

LEGISLATIVE BILL 834

Approved by the Governor April 2, 2024

Introduced by Blood, 3.

A BILL FOR AN ACT relating to the Dentistry Practice Act; to amend section 38-1123, Reissue Revised Statutes of Nebraska, and section 38-129.01, Revised Statutes Cumulative Supplement, 2022; to establish requirements for a resident license; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 38-129.01, Revised Statutes Cumulative Supplement, 2022, is amended to read:

38-129.01 (1) The department, with the recommendation of the appropriate board, shall issue a temporary credential to a military spouse who complies with and meets the requirements of this section pending issuance of the applicable credential under the Uniform Credentialing Act. This section shall not apply to a license to practice dentistry, including a resident temporary license under section 38-1123.

(2) A military spouse shall submit the following with his or her application for the applicable credential:

(a) A copy of his or her military dependent identification card which identifies him or her as the spouse of an active duty member of the United States Armed Forces;

(b) A copy of his or her spouse's military orders reflecting an active-duty assignment in Nebraska;

(c) A copy of his or her credential from another jurisdiction and the applicable statutes, rules, and regulations governing the credential; and

(d) A copy of his or her fingerprints for a criminal background check if required under section 38-131.

(3) If the department, with the recommendation of the appropriate board, determines that the applicant is the spouse of an active duty member of the United States Armed Forces who is assigned to a duty station in Nebraska, holds a valid credential in another jurisdiction which has similar standards for the profession to the Uniform Credentialing Act and the rules and regulations adopted and promulgated under the act, and has submitted fingerprints for a criminal background check if required under section 38-131, the department shall issue a temporary credential to the applicant. The applicant shall not be required to pay any fees pursuant to the Uniform Credentialing Act for the temporary credential or the initial regular credential except the actual cost of the fingerprinting and criminal background check for an initial license under section 38-131.

(4) A temporary credential issued under this section shall be valid until the application for the regular credential is approved or rejected, not to exceed one year.

Sec. 2. Section 38-1123, Reissue Revised Statutes of Nebraska, is amended to read:

38-1123 (1) The department, with the recommendation of the board, shall issue a resident temporary license to any person who (a)(i) presents proof of graduation with a doctorate degree in dental surgery or dental medicine from an accredited school or college of dentistry (a) has met the requirements for a license to practice dentistry as set forth in section 38-1117, (ii) (b) is enrolled in an accredited school or college of dentistry for the purpose of completing a postgraduate or residency program in dentistry, (iii) passes an examination approved by the board, which shall consist of the National Board Dental Examination, Parts I and II, or the Integrated National Board Dental Examination, as constructed and administered by the American Dental Association Joint Commission on National Dental Examinations, (iv) passes the practical examination administered by the Central Regional Dental Testing Service, ADEX, or any other regional or state practical examination approved by the board, and (v) passes a jurisprudence examination based on Nebraska law and administrative rules and regulations governing the practice of dentistry and dental hygiene. or (b)(i) and (e) is licensed in another jurisdiction under conditions which the board finds equivalent to the requirements of the State of Nebraska for obtaining a license to practice dentistry and (ii) passes a jurisprudence examination based on Nebraska law and administrative rules and regulations governing the practice of dentistry and dental hygiene.

(2) An accredited school or college of dentistry shall provide input to the board annually for purposes of approving regional or state practical examinations.

(3) ~~(2)~~ Any person who desires a resident temporary license shall make application to the department. Such application shall be accompanied by the required fee.

(4) ~~(3)~~ The resident temporary license shall be issued for a period of one year and, upon application to the department, renewed annually without the licensee having to pay a renewal fee.

(5) ~~(4)~~ The resident temporary licensee shall be entitled to practice

dentistry, including prescribing legend drugs and controlled substances, only under the auspices of the postgraduate or residency program in which he or she is enrolled.

(6) An applicant who is licensed pursuant to this section and has completed a postgraduate or residency program in dentistry at an accredited school or college of dentistry shall have demonstrated the applicant's skill in clinical dentistry for purposes of section 38-1117.

Sec. 3. Original section 38-1123, Reissue Revised Statutes of Nebraska, and section 38-129.01, Revised Statutes Cumulative Supplement, 2022, are repealed.