

**LOUISIANA STATE BOARD OF DENTISTRY  
SUMMER UPDATE  
AUGUST 2009**

**BEGINNING IN 2010, THE  
SUMMER UPDATE WILL BE  
AVAILABLE ONLINE AT  
WWW.LSBD.ORG OR UPON  
REQUEST FROM OUR  
OFFICE**

Dear Licensees:

This update is intended to apprise you of the various changes that have occurred with the Louisiana State Board of Dentistry and the Dental Practice Act over the past year. **Please read this update carefully as some of the changes may have an impact on you and your practice.** If you have any questions, please contact the board office at our toll free number 877.467.4488 or visit our website at [www.lsbdb.org](http://www.lsbdb.org) where you can find numerous applications as well as the Dental Practice Act itself. As you know we no longer print the Dental Practice Act, but copies may be purchased for \$25.00 unbound and \$35.00 bound.

Presently sitting on the Louisiana State Board of Dentistry are: Dr. Lynn Philippe, President (Baton Rouge), Dr. Charles T. McCabe, Jr., Vice-President (NODA), Dr. Romell J. Madison, Secretary-Treasurer (At Large), Dr. H.O. Blackwood, III (Shreveport), Christine Guillaume, R.D.H. (At Large), Dr. Wilton Guillory, Jr. (Alexandria), Dr. Marija G. LaSalle (Northlake), Dr. Dean Manning (Lake Charles), Dr. Frank Martello (NODA), Dr. Conrad P. McVea, III (At Large), Dr. David L. Melancon (Bayou), Dr. James A. Moreau, Jr. (At Large), Dr. John Taylor (Acadiana), and Dr. Samuel A. Trinca (Northeast).

The only term expiring on December 31, 2009 is that of Dr. Lynn Philippe. A nominating meeting will be conducted in Baton Rouge in the fall for that district.

The second round of clinical licensing examinations was conducted by the Council of Interstate Testing Agencies (CITA) this year. The CITA examination went smoothly this year, as it did last year. The Louisiana State Board of Dentistry voted to have representation on the board of directors and the examination committee of any regional licensing examination we will accept for licensure. Further, any regional clinical licensing examination we accept must have a live patient for the periodontal and restorative components. The board continues to re-evaluate all regional licensing examinations, but has made no decision as of this date as to whether to discontinue the acceptance of any one particular regional examining board.

We are happy to report that many Louisiana dentists and dental hygienists have volunteered their services and presently assist CITA in conducting the clinical licensing examinations. Our gratitude goes out to those dentists and hygienists who are giving up their time for the profession.

Unfortunately, the board continues to have difficulties in obtaining criminal background checks due to poorly taken fingerprints. This year our investigator brought a police officer to LSU School of Dentistry to take their fingerprints in the hopes that we would have fewer difficulties in obtaining satisfactory prints. Unfortunately, about 40% of those prints came back as unsatisfactory. The investigator and the police officer returned to LSU School of Dentistry to try to obtain more fingerprints from those persons whose original prints were not satisfactory. It was "like herding cats" said our investigator. The board has been spending several thousand dollars to provide this convenience to the students at LSU, but has made the decision that our attempts have not worked and are, therefore, going to discontinue offering this service to LSU students. It will now be incumbent upon LSU students to go to a police station and have their fingerprints taken there just as candidates from other states must do. We are sorry if this creates any inconvenience, but it seems that we were creating more of an inconvenience at the school by trying to attempt this during school hours.

In case you were unaware, the legislature classified Soma (carisoprodol) as a Class IV drug and any drug such as Sudafed which contains ephedrine or pseudoephedrine has now been classified as a Schedule V drug. It will now be necessary for you to prescribe these medications to your patients, if needed. They cannot simply go to the drugstore and purchase it without a prescription.

The Prescription Monitoring Program has been working very well. We are now able to access any dentist's prescribing habits with just the push of a button. It used to take us several weeks to obtain this information, and its value is proving itself every day. Please remember that you may sign up for the Prescription Monitoring Program so that you can ascertain whether or not you have a patient who is a doctor shopper. Also please be cautioned that any misuse of the information you obtain from the Prescription Monitoring Program may result in disciplinary action being taken against you.

We were all saddened at the news that two students had used deceptive means to gain admission to matriculate at LSU School of Dentistry. However, our sadness was tempered by the fact that the school was able to catch these perpetrators before they could graduate. In this day and age, background checks are more important than ever.

The board is extremely happy to see Dr. Henry Gremillion take over the reins of LSU School of Dentistry as its new dean. Dr. Gremillion brings a great deal of knowledge and expertise back to Louisiana. We can all be grateful and wish him nothing but success.

As everyone should be aware, the most controversial issue in the dental profession in the state of Louisiana during the past year has been the issue of public school based dentistry. House Bill 687 started as a bill to prohibit dentistry in schools. However, after the legislature reworked the entire bill, it mandated that the Louisiana State Board of Dentistry create tighter regulations in order to ascertain that safe and quality dentistry is delivered at the schools. House Bill 687 became Act 429 which follows. It will become effective on August 15, 2009.

#### **ACT 429**

### **§796. Louisiana State Board of Dentistry; adoption of rules relating to the providing of dental services at mobile dental clinics and locations other than the dental office**

- A. The Louisiana State Board of Dentistry shall adopt rules relating to the providing of dental services at mobile dental clinics and locations other than the dental office.
- B. The rules shall include but not be limited to:
  - (1) Guidelines and criteria for the permitting of dentists who wish to provide dental services at mobile dental clinics and locations other than their office.
  - (2) Guidelines and criteria for record keeping regarding the services provided.
  - (3) Guidelines and criteria for the practice standards and the types of dental services which may be provided at mobile dental clinics and locations other than the dental office.
  - (4) Guidelines and criteria requiring a signed consent form from the parent or guardian prior to providing dental services to a minor.
  - (5) Guidelines and criteria providing for parental consultation and involvement regarding the providing of dental services to a minor.
  - (6) Guidelines and criteria regarding the equipment and standards which shall be maintained in order to provide dental services at mobile dental clinics and locations offering dental services other than the dental office.
  - (7) Provisions for the inspection by the Louisiana State Board of Dentistry of mobile dental clinics and locations offering dental services other than the dental office and health care facilities licensed by the Department of Health and Hospitals.
  - (8) Guidelines and criteria for the disposal of infectious waste associated with providing dental services at mobile dental clinics and locations other than the dental office.
- C. All rules shall be adopted in accordance with the provisions of the Administrative Procedure Act.
- D. Nothing in this Section shall be construed to prohibit the Louisiana State Board of Dentistry from adopting emergency rules as otherwise provided for in the Administrative Procedure Act.

### **§796.1. Requirements to provide dental services at mobile dental clinics and locations other than the dental office; permit; hold harmless**

- A. Upon promulgation of rules pursuant to this Section and R.S. 37:796, a person offering dental services at a mobile dental clinic or a location other than the dental office shall:
  - (1) Be a dentist licensed in Louisiana who is in good standing with the Louisiana Board of Dentistry.
  - (2) Have received a permit from Louisiana State Board of Dentistry to provide dental services at a mobile dental clinic or a location other than the dental office. The permit shall be issued pursuant to the provisions of this Section and in accordance with rules adopted pursuant to the Administrative Procedure Act.
- B. The board shall promulgate rules and regulations pertaining to licensure requirements for all nonresident officers, managers, and partners of any business entity engaged or contracted to provide administrative or management services in support of a mobile dental clinic or a dentist providing services in locations other than a dental office.
- C. Upon promulgation of rules pursuant to this Section and R.S. 37:796, no dental services shall be offered at a mobile clinic or a location other than the dental office unless the dentist has been issued a permit to provide those services as provided for by this Section.

In order to meet the mandate of the legislature, the board conducted an emergency meeting of the Rulemaking Committee on July 10, 2009 and another on August 13, 2009. The board hopes to finalize rules to support this act at its meeting of August 14, 2009 so that they may be published as Notices of Intent in the September 20, 2009 edition of the Louisiana Register and then becoming effective on December 20, 2009.

#### **RULES WHICH BECAME EFFECTIVE JANUARY 20, 2009**

### **§306. Requirements of Applicants for Licensure by Credentials**

- A. 1.-4. . . .
  - 5. has never been convicted of a felony or a misdemeanor involving moral turpitude including, but not limited to, driving while under the influence of alcohol or drugs;
  - 6. has no pending criminal charges against him/her;
  - 7. has never been charged with and found guilty of or entered into a consent agreement with any State Board of Dentistry to any charge affecting his ability to practice dentistry or showing evidence of unprofessional conduct;
  - 8. has paid all costs and fees (nonrefundable);

9. has fully completed required application form with all supporting data and certification of competency and good character;
  10. If deemed necessary, has appeared for a personal interview before the board;
  11. has submitted Drug Enforcement Administration registration certificate number and state narcotics license number in all states wherein same are held or have been held;
  12. has submitted two recent passport type color photographs;
  13. has all units of time accounted for;
  14. has provided true copy of diploma(s) and/or national board examination grades;
  15. has furnished three current letters of recommendation from professional associates, i.e. associations, boards, or prior employers listed on application for licensure on letterhead stationery from said organization;
  16. possesses a current certificate in Cardiopulmonary Resuscitation Course "C", Basic Life Support for Health Care Providers as defined by the American Heart Association or the Red Cross Professional Rescue Course;
  17. is a citizen or permanent resident of the United States unless otherwise prohibited by the North American Free Trade Agreement;
  18. is free of any communicable or contagious disease, including but not limited to Human Immunodeficiency Virus, Hepatitis B Virus, and Hepatitis C Virus, and provide a notarized certificate of health from a medical doctor relative to his physical and mental condition; and
  19. has completed continuing education equivalent to the state of Louisiana's for the two years prior to applying for licensure by credentials.
- B.-E. . . .

**§415. Licenses, Permits, and Examinations (Dentists)**

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|---|--|----------|
| A. 1.-3. . . .                                      |  |          |
| 4. Biennial renewal fee for dental license          |  | \$500.00 |
| 5.-22. . . .  |  |          |
| 23. Expungement of first-time advertising violation |  | \$500.00 |

**§419. Licenses, Permits and Examinations (Dental Hygienists)**

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|--|--|----------|
| A. 1.-2. . . .                                       |  |          |
| 3. Biennial renewal fee for dental hygienist license |  | \$200.00 |
| 4.-11. . . .   |  |          |

**§420. Certificate Confirmation and Reconfirmation Fees**

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| A. For processing applications for certificate confirmations, the following fees shall be payable in advance to the board: |  |          |
| 1. Initial certificate confirmation fee  |  | \$100.00 |
| 2. . . .   |  |          |

**§706. Requirements of Applicants for Licensure by Credentials (Hygienists)**

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|---|--|--|
| A. 1.-4. . . .  |  |  |
| 5. has never been convicted of a felony or a misdemeanor involving moral turpitude including, but not limited to, driving while under the influence of alcohol or drugs;  |  |  |
| 6. has no pending criminal charges against him/her;   |  |  |
| 7. has never been charged with and found guilty of or entered into a consent decree with any state board of dentistry within the previous five years before applying for licensure by credentials to any charge affecting his/her ability to practice dental hygiene or showing evidence of unprofessional conduct; |  |  |
| 8. has paid all costs and fees (nonrefundable);   |  |  |
| 9. has fully completed required application form with all supporting data and certification of competency and good character;   |  |  |
| 10. If deemed necessary, has appeared for a personal interview before the board;  |  |  |
| 11. has submitted two recent passport type color photographs;   |  |  |
| 12. has all units of time accounted for;  |  |  |
| 13. has provided true copy of diploma(s) and/or national board examination grades and transcript of dental hygiene school grades;   |  |  |
| 14. has furnished three current letters of recommendation from professional associates, i.e., associations, boards, or prior employers listed on application for licensure on letterhead stationery from said organization;   |  |  |
| 15. possesses a current certificate in Cardiopulmonary Resuscitation Course "C", Basic Life Support for Health Care Providers as defined by the American Heart Association or the Red Cross Professional Rescue Course;   |  |  |
| 16. is a citizen or permanent resident of the United States unless otherwise prohibited by the North American Free Trade Agreement;   |  |  |

- 17. is free of any communicable or contagious disease, including but not limited to Human Immunodeficiency Virus, Hepatitis B Virus, and Hepatitis C Virus, and provide a notarized certificate of health from a medical doctor relative to his/her physical and mental condition;
- 18. has completed continuing education equivalent to the state of Louisiana's for the two years prior to applying for licensure by credentials.

B.-E. . . .

**RULES WHICH BECAME EFFECTIVE JULY 20, 2009**

**§1611. Continuing Education Requirements for Relicensure of Dentists**

- A.-B. . . .
- C. No more than 20 of the required 40 hours can be completed from the following:
  - 1.-2. . . .
  - 3. deleted
- D. . . .
- E. Past and present dentist members of the Louisiana State Board of Dentistry are allowed four hours of continuing dental education credit for each meeting of the American Association of Dental Examiners attended by said past or present dentist member.
- F. No credit will be given for activities directed primarily to persons preparing for licensure in Louisiana.
- G. Dentists who are on staffs of hospitals accredited by the Joint Commission on Accreditation of Health Care Organizations may receive continuing education credit for those continuing education courses provided by said hospital.
- H. Dentists will be awarded three clinical credit hours for successful completion of Cardiopulmonary Resuscitation Course "C", Basic Life Support for Healthcare Providers as defined by the American Heart Association or the Red Cross Professional Rescue Course. When being audited for compliance with cardiopulmonary resuscitation course completion, a photocopy of the CPR card evidencing successful completion of the course for each year shall be appended to the form.
- I. Dentists who successfully complete certification courses in advanced cardiac life support continuing education will be awarded up to 16 hours of clinical continuing dental education. However, dentists completing the shorter recertification course in advanced cardiac life support will be awarded 3 hours of clinical continuing dental education.
- J. In order to renew permits for the administration of deep sedation, parenteral sedation, and enteral sedation, each licensee shall complete a board approved course pertinent to the level of their sedation permit no less than once every five years.
  - 1. Recertification for deep sedation or general anesthesia as required by the American Association of Oral and Maxillofacial Surgeons every five years shall satisfy this requirement.
- K. Dentists successfully completing the calibration training for the administration of the clinical licensing examination administered by the Council of Interstate Testing Agencies (CITA) may be awarded up to twenty hours of clinical continuing education per each renewal period.

**§1613. Continuing Education Requirements for Relicensure of Dental Hygienists**

- A.-B. . . .
- C. No more than 12 of the required 24 hours can be completed from the following:
  - 1.-2. . . .
  - 3. deleted
- D.-G. . . .
- H. Dental hygienists who are on staffs of hospitals accredited by the Joint Commission on Accreditation of Health Care Organizations may receive continuing education credit for those continuing education courses provided by said hospital.
- I. Dental hygienists will be awarded three clinical credit hours for successful completion of Cardiopulmonary Resuscitation Course "C", Basic Life Support for Healthcare Providers as defined by the American Heart Association or the Red Cross Professional Rescue Course. When being audited for compliance with cardiopulmonary resuscitation course completion, a photocopy of the CPR card evidencing successful completion of the course for each year shall be appended to the form.
- J. . . .
- K. Dental hygienists successfully completing the calibration training for the administration of the clinical licensing examination administered by the Council of Interstate Testing Agencies (CITA) may be awarded up to twelve hours of clinical continuing education per each renewal period.

**§1615. Approved Courses**

- A.-B. . . .
- C. Clinical credit will be given to programs dealing with the mechanical delivery of dental services as well as those addressing biological and psychological aspects of therapy such as pharmacology, nutrition, behavioral modification, etc., which are pertinent to the restoration and maintenance of oral health.
- D. deleted