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LAW/RWH

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2545

STATE OF NEW JERSEY
213th LEGISLATURE

ADOPTED DECEMBER 14, 2009

Sponsored by:

Senator RAYMOND J. LESNIAK

District 20 (Union)

Senator BILL BARONI

District 14 (Mercer and Middlesex)

Assemblyman VINCENT PRIETO

District 32 (Bergen and Hudson)

Assemblywoman CARIDAD RODRIGUEZ

District 33 (Hudson)

Co-Sponsored by:

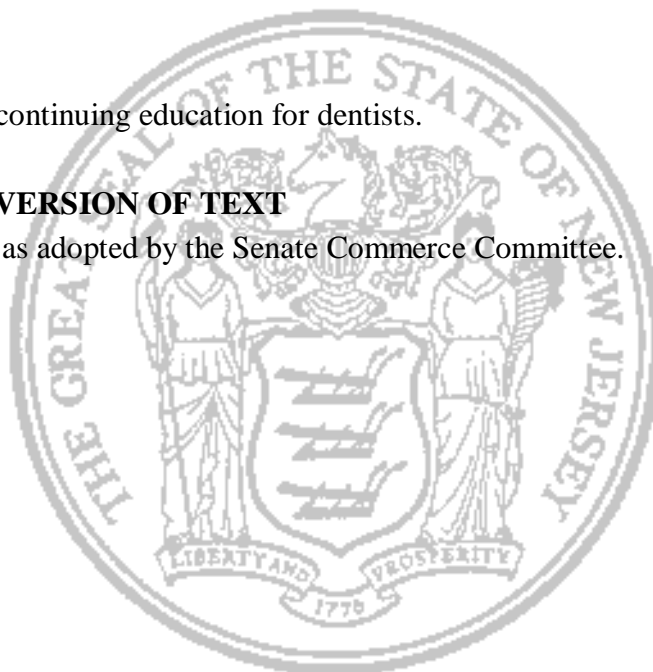
Senators Van Drew, Weinberg, Cardinale and Assemblyman Chivukula

SYNOPSIS

Concerns continuing education for dentists.

CURRENT VERSION OF TEXT

Substitute as adopted by the Senate Commerce Committee.



(Sponsorship Updated As Of: 1/12/2010)

1 AN ACT concerning continuing education for dentists and amending
2 and supplementing P.L.1991, c.490.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. (New section) For the purposes of P.L.1991, c.490 (C. 45:6-
8 10.1 et seq.) and this 2009 amendatory and supplementary act:

9 “Core continuing dental education” means any minimum
10 continuing education hours in specified subjects determined by the
11 board that shall be completed to satisfy the biennial continuing
12 education requirement applicable to dentists pursuant to P.L.1991,
13 c.490 (C.45:6-10.1 et seq.).

14 “Eligible person” means: (1) any person under the age of 19
15 whose parent or guardian attests that he meets the eligibility
16 requirements for, and is enrolled in, the NJ FamilyCare Program
17 established pursuant to P.L.2005, c.156 (C.30:4J-8 et seq.); (2) a
18 child who is in the custody of the Division of Youth and Family
19 Services in the Department of Children and Families; or (3) any
20 person who attests that he meets the eligibility requirements for,
21 and is enrolled in, the Medicaid program established pursuant to
22 P.L.1968, c.413 (C.30:4D-1 et seq.), the Pharmaceutical Assistance
23 to the Aged and Disabled program established pursuant to P.L.1975,
24 c.194 (C.30:4D-20 et seq.), or the Senior Gold Prescription
25 Discount Program established pursuant to P.L.2001, c.96 (C.30:4D-
26 43 et seq.).

27 “Volunteer dental service” means dental care provided, without
28 charge, to an eligible person, or to a minor in a primary school,
29 secondary school, or other school setting, or to a patient through a
30 dental clinic as defined by section 1 of P.L.1951, c.199 (C.45:6-
31 15.1), in accordance with the standards, procedures, requirements,
32 and limitations as may be established by the board.

33

34 2. Section 1 of P.L.1991, c.490 (C.45:6-10.1) is amended to
35 read as follows:

36 1. The New Jersey State Board of Dentistry shall require each
37 person licensed as a dentist, as a condition for biennial registration
38 pursuant to R.S.45:6-10 and P.L.1972, c.108 (C.45:1-7), to
39 complete **[40]** a requisite number of credits of continuing dental
40 education, as **[provided in]** determined by the board pursuant to
41 section 2 of this act during each biennial registration period.

42 (cf: P.L.1991, c.490, s.1)

43

44 3. Section 2 of P.L.1991, c.490 (C.45:6-10.2) is amended to
45 read as follows:

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

- 1 2. a. The board shall:
- 2 (1) Establish standards for continuing dental education,
- 3 including the subject matter and content of courses of study , and
- 4 may establish any core continuing dental educational requirements
- 5 pursuant to subsection c. of this section that all licensees shall
- 6 complete as a condition of biennial licensure;
- 7 (2) Accredite educational and other programs offering credit
- 8 towards the continuing dental education requirements; and
- 9 (3) Accredite other equivalent educational programs, including,
- 10 but not limited to, meetings of constituents and components of
- 11 dental professional associations recognized by the board,
- 12 examinations, papers, publications, scientific presentations,
- 13 teaching and research appointments, table clinics and scientific
- 14 exhibits, and shall establish procedures for the issuance of credit
- 15 upon satisfactory proof of the completion of these programs.
- 16 b. In the case of education courses or programs, each hour of
- 17 instruction shall be equivalent to one credit.
- 18 c. The board may, in its discretion, delineate specific topics of
- 19 dental education for any biennial renewal period or periods as core
- 20 continuing dental education requirements that the board deems
- 21 necessary to address developments in science or technology or
- 22 particular issues or problems. The board shall provide notification
- 23 of the specific topics and the registration periods to which those
- 24 requirements apply by direct communication to licensees or through
- 25 electronic media.
- 26 (cf: P.L.1991, c.490, s.2)
- 27
- 28 4. Section 3 of P.L.1991, c.490 (C.45:6-10.3) is amended to
- 29 read as follows:
- 30 3. The board may:
- 31 a. Establish procedures for monitoring compliance with the
- 32 continuing dental education requirements; and
- 33 b. Establish procedures to evaluate and grant approval to
- 34 providers of continuing dental education courses and programs.
- 35 (cf: P.L.1991, c.490, s.3)
- 36
- 37 5. Section 4 of P.L 1991, c. 490 (C.45:6-10.4) is amended to
- 38 read as follows:
- 39 4. a. The board may in its discretion, waive requirements for
- 40 continuing dental education on an individual basis for reasons of
- 41 hardship such as illness or disability, retirement of the license, or
- 42 other good cause.
- 43 b. The board may, in its discretion, waive up to one half of the
- 44 biennial continuing dental education requirements for a licensee
- 45 who renders volunteer dental services to eligible persons, provided
- 46 that core continuing dental educational requirements, if any, shall
- 47 not be waived for this purpose; and one half-hour of one continuing

1 dental education credit hour shall be waived for each hour of
2 volunteer dental service.

3

4 6. This act shall take effect on the first day of the seventh
5 month next following enactment, but the New Jersey State Board of
6 Dentistry may take any anticipatory administrative action in
7 advance thereof as shall be necessary for the implementation of this
8 act.

SENATE, No. 2545

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED FEBRUARY 2, 2009

Sponsored by:

Senator RAYMOND J. LESNIAK

District 20 (Union)

Senator BILL BARONI

District 14 (Mercer and Middlesex)

Co-Sponsored by:

Senators Van Drew, Weinberg and Cardinale

SYNOPSIS

Provides continuing education credits to dentists who render dental services to certain persons free of charge.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/11/2009)

1 AN ACT providing continuing education credit to certain dentists
2 and supplementing chapter 6 of Title 45 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. As used in this act:

8 “Attest” means a written sworn statement and includes either an
9 affidavit or a certification containing the following language: “I
10 certify that the foregoing statements made by me are true. I am
11 aware that if any of the foregoing statements made by me are
12 willfully false, I am subject to punishment.”

13 “Eligible person” means any person under the age of 19 whose
14 parent or guardian attests that he meets the eligibility requirements
15 for, and is enrolled in, the NJ FamilyCare Program established
16 pursuant to P.L.2005, c.156 (C.30:4J-8 et seq.), or any woman age
17 18 or older who attests that she meets the eligibility requirements
18 under the Medicaid New Jersey Care pregnant women program.

19

20 2. Any dentist who renders dental services free of charge to an
21 eligible person shall receive one hour of continuing education credit
22 for each hour of service rendered up to a maximum of 20 credits
23 during any biennial registration period; provided that, a dentist shall
24 receive not more than five credit hours for services performed
25 during any biennial registration period for any one eligible person.
26 For purposes of this section, dental services by the dentist shall be
27 considered free of charge, notwithstanding that the dentist may
28 charge an eligible person for the actual cost of any laboratory fee or
29 facility charge incurred.

30

31 3. A dentist who renders dental services free of charge to an
32 eligible person shall include in the patient record a notation of the
33 time actually spent in providing dental services.

34

35 4. A dentist who falsely claims to have rendered dental services
36 to an eligible person for the purpose of receiving continuing
37 education credit pursuant to this act or who knowingly overstates
38 the time so spent shall be deemed to have engaged in professional
39 misconduct pursuant to the provisions of chapter 6 of Title 45 of the
40 Revised Statutes and P.L.1978, c.73 (C.45:1-14 et seq.).

41

42 5. The New Jersey State Board of Dentistry may, in its
43 discretion and for good cause, notify a licensee that he is ineligible
44 to receive continuing education credits provided in section 2 of this
45 act during a biennial registration period.

46

47 6. This act shall take effect immediately.

STATEMENT

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This bill stipulates that any dentist who renders dental services free of charge to certain eligible persons shall receive one hour of continuing education credit for each hour of service rendered up to a maximum of 20 credits during any biennial registration period; provided that, a dentist shall receive not more than five credit hours for services performed during any biennial registration period for any one eligible person.

10

As defined in the bill, "eligible person" means any person under the age of 19 whose parent or guardian attests that he meets the eligibility requirements for, and is enrolled in, the NJ FamilyCare Program established pursuant to P.L.2005, c.156 (C.30:4J-8 et seq.), or any woman age 18 or older who attests that she meets the eligibility requirements under the Medicaid New Jersey Care pregnant women program.

16

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 2545**

STATE OF NEW JERSEY

DATED: DECEMBER 14, 2009

The Senate Commerce Committee reports favorably, Senate Committee Substitute for Senate Bill No. 2545.

This substitute bill provides that the New Jersey Board of Dentistry shall require each person licensed as a dentist, as a condition for biennial registration, to complete a requisite number of credits of continuing dental education, as determined by the board. Under current law, dentists are required to complete 40 credits of continuing dental education, biennially, to renew their licenses.

The board may, in its discretion, delineate specific topics of dental education for any biennial renewal period or periods as core continuing dental education requirements that the board deems necessary to address developments in science or technology or particular issues or problems. The board shall provide notification of the specific topics and the registration periods to which those requirements apply by direct communication to licensees or through electronic media.

This bill also stipulates that the board may reduce the total number of credit hours of continuing dental education required during each biennial registration period for any dentist who provides voluntary dental services to certain eligible persons. These eligible persons include: (1) any person under the age of 19 whose parent or guardian attests that he meets the eligibility requirements for, and is enrolled in, the NJ FamilyCare Program established pursuant to P.L.2005, c.156 (C.30:4J-8 et seq.); (2) a child who is in the custody of the Division of Youth and Family Services in the Department of Children and Families; or (3) any person who attests that he meets the eligibility requirements for, and is enrolled in, the Medicaid program established pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.), the Pharmaceutical Assistance to the Aged and Disabled program established pursuant to P.L.1975, c.194 (C.30:4D-20 et seq.), or the Senior Gold Prescription Discount Program established pursuant to P.L.2001, c.96 (C.30:4D-43 et seq.).

This credit, in the form of a discretionary board waiver, shall be equal to one half-hour of continuing education credit for each hour of volunteer dental service rendered, up to one half of the continuing

education credits required by the board, provided that core continuing dental educational requirements, if any, shall not be waived for this purpose.

This substitute bill is identical to Senate Committee Substitute for Assembly Bill No. 3011 (1R), which is also reported by the committee today.

ASSEMBLY, No. 4370

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED JANUARY 4, 2010

Sponsored by:

Assemblyman VINCENT PRIETO

District 32 (Bergen and Hudson)

Assemblywoman CARIDAD RODRIGUEZ

District 33 (Hudson)

Co-Sponsored by:

Assemblyman Chivukula

SYNOPSIS

Concerns continuing education for dentists.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/12/2010)

1 AN ACT concerning continuing education for dentists and amending
2 and supplementing P.L.1991, c.490.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. (New section) For the purposes of P.L.1991, c.490 (C.45:6-
8 10.1 et seq.) and this 2009 amendatory and supplementary act:

9 “Core continuing dental education” means any minimum
10 continuing education hours in specified subjects determined by the
11 board that shall be completed to satisfy the biennial continuing
12 education requirement applicable to dentists pursuant to P.L.1991,
13 c.490 (C.45:6-10.1 et seq.).

14 “Eligible person” means: (1) any person under the age of 19
15 whose parent or guardian attests that he meets the eligibility
16 requirements for, and is enrolled in, the NJ FamilyCare Program
17 established pursuant to P.L.2005, c.156 (C.30:4J-8 et seq.); (2) a
18 child who is in the custody of the Division of Youth and Family
19 Services in the Department of Children and Families; or (3) any
20 person who attests that he meets the eligibility requirements for,
21 and is enrolled in, the Medicaid program established pursuant to
22 P.L.1968, c.413 (C.30:4D-1 et seq.), the Pharmaceutical Assistance
23 to the Aged and Disabled program established pursuant to P.L.1975,
24 c.194 (C.30:4D-20 et seq.), or the Senior Gold Prescription
25 Discount Program established pursuant to P.L.2001, c.96 (C.30:4D-
26 43 et seq.).

27 “Volunteer dental service” means dental care provided, without
28 charge, to an eligible person, or to a minor in a primary school,
29 secondary school, or other school setting, or to a patient through a
30 dental clinic as defined by section 1 of P.L.1951, c.199 (C.45:6-
31 15.1), in accordance with the standards, procedures, requirements,
32 and limitations as may be established by the board.

33

34 2. Section 1 of P.L.1991, c.490 (C.45:6-10.1) is amended to
35 read as follows:

36 1. The New Jersey State Board of Dentistry shall require each
37 person licensed as a dentist, as a condition for biennial registration
38 pursuant to R.S.45:6-10 and P.L.1972, c.108 (C.45:1-7), to
39 complete **[40]** a requisite number of credits of continuing dental
40 education , as [provided in] determined by the board pursuant to
41 section 2 of this act during each biennial registration period.

42 (cf: P.L.1991, c.490, s.1)

43

44 3. Section 2 of P.L.1991, c.490 (C.45:6-10.2) is amended to
45 read as follows:

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 2. a. The board shall:

2 (1) Establish standards for continuing dental education,
3 including the subject matter and content of courses of study, and
4 may establish any core continuing dental educational requirements
5 pursuant to subsection c. of this section that all licensees shall
6 complete as a condition of biennial licensure;

7 (2) Accredite educational and other programs offering credit
8 towards the continuing dental education requirements; and

9 (3) Accredite other equivalent educational programs, including,
10 but not limited to, meetings of constituents and components of
11 dental professional associations recognized by the board,
12 examinations, papers, publications, scientific presentations,
13 teaching and research appointments, table clinics and scientific
14 exhibits, and shall establish procedures for the issuance of credit
15 upon satisfactory proof of the completion of these programs.

16 b. In the case of education courses or programs, each hour of
17 instruction shall be equivalent to one credit.

18 c. The board may, in its discretion, delineate specific topics of
19 dental education for any biennial renewal period or periods as core
20 continuing dental education requirements that the board deems
21 necessary to address developments in science or technology or
22 particular issues or problems. The board shall provide notification
23 of the specific topics and the registration periods to which those
24 requirements apply by direct communication to licensees or through
25 electronic media.

26 (cf: P.L.1991, c.490, s.2)

27
28 4. Section 3 of P.L.1991, c.490 (C.45:6-10.3) is amended to
29 read as follows:

30 3. The board may:

31 a. Establish procedures for monitoring compliance with the
32 continuing dental education requirements; and

33 b. Establish procedures to evaluate and grant approval to
34 providers of continuing dental education courses and programs.

35 (cf: P.L.1991, c.490, s.3)

36
37 5. Section 4 of P.L.1991, c.490 (C.45:6-10.4) is amended to
38 read as follows:

39 4. a. The board may in its discretion, waive requirements for
40 continuing dental education on an individual basis for reasons of
41 hardship such as illness or disability, retirement of the license, or
42 other good cause.

43 b. The board may, in its discretion, waive up to one half of the
44 biennial continuing dental education requirements for a licensee
45 who renders volunteer dental services to eligible persons, provided
46 that core continuing dental educational requirements, if any, shall
47 not be waived for this purpose; and one half-hour of one continuing

1 dental education credit hour shall be waived for each hour of
2 volunteer dental service.

3

4 6. This act shall take effect on the first day of the seventh
5 month next following enactment, but the New Jersey State Board of
6 Dentistry may take any anticipatory administrative action in
7 advance thereof as shall be necessary for the implementation of this
8 act.

9

10

11

STATEMENT

12

13 This bill provides that the New Jersey Board of Dentistry shall
14 require each person licensed as a dentist, as a condition for biennial
15 registration, to complete a requisite number of credits of continuing
16 dental education, as determined by the board. Under current law,
17 dentists are required to complete 40 credits of continuing dental
18 education, biennially, to renew their licenses.

19 The board may, in its discretion, delineate specific topics of
20 dental education for any biennial renewal period or periods as core
21 continuing dental education requirements that the board deems
22 necessary to address developments in science or technology or
23 particular issues or problems. The board shall provide notification
24 of the specific topics and the registration periods to which those
25 requirements apply by direct communication to licensees or through
26 electronic media.

27 This bill also stipulates that the board may reduce the total
28 number of credit hours of continuing dental education required
29 during each biennial registration period for any dentist who
30 provides voluntary dental services to certain eligible persons.
31 These eligible persons include: (1) any person under the age of 19
32 whose parent or guardian attests that he meets the eligibility
33 requirements for, and is enrolled in, the NJ FamilyCare Program
34 established pursuant to P.L.2005, c.156 (C.30:4J-8 et seq.); (2) a
35 child who is in the custody of the Division of Youth and Family
36 Services in the Department of Children and Families; or (3) any
37 person who attests that he meets the eligibility requirements for,
38 and is enrolled in, the Medicaid program established pursuant to
39 P.L.1968, c.413 (C.30:4D-1 et seq.), the Pharmaceutical Assistance
40 to the Aged and Disabled program established pursuant to P.L.1975,
41 c.194 (C.30:4D-20 et seq.), or the Senior Gold Prescription
42 Discount Program established pursuant to P.L.2001, c.96 (C.30:4D-
43 43 et seq.).

44 This credit, in the form of a discretionary board waiver, shall be
45 equal to one half-hour of continuing education credit for each hour
46 of volunteer dental service rendered, up to one half of the
47 continuing education credits required by the board, provided that

A4370 PRIETO, RODRIGUEZ

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- 1 core continuing dental educational requirements, if any, shall not be
- 2 waived for this purpose.

ASSEMBLY REGULATED PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4370

STATE OF NEW JERSEY

DATED: JANUARY 4, 2010

The Assembly Regulated Professions Committee reports favorably, Assembly Bill No. 4370.

This bill provides that the New Jersey Board of Dentistry shall require each person licensed as a dentist, as a condition for biennial registration, to complete a requisite number of credits of continuing dental education, as determined by the board. Under current law, dentists are required to complete 40 credits of continuing dental education, biennially, to renew their licenses.

The board may, in its discretion, delineate specific topics of dental education for any biennial renewal period or periods as core continuing dental education requirements that the board deems necessary to address developments in science or technology or particular issues or problems. The board shall provide notification of the specific topics and the registration periods to which those requirements apply by direct communication to licensees or through electronic media.

This bill also stipulates that the board may reduce the total number of credit hours of continuing dental education required during each biennial registration period for any dentist who provides voluntary dental services to certain eligible persons. These eligible persons include: (1) any person under the age of 19 whose parent or guardian attests that he meets the eligibility requirements for, and is enrolled in, the NJ FamilyCare Program established pursuant to P.L.2005, c.156 (C.30:4J-8 et seq.); (2) a child who is in the custody of the Division of Youth and Family Services in the Department of Children and Families; or (3) any person who attests that he meets the eligibility requirements for, and is enrolled in, the Medicaid program established pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.), the Pharmaceutical Assistance to the Aged and Disabled program established pursuant to P.L.1975, c.194 (C.30:4D-20 et seq.), or the Senior Gold Prescription Discount Program established pursuant to P.L.2001, c.96 (C.30:4D-43 et seq.).

This credit, in the form of a discretionary board waiver, shall be equal to one half-hour of continuing education credit for each hour of volunteer dental service rendered, up to one half of the continuing education credits required by the board, provided that core continuing

dental educational requirements, if any, shall not be waived for this purpose.