

CHAPTER 314
FORMERLY
SENATE BILL NO. 146

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF DENTISTRY AND DENTAL HYGIENE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1, Amend Title 24, Chapter 11 of the Delaware Code as follows:

§ 1122 Qualifications of applicant; report to Attorney General; judicial review.

(c) All applicants shall have complied with the following conditions:

(4) Shall not have a criminal conviction for a crime substantially related to the practice of dentistry or dental hygiene. After a hearing or review of documentation demonstrating that the applicant meets the specified criteria for a waiver, the Board, by an affirmative vote of a majority of the quorum, may waive this paragraph (c)(4), if it finds all of the following:

(5) Shall not have engaged in any of the acts or offenses that would be grounds for disciplinary action under this chapter, and shall not have been the recipient of any administrative penalties regarding that applicant's practice as a dentist or dental hygienist, including but not limited to fines, formal reprimands, license suspensions or revocation, (except for license revocations for nonpayment of license renewal fees), probationary limitations, nor entered into any consent agreements which contain conditions placed by a Board on that applicant's professional conduct and practice, including any voluntary surrender of a license. The Board may determine after a hearing or review of documentation whether such administrative penalty is grounds to deny licensure.

Section 2, Amend Title 24, Chapter 11 of the Delaware Code as follows:

§ 1126 Issuance and renewal of licenses; replacement of licenses.

(e) All individuals licensed under this chapter, upon written request, may be placed in an inactive status in accordance with the Board's rules and regulations. Such individual may reenter practice upon written notification to the Board of the intent to do so and completion of continuing education as required in the Board's rules and regulations. The Board may establish by regulation provisions for resuming active status.

(f) All licenses issued under this chapter shall be displayed in view of the public in the place of business of the licensee.

(g) A new license to replace any license lost, destroyed or mutilated may be issued by the Division of Professional Regulations. A charge shall be made for such issuance.

Approved July 19, 2016