

§ 34-9-10. Application for license; qualifications of applicants; licensing of persons in other states.

- (a) Every person who desires to practice dentistry within the State of Alabama shall file an application prescribed by the board. Notwithstanding the method of obtaining licensure or any particular requirement set forth herein, every person as a prerequisite to licensure must be at least 19 years of age, of good moral character, a citizen of the United States or, if not a citizen of the United States, a person who is legally present in the United States with appropriate documentation from the federal government, a graduate of a dental school or college accredited by the American Dental Association Commission on Dental Accreditation and approved by the board and must satisfy any other requirement set forth in any rule adopted by the board.
- (b) Licensure by examination shall be applicable to the following categories:
 - (1) Those individuals who have never been licensed or taken an examination and whose application to take an examination administered or approved by the board is received by the board within 18 months of graduation from dental school.
 - (2) Those individuals who have successfully passed an examination approved but not administered by the board so long as an application for licensure is received by the board within 18 months of the date of notification of passing such examination. All applicants shall pay a fee which shall accompany the application.
- (c) Any individual who possesses a current license in any state, who has passed an examination approved by the board and who has, since graduation from dental school, practiced or participated in a clinical residency or practiced dentistry in the Armed Forces or with the public health service shall be eligible for licensure if an application is received by the board within 18 months of the completion of the subject residency or Armed Forces or public health service commitment. All the above applicants shall pay a fee which shall accompany the application.
- (d) Licensure by credentials may be utilized to evaluate the theoretical knowledge and clinical skill of a dentist or dental hygienist when an applicant for licensure by credentials holds a dental or dental hygiene license in another state. The board may promulgate rules and regulations relating to licensure by credentials, in addition to any requirements by law. An applicant for licensure by credentials must meet all of the following:
 - (1) The dentist or dental hygienist must have been engaged in the active practice of clinical dentistry or clinical dental hygiene or in full-time dental or dental hygiene education for the five years or 5000 hours immediately preceding their application.
 - (2) The applicant must hold a current, valid, unrevoked, and unexpired license in a state having examination standards regarded by the Board of Dental Examiners of Alabama as an equivalent to the Alabama standards.
 - (3) The board of examiners in the state of current practice must verify or endorse that the applicant's license is in good standing without restrictions.
 - (4) The dentist or dental hygienist must not be the subject of a pending disciplinary action in any state in which the individual has been licensed which shall be verified by a query to the National Practitioner Data Bank, the Health Integrity Protection Data Bank, the American Association of Dental Examiners Clearing House for Disciplinary Information or any other pertinent bank currently existing or which may exist in the future.
 - (5) The applicant must provide a written statement agreeing to be interviewed at the request of the board.
 - (6) The individual must successfully pass a written jurisprudence examination.
 - (7) There must be certification from the United States Drug Enforcement Administration and from the state board of any state in which the applicant is or has been licensed that the DEA registration is not the subject of any pending disciplinary action or enforcement proceeding of any kind.
 - (8) The applicant must submit affidavits from two licensed dentists or two licensed dental hygienists practicing in the same geographical area where the applicant currently is practicing or teaching attesting to the applicant's moral character, standing, and ability.
 - (9) The applicant must provide the board with an official transcript with the school of dentistry or school of dental hygiene which issued the applicant's professional degree or execute a request and authorization allowing the board to obtain the transcript.

- (10) The applicant must be a graduate of a dental or dental hygiene school, college, or educational program approved by the board.
- (11) The applicant must not be the subject of any pending or final action from any hospital revoking, suspending, limiting, modifying, or interfering with any clinical or staff privileges.
- (12) The applicant must not have been convicted of a felony or misdemeanor involving moral turpitude or of any law dealing with the administering or dispensing of legend drugs, including controlled substances.
- (13) The board may consider or require other criteria including, but not limited to any of the following:
 - a. Questioning under oath.
 - b. Results of peer review reports from constituent dental societies or federal dental services.
 - c. Substance abuse testing or treatment.
 - d. Background checks for criminal or fraudulent activities.
 - e. Participation in continuing education.
 - f. A current certificate in cardiopulmonary resuscitation.
 - g. Recent case reports or oral defense of diagnosis and treatment plans.
 - h. Proof of no physical or psychological impairment that would adversely affect the ability to practice dentistry or dental hygiene with reasonable skill and safety.
 - i. An agreement to initiate practice within the State of Alabama within a period of one year.
 - j. Proof of professional liability coverage and that coverage has not been refused, declined, cancelled, non-renewed, or modified.
 - k. Whether the applicant has been subject to any final disciplinary action in any state in which the individual has been licensed which shall be verified by a query in the National Practitioner Data Bank, the Health Integrity Protection Databank, the American Association of Dental Examiners Clearing House for Disciplinary Information, any state where the applicant has been licensed, or any other pertinent bank currently existing or which may exist in the future.
 - l. Whether the applicant's DEA registration or any state controlled substances permit has ever been revoked, suspended, modified, restricted, or limited in any way. Provided, however, that any discipline that results only from a failure to timely renew a registration or permit shall not prevent an applicant from being eligible for this method of licensure.
- (14) If all criteria and requirements are satisfied and the board determines, after notice and hearing, that the individual committed fraud or in any way falsified any information in the application process, the license may be revoked by the board.
- (15) In addition to the requirements for applicants seeking licensure by credentials, an applicant desiring to practice a specialty only, must meet the following requirements:
 - a. The specialty must be one in a branch of dentistry approved by the American Dental Association.
 - b. The applicant must meet the existing educational requirements and standards set forth by the American Dental Association for that approved specialty.
 - c. An applicant who chooses to announce or practice a specialty must limit his or her practice exclusively to the announced special area or areas of dental practice.
 - d. If an applicant who is initially licensed by credentials for a specialty practice decides to renounce his or her specialty and practice general dentistry, and the license originally issued did not require a general dental license but rather a specialty license, or the application originally passed only a specialty examination, the applicant would not be allowed to practice general dentistry until he or she successfully passed the board's regular general dentistry examination. However, if the applicant has passed a general dentistry examination or has a general dentistry license, was practicing a specialty and

decides not to continue that specialty and practice only general dentistry, this applicant is eligible for licensure by credentials as a general dentist.

(e) Notwithstanding the provisions of subsection (a), the board shall issue a special purpose license to practice dentistry across state lines to an applicant who has met the following requirements:

(1) The applicant holds a full and unrestricted license to practice dentistry in any state of the United

States or in territories, other than the State of Alabama, in which the individual is licensed.

(2) The applicant has not had any disciplinary action or other action taken against him or her by any state or licensing jurisdiction. If there has been previous disciplinary or other action taken against the applicant, the board may issue a certificate of qualification if it finds that the previous disciplinary or other action indicates that the dentist is not a potential threat to the public.

(3) The applicant submits an application for a certificate of qualification for a special purpose license to practice dentistry across state lines on a form provided by the board, and remits an application fee in an amount established by the board and shall pay a fee.

(f) A special purpose license issued by the board to practice dentistry across state lines limits the licensee solely to the practice of dentistry across state lines. The special purpose license shall be valid for a period of three years, shall expire on a renewal date established by the board in the third calendar year after its issuance, and may be renewed upon receipt of a renewal fee as established by the board. Failure to renew a license according to the renewal schedule established by the board shall result in the automatic revocation of the special purpose license to practice dentistry across state lines. An applicant may reapply following automatic revocation for failure to renew. The applicant shall meet the qualifications of subsection (e) in order to be eligible for renewal of the license.

(g) Notwithstanding the provisions of this section, the board shall only issue a special purpose license to practice dentistry across state lines to an applicant whose principal practice location and license to practice are located in a state or territory of the United States whose laws permit or allow for the issuance of a special purpose license to practice dentistry across state lines or similar license to a dentist whose principal practice location and license are located in another state. It is the stated intent of this section that dentists who hold a full and current license in the State of Alabama be afforded the opportunity to obtain, on a reciprocal basis, a license to practice dentistry across state lines in any other state or territory of the United States as a precondition to the issuance of a special purpose license as authorized by this section to a dentist licensed in the other state or territory. The board shall determine which states or territories have reciprocal licensure requirements meeting the qualifications of this section.

(h) Any individual who does not qualify for licensure pursuant to any of the above subsections but who has passed an examination approved by the board and possesses a current license in another state is eligible to apply for licensure in another state is eligible to apply for licensure upon payment of a fee. The board shall have discretion whether to require an examination for any such individual, including the time, place, type, and content of any such examination.

(i) A current license shall mean one in good standing authorizing the individual to practice in the state of issuance.