anesthesia permit issued
4 by the board. All duly registered and currently licensed dentists in Missouri who prescribe
5 and administer conscious sedation agents in the course of providing dental services shall
6 possess a conscious sedation permit issued by the board.**

**7 2. Dentists prescribing or administering deep sedation or general anesthesia or
8 conscious sedation agents shall do so in accordance with rules set forth by the board.**

**9 3. Any dental office where deep sedation or general anesthesia or conscious
10 sedation agents are administered shall possess a site certificate issued by the board and
11 comply with the board's minimum standard for site certificates.**

**12 4. The board may promulgate rules specifying the criteria by which deep sedation
13 or general anesthesia permits, conscious sedation permits, and site certificates may be
14 issued, renewed, or revoked and standards for prescribing and administering deep
15 sedation or general anesthesia or conscious sedation agents within the dental setting. Such
16 rules shall only apply to entities regulated under this chapter.**

17 **5. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,**
18 **that is created under the authority delegated in this section shall become effective only if**
19 **it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**
20 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**
21 **and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,**
22 **to review, to delay the effective date, or to disapprove and annul a rule are subsequently**
23 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
24 **adopted after August 28, 2004, shall be invalid and void.**