

House _____ Amendment NO. _____

Offered By _____

1 AMEND Senate Bill No. 194, Page 1, Section A, Line 2, by inserting immediately after said section and line
2 the following:

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 computed
6 tomography to capture data using a cone-shaped x-ray beam, which cannot produce radiation intensity
7 greater than thirty milligrays;

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

10 2. Cone beam computed tomography systems and panoramic x-ray systems shall be inspected
11 within 30 days of installation and whenever moved within an office. Notwithstanding these requirements,
12 cone beam computed tomography systems and panoramic x-ray systems shall not be required to be inspected
13 more frequently than every three years.

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

17 332.081. 1. Notwithstanding any other provision of law, hospitals licensed under chapter 197 shall
18 be authorized to employ any or all of the following oral health providers:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 [3]4. No unincorporated organization shall practice dentistry as defined in section 332.071 unless
 5 such organization is exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of
 6 1986, as amended, and provides dental treatment without compensation from the patient or any third party on
 7 their behalf as a part of a broader program of social services including food distribution. Nothing in this
 8 chapter shall prohibit organizations under this subsection from employing any person regulated by this
 9 chapter.

10 [4]5. A dentist shall not enter into a contract that allows a person who is not a dentist to influence or
 11 interfere with the exercise of the dentist's independent professional judgment.

12 [5]6. A not-for-profit corporation organized under the provisions of chapter 355 and qualifying as an
 13 organization under 26 U.S.C. Section 501(c)(3), an unincorporated organization operating pursuant to
 14 subsection 3 of this section, or any other person should not direct or interfere or attempt to direct or interfere
 15 with a licensed dentist's professional judgment and competent practice of dentistry. Nothing in this
 16 subsection shall be so construed as to make it unlawful for not-for-profit organizations to enforce
 17 employment contracts, corporate policy and procedure manuals, or quality improvement or assurance
 18 requirements.

19 [6]7. All entities defined in subsection 2 of this section and those exempted under subsection 3 of
 20 this section shall apply for a permit to employ dentists and dental hygienists licensed in this state to render
 21 dental services, and the entity shall apply for the permit in writing on forms provided by the Missouri dental
 22 board. The board shall not charge a fee of any kind for the issuance or renewal of such permit. The
 23 provisions of this subsection shall not apply to a federally qualified health center as defined in Section
 24 1905(l) of the Social Security Act (42 U.S.C. 1396d(l)).

25 [7]8. Any entity that obtains a permit to render dental services in this state is subject to discipline
 26 pursuant to section 332.321. If the board concludes that the person or entity has committed an act or is
 27 engaging in a course of conduct that would be grounds for disciplinary action, the board may file a complaint
 28 before the administrative hearing commission. The board may refuse to issue or renew the permit of any
 29 entity for one or any combination of causes stated in subsection 2 of section 332.321. The board shall notify
 30 the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a
 31 complaint with the administrative hearing commission as provided by chapter 621.

32 [8]9. A federally qualified health center as defined in Section 1905(l) of the Social Security Act (42
 33 U.S.C. 1396d(l)) shall register with the board. The information provided to the board as part of the
 34 registration shall include the name of the health center, the nonprofit status of the health center, sites where
 35 dental services will be provided, and the names of all persons employed by, or contracting with, the health
 36 center who are required to hold a license pursuant to this chapter. The registration shall be renewed every
 37 twenty-four months. The board shall not charge a fee of any kind for the issuance or renewal of the
 38 registration. The registration of the health center shall not be subject to discipline pursuant to section
 39 332.321. Nothing in this subsection shall prohibit disciplinary action against a licensee of this chapter who
 40 is employed by, or contracts with, such health center for the actions of the licensee in connection with such
 41 employment or contract. All licensed persons employed by, or contracting with, the health center shall
 42 certify in writing to the board at the time of issuance and renewal of the registration that the facility of the
 43 health center meets the same operating standards regarding cleanliness, sanitation, and professionalism as
 44 would the facility of a dentist licensed by this chapter. The board shall promulgate rules regarding such
 45 standards.

46 [9]10. The board may promulgate rules and regulations to ensure not-for-profit corporations are
 47 rendering care to the patient populations as set forth herein, including requirements for covered not-for-profit
 48 corporations to report patient census data to the board. The provisions of this subsection shall not apply to a
 49 federally qualified health center as defined in Section 1905(l) of the Social Security Act (42 U.S.C.
 50 1396d(l)).

51 [40]11. All not-for-profit corporations organized or operated pursuant to the provisions of chapter
 52 355 and qualifying as an organization under 26 U.S.C. Section 501(c)(3), or the requirements relating to
 53 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.

345.051. 1. Every person licensed or registered pursuant to the provisions of sections 345.010 to 345.080 shall renew the license or registration on or before the renewal date. Such renewal date shall be determined by the board. The application shall be made on a form furnished by the board. The application shall include, but not be limited to, disclosure of the applicant's full name and the applicant's office and residence addresses and the date and number of the applicant's license or registration, all final disciplinary actions taken against the applicant by any speech-language-hearing association or society, state, territory or federal agency or country and information concerning the applicant's current physical and mental fitness to practice.

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

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

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

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

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

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

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

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

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

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

(2) Meet any other requirements the board establishes as conditions for license or registration renewal, including the demonstration of continued competence to practice the profession for which the

1 license or registration is issued. A requirement of continued competence may include, but is not limited to,
2 up to thirty hours triennially of continuing education, examination, self-evaluation, peer review, performance
3 appraisal or practical simulation.

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

10 5. If a license or registration is revoked on disciplinary grounds pursuant to section 345.065, the
11 license or registration expires on the expiration date as established by the board for all licenses and
12 registrations issued pursuant to sections 345.010 to 345.080. Such license or registration may not be
13 renewed. If a license or registration is reinstated after its expiration, the licensee, as a condition of
14 reinstatement, shall pay a reinstatement fee that is equal to the renewal fee in effect on the last regular
15 renewal date immediately preceding the date of reinstatement plus any late fee established by the board.";
16 and
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18 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.