

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND Senate Committee Substitute for Senate Bill No. 88, Page 1, Section A, Line 2, by  
2 inserting the following after all of said section and line:

3  
4 "192.500. 1. For purposes of this section, the following terms shall mean:

5 (1) "Cone beam computed tomography system", a medical imaging device using x-ray  
6 computed tomography to capture data using a cone-shaped x-ray beam;

7 (2) "Panoramic x-ray system", an imaging device that captures the entire mouth in a single,  
8 two-dimensional image including the teeth, upper and lower jaws, and surrounding structures and  
9 tissues.

10 2. Cone beam computed tomography systems and panoramic x-ray systems that cannot  
11 produce radiation intensity greater than thirty milligrays shall not be required to be inspected more  
12 frequently than every three years.

13 3. Cone beam computed tomography systems that can produce radiation intensity of greater  
14 than thirty milligrays shall be inspected annually.

15 4. In addition to the requirements of subsections 2 and 3 of this section, all cone beam  
16 computed tomography systems and panoramic x-ray systems shall be inspected within thirty days of  
17 installation and whenever moved within an office.

18 5. Notwithstanding any law to the contrary, inspections of conventional x-ray equipment  
19 used exclusively on animals by a licensed veterinarian or veterinary facility under chapter 340 shall  
20 not be required to be inspected more frequently than every four years.

21 210.233. 1. All licensed child care facilities shall report annually to the department whether  
22 the child care facility has liability insurance coverage and if so, shall provide the department with  
23 proof of such insurance coverage.

24 2. The department shall publish and update annually on its website whether each licensed  
25 child care facility has liability insurance coverage. Upon request, the department shall provide  
26 insurance coverage information regarding a child care facility, including the name, address, and  
27 telephone number of the facility's liability insurance carrier.

28 3. The department may promulgate rules and regulations to implement the provisions of this  
29 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
30 under the authority delegated in this section shall become effective only if it complies with and is  
31 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and  
32 chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to  
33 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently  
34 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after  
35 August 28, 2017, shall be invalid and void.

36 332.081. 1. Notwithstanding any other provision of law, hospitals licensed under chapter

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

197 shall be authorized to employ any or all of the following oral health providers:

(1) A dentist licensed under this chapter for the purpose of treating on hospital premises those patients who present with a dental condition and such treatment is necessary to ameliorate the condition for which they presented such as severe pain or tooth abscesses;

(2) An oral and maxillofacial surgeon licensed under this chapter for the purpose of treating oral conditions that need to be ameliorated as part of treating the underlying cause of the patient's medical needs including, but not limited to, head and neck cancer, HIV or AIDS, severe trauma resulting in admission to the hospital, organ transplant, diabetes, or seizure disorders. It shall be a condition of treatment that such patients are admitted to the hospital on either an in- or out-patient basis;

(3) A maxillofacial prosthodontist licensed under this chapter for the purpose of treating and supporting patients of a head and neck cancer team or other complex care or surgical team for the fabrication of appliances following ablative surgery, surgery to correct birth anomalies, extensive radiation treatment of the head or neck, or trauma-related surgery.

2. No person or other entity shall practice dentistry in Missouri or provide dental services as defined in section 332.071 unless and until the board has issued to the person a certificate certifying that the person has been duly registered as a dentist in Missouri or to an entity that has been duly registered to provide dental services by licensed dentists and dental hygienists and unless and until the board has issued to the person a license, to be renewed each period, as provided in this chapter, to practice dentistry or as a dental hygienist, or has issued to the person or entity a permit, to be renewed each period, to provide dental services in Missouri. Nothing in this chapter shall be so construed as to make it unlawful for:

(1) A legally qualified physician or surgeon, who does not practice dentistry as a specialty, from extracting teeth;

(2) A dentist licensed in a state other than Missouri from making a clinical demonstration before a meeting of dentists in Missouri;

(3) Dental students in any accredited dental school to practice dentistry under the personal direction of instructors;

(4) Dental hygiene students in any accredited dental hygiene school to practice dental hygiene under the personal direction of instructors;

(5) A duly registered and licensed dental hygienist in Missouri to practice dental hygiene as defined in section 332.091;

(6) A dental assistant, certified dental assistant, or expanded functions dental assistant to be delegated duties as defined in section 332.093;

(7) A duly registered dentist or dental hygienist to teach in an accredited dental or dental hygiene school;

(8) A duly qualified anesthesiologist or nurse anesthetist to administer an anesthetic in connection with dental services or dental surgery; or

(9) A person to practice dentistry in or for:

(a) The United States Armed Forces;

(b) The United States Public Health Service;

(c) Migrant, community, or health care for the homeless health centers provided in Section 330 of the Public Health Service Act (42 U.S.C. 254(b));

(d) Federally qualified health centers as defined in Section 1905(l) (42 U.S.C. 1396d(l)) of the Social Security Act;

(e) Governmental entities, including county health departments; or

(f) The United States Veterans Bureau; or

(10) A dentist licensed in a state other than Missouri to evaluate a patient or render an oral,

1 written, or otherwise documented dental opinion when providing testimony or records for the  
 2 purpose of a civil or criminal action before any judicial or administrative proceeding of this state or  
 3 other forum in this state.

4 [2]3. No corporation shall practice dentistry as defined in section 332.071 unless that  
 5 corporation is organized under the provisions of chapter 355 or 356 provided that a corporation  
 6 organized under the provisions of chapter 355 and qualifying as an organization under 26 U.S.C.  
 7 Section 501(c)(3) may only employ dentists and dental hygienists licensed in this state to render  
 8 dental services to Medicaid recipients, low-income individuals who have available income below  
 9 two hundred percent of the federal poverty level, and all participants in the SCHIP program, unless  
 10 such limitation is contrary to or inconsistent with federal or state law or regulation. This subsection  
 11 shall not apply to:

12 (1) A hospital licensed under chapter 197 that provides care and treatment only to children  
 13 under the age of eighteen at which a person regulated under this chapter provides dental care within  
 14 the scope of his or her license or registration;

15 (2) A federally qualified health center as defined in Section 1905(l) of the Social Security  
 16 Act (42 U.S.C. 1396(d)(1)), or a migrant, community, or health care for the homeless health center  
 17 provided for in Section 330 of the Public Health Services Act (42 U.S.C. 254(b)) at which a person  
 18 regulated under this chapter provides dental care within the scope of his or her license or  
 19 registration;

20 (3) A city or county health department organized under chapter 192 or chapter 205 at which  
 21 a person regulated under this chapter provides dental care within the scope of his or her license or  
 22 registration;

23 (4) A social welfare board organized under section 205.770, a city health department  
 24 operating under a city charter, or a city-county health department at which a person regulated under  
 25 this chapter provides dental care within the scope of his or her license or registration;

26 (5) Any entity that has received a permit from the dental board and does not receive  
 27 compensation from the patient or from any third party on the patient's behalf at which a person  
 28 regulated under this chapter provides dental care within the scope of his or her license or  
 29 registration;

30 (6) Any hospital nonprofit corporation exempt from taxation under Section 501(c)(3) of the  
 31 Internal Revenue Code, as amended, that engages in its operations and provides dental services at  
 32 facilities owned by a city, county, or other political subdivision of the state at which a person  
 33 regulated under this chapter provides dental care within the scope of his or her license or  
 34 registration.

35  
 36 If any of the entities exempted from the requirements of this subsection are unable to provide  
 37 services to a patient due to the lack of a qualified provider and a referral to another entity is made,  
 38 the exemption shall extend to the person or entity that subsequently provides services to the patient.

39 [3]4. No unincorporated organization shall practice dentistry as defined in section 332.071  
 40 unless such organization is exempt from federal taxation under Section 501(c)(3) of the Internal  
 41 Revenue Code of 1986, as amended, and provides dental treatment without compensation from the  
 42 patient or any third party on their behalf as a part of a broader program of social services including  
 43 food distribution. Nothing in this chapter shall prohibit organizations under this subsection from  
 44 employing any person regulated by this chapter.

45 [4]5. A dentist shall not enter into a contract that allows a person who is not a dentist to  
 46 influence or interfere with the exercise of the dentist's independent professional judgment.

47 [5]6. A not-for-profit corporation organized under the provisions of chapter 355 and  
 48 qualifying as an organization under 26 U.S.C. Section 501(c)(3), an unincorporated organization

operating pursuant to subsection 3 of this section, or any other person should not direct or interfere or attempt to direct or interfere with a licensed dentist's professional judgment and competent practice of dentistry. Nothing in this subsection shall be so construed as to make it unlawful for not-for-profit organizations to enforce employment contracts, corporate policy and procedure manuals, or quality improvement or assurance requirements.

[6]7. All entities defined in subsection 2 of this section and those exempted under subsection 3 of this section shall apply for a permit to employ dentists and dental hygienists licensed in this state to render dental services, and the entity shall apply for the permit in writing on forms provided by the Missouri dental board. The board shall not charge a fee of any kind for the issuance or renewal of such permit. The provisions of this subsection shall not apply to a federally qualified health center as defined in Section 1905(l) of the Social Security Act (42 U.S.C. 1396d(l)).

[7]8. Any entity that obtains a permit to render dental services in this state is subject to discipline pursuant to section 332.321. If the board concludes that the person or entity has committed an act or is engaging in a course of conduct that would be grounds for disciplinary action, the board may file a complaint before the administrative hearing commission. The board may refuse to issue or renew the permit of any entity for one or any combination of causes stated in subsection 2 of section 332.321. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

[8]9. A federally qualified health center as defined in Section 1905(l) of the Social Security Act (42 U.S.C. 1396d(l)) shall register with the board. The information provided to the board as part of the registration shall include the name of the health center, the nonprofit status of the health center, sites where dental services will be provided, and the names of all persons employed by, or contracting with, the health center who are required to hold a license pursuant to this chapter. The registration shall be renewed every twenty-four months. The board shall not charge a fee of any kind for the issuance or renewal of the registration. The registration of the health center shall not be subject to discipline pursuant to section 332.321. Nothing in this subsection shall prohibit disciplinary action against a licensee of this chapter who is employed by, or contracts with, such health center for the actions of the licensee in connection with such employment or contract. All licensed persons employed by, or contracting with, the health center shall certify in writing to the board at the time of issuance and renewal of the registration that the facility of the health center meets the same operating standards regarding cleanliness, sanitation, and professionalism as would the facility of a dentist licensed by this chapter. The board shall promulgate rules regarding such standards.

[9]10. The board may promulgate rules and regulations to ensure not-for-profit corporations are rendering care to the patient populations as set forth herein, including requirements for covered not-for-profit corporations to report patient census data to the board. The provisions of this subsection shall not apply to a federally qualified health center as defined in Section 1905(l) of the Social Security Act (42 U.S.C. 1396d(l)).

[10]11. All not-for-profit corporations organized or operated pursuant to the provisions of chapter 355 and qualifying as an organization under 26 U.S.C. Section 501(c)(3), or the requirements relating to migrant, community, or health care for the homeless health centers provided in Section 330 of the Public Health Service Act (42 U.S.C. 254(b)) and federally qualified health centers as defined in Section 1905(l) (42 U.S.C. 1396d(l)) of the Social Security Act, that employ persons who practice dentistry or dental hygiene in this state shall do so in accordance with the relevant laws of this state except to the extent that such laws are contrary to, or inconsistent with, federal statute or regulation."; and

1 Further amend said bill, Page 2, Section 340.285, Line 26, by inserting immediately after said  
2 section and line the following:

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4 "345.051. 1. Every person licensed or registered pursuant to the provisions of sections  
5 345.010 to 345.080 shall renew the license or registration on or before the renewal date. Such  
6 renewal date shall be determined by the board but shall be no less than three years. The application  
7 shall be made on a form furnished by the board. The application shall include, but not be limited to,  
8 disclosure of the applicant's full name and the applicant's office and residence addresses and the date  
9 and number of the applicant's license or registration, all final disciplinary actions taken against the  
10 applicant by any speech-language-hearing association or society, state, territory or federal agency or  
11 country and information concerning the applicant's current physical and mental fitness to practice.

12 2. A blank form for application for license or registration renewal shall be mailed to each  
13 person licensed or registered in this state at the person's last known office or residence address. The  
14 failure to mail the form of application or the failure to receive it does not, however, relieve any  
15 person of the duty to renew the license or registration and pay the fee required by sections 345.010  
16 to 345.080 for failure to renew the license or registration.

17 3. An applicant for renewal of a license or registration under this section shall:

18 (1) Submit an amount established by the board; and

19 (2) Meet any other requirements the board establishes as conditions for license or  
20 registration renewal, including the demonstration of continued competence to practice the  
21 profession for which the license or registration is issued. A requirement of continued competence  
22 may include, but is not limited to, up to thirty hours triennially of continuing education,  
23 examination, self-evaluation, peer review, performance appraisal or practical simulation.

24 4. If a license or registration is suspended pursuant to section 345.065, the license or  
25 registration expires on the expiration date as established by the board for all licenses and  
26 registrations issued pursuant to sections 345.010 to 345.080. Such license or registration may be  
27 renewed but does not entitle the licensee to engage in the licensed or registered activity or in any  
28 other conduct or activity which violates the order of judgment by which the license or registration  
29 was suspended until such license or registration has been reinstated.

30 5. If a license or registration is revoked on disciplinary grounds pursuant to section 345.065,  
31 the license or registration expires on the expiration date as established by the board for all licenses  
32 and registrations issued pursuant to sections 345.010 to 345.080. Such license or registration may  
33 not be renewed. If a license or registration is reinstated after its expiration, the licensee, as a  
34 condition of reinstatement, shall pay a reinstatement fee that is equal to the renewal fee in effect on  
35 the last regular renewal date immediately preceding the date of reinstatement plus any late fee  
36 established by the board."; and

37  
38 Further amend said bill by amending the title, enacting clause, and intersectional references  
39 accordingly.