

SENATE GOVERNMENT AND VETERANTS AFFAIRS
MARCH 12, 2021 | ROOM JW216 | 9:30 AM

TESTIMONY OF
NORTH DAKOTA BOARD OF DENTAL EXAMINERS
HOUSE BILL 1166 - OPPOSED

Good Morning Chairman Kasper and Members of the Committee,

My name is Rita Sommers, and I serve as the Executive Director of the North Dakota Board of Dental Examiners. The language in the bill is very concerning to the NDBDE for the following reasons:

1. The language indicates that a foreign practitioner who lives in North Dakota must be given a “provisional” license. The Board has rules allowing temporary licensure for an applicant who demonstrates competency in the occupation of dentistry. The language in HB 1166 would essentially require full ND licensure of a foreign practitioner based on licensing decisions of another entity without consideration of any pending disciplinary actions in the jurisdiction in which they practice. This is not an uncommon circumstance. The language in HB 1166 may potentially require the Board’s licensure of a dentist who is, or expects to be, at risk due to a pending disciplinary action in another jurisdiction.
2. The language may jeopardize the NDBDE’s ability to sufficiently investigate the background of the applicant. Each state must provide their own due diligence in their charge to protect the citizens of ND.
3. While the intent of HB 1166 is evident and may be a good fit for other occupational boards, a temporary license is not granted without risk to the public if the Board does not review the applicant’s credentials, complete background checks and require applicants to sit for the jurisprudence examination. Candidates can now sit for the exam in front of their own computer and results are immediate. The jurisprudence examination provides a level of assurance that applicants understand administrative rules governing North Dakota practitioners. Each state is unique in its administrative rules related to duties for practitioners who work under the direction of the dentist. Anyone granted any sort of

license, temporary, provisional or permanent should know and understand North Dakota's rules pertaining to dentistry.

4. Since the last legislative session we have focused on expediting our licensing process and have removed the requirement that dentists go through a credentialing agency. Rather, the Board now completes most of the leg work required for the license by a credentialing process, removing weeks and sometimes months from the application process. Once the background checks are complete and the applicant has produced the required credentials, the applicant's license is expedited due to elimination of variables which can delay the process. The Board has not diminish other licensing requirements in other ways (e.g., license verification, evidence of testing requirements, accredited education, etc.). The NDBDE does not delegate its responsibility to assure minimal competency or rely on the assessment from other entities/states and remains diligent in its processes.

5. The Board issues temporary licenses to individuals who demonstrate all North Dakota requirements have been substantially met based on rules that indicate those requirements. The language in 1166 is problematic as a result of the conflicting and vague information the bill proposes compared to NDBDE's existing rules.

Therefore, the NDBDE urges this committee to DO NOT PASS HB 1166. Alternatively, please remove the ND Board of Dental Examiners from the language in this bill on page 3, line 23, and page 4, line 6.

Subsequent to the 2019 session and legislative efforts to facilitate licensure for military and military spouses, the ND Board of Dental Examiners has provided foreign practitioners who indicated they are military spouses or members of the military the swiftest possible licensing process without compromising the statutory and administrative safeguards in place to ensure practitioners are appropriately educated and have met minimal requirements of requisite examination.

Thank you for the opportunity to discuss the NDBDE's concerns, and I would be pleased to answer any questions.