

§18433. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2023, c. 664, §1 (NEW).]

1. Active military member. "Active military member" means an individual with full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserves of the United States Armed Forces on active duty orders.
[PL 2023, c. 664, §1 (NEW).]

2. Adverse action. "Adverse action" means any administrative, civil, equitable or criminal action permitted by a state's laws that is imposed by a licensing board or other authority against a dental or dental hygienist license, license application or privilege to practice, such as a license denial, censure, revocation, suspension, probation, monitoring of the licensee or restriction on the licensee's practice.
[PL 2023, c. 664, §1 (NEW).]

3. Alternative program. "Alternative program" means a nondisciplinary monitoring or practice remediation process applicable to a dentist or dental hygienist approved by a state licensing authority of a participating state in which the dentist or dental hygienist is licensed, including, but not limited to, programs to which licensees with substance use disorder or addiction issues are referred in lieu of adverse action.
[PL 2023, c. 664, §1 (NEW).]

4. Clinical assessment. "Clinical assessment" means an examination or process, required for licensure as a dentist or dental hygienist as applicable, that provides evidence of clinical competence in dentistry or dental hygiene.
[PL 2023, c. 664, §1 (NEW).]

5. Commissioner. "Commissioner" means the individual appointed by a participating state to serve as the member of the commission for that participating state.
[PL 2023, c. 664, §1 (NEW).]

6. Compact. "Compact" means the Dentist and Dental Hygienist Compact enacted in this subchapter.
[PL 2023, c. 664, §1 (NEW).]

7. Compact privilege. "Compact privilege" means the authorization granted by a remote state to allow a licensee from another participating state to practice as a dentist or dental hygienist in a remote state.
[PL 2023, c. 664, §1 (NEW).]

8. Continuing professional development. "Continuing professional development" means a requirement, as a condition of license renewal to provide evidence of successful participation in educational or professional activities relevant to practice or area of work.
[PL 2023, c. 664, §1 (NEW).]

9. Criminal background check. "Criminal background check" means the submission of fingerprints or other biometric-based information for a license applicant for the purpose of obtaining that applicant's criminal history record information, as defined in 28 Code of Federal Regulations, Section 20.3(d), from the state's criminal history record repository, as defined in 28 Code of Federal Regulations, Section 20.3(f).
[PL 2023, c. 664, §1 (NEW).]

10. Data system. "Data system" means the commission's repository of information about licensees, including, but not limited to, examination, licensure, investigative, compact privilege, adverse action and alternative program information.
[PL 2023, c. 664, §1 (NEW).]

11. Dental hygienist. "Dental hygienist" means an individual who is licensed by a state licensing authority to practice dental hygiene.

[PL 2023, c. 664, §1 (NEW).]

12. Dentist. "Dentist" means an individual who is licensed by a state licensing authority to practice dentistry.

[PL 2023, c. 664, §1 (NEW).]

13. Dentist and Dental Hygienist Compact Commission. "Dentist and Dental Hygienist Compact Commission" or "commission" means a joint government agency established by this compact comprised of each state that has enacted the compact and a national administrative body comprised of a commissioner from each state that has enacted the compact.

[PL 2023, c. 664, §1 (NEW).]

14. Encumbered license. "Encumbered license" means a license that a state licensing authority has limited in any way other than through an alternative program.

[PL 2023, c. 664, §1 (NEW).]

15. Executive board. "Executive board" means the chair, vice-chair, secretary and treasurer and any other commissioners as may be determined by commission rules or bylaws.

[PL 2023, c. 664, §1 (NEW).]

16. Jurisprudence requirement. "Jurisprudence requirement" means the assessment of an individual's knowledge of the laws and rules governing the practice of dentistry or dental hygiene, as applicable, in a state.

[PL 2023, c. 664, §1 (NEW).]

17. License. "License" means the current authorization by a state other than authorization pursuant to a compact privilege, or other privilege, for an individual to practice dentistry or dental hygiene, as applicable, in a state.

[PL 2023, c. 664, §1 (NEW).]

18. Licensee. "Licensee" means an individual who holds an unrestricted license from a participating state to practice as a dentist or dental hygienist in that state.

[PL 2023, c. 664, §1 (NEW).]

19. Licensing board. "Licensing board" means any state entity authorized to license and otherwise regulate dentists or dental hygienists, as applicable, in a state.

[PL 2023, c. 664, §1 (NEW).]

20. Model compact. "Model compact" means the model for the Dentist and Dental Hygienist Compact on file with the Council of State Governments, or its successor organization, or other entity designated by the commission.

[PL 2023, c. 664, §1 (NEW).]

21. Participating state. "Participating state" means a state that has enacted the compact and been admitted to the commission in accordance with this subchapter and commission rules.

[PL 2023, c. 664, §1 (NEW).]

22. Qualifying license. "Qualifying license" means a license that is not an encumbered license issued by a participating state to practice dentistry or dental hygiene.

[PL 2023, c. 664, §1 (NEW).]

23. Remote state. "Remote state" means a participating state where a licensee who is not licensed as a dentist or dental hygienist is exercising or seeking to exercise the compact privilege.

[PL 2023, c. 664, §1 (NEW).]

24. Rule. "Rule" means a regulation promulgated by an entity that has the force of law.

[PL 2023, c. 664, §1 (NEW).]

25. Scope of practice. "Scope of practice" means the procedures, actions and processes a dentist or dental hygienist licensed in a state is permitted to undertake in that state and the circumstances under which the licensee is permitted to undertake those procedures, actions and processes. Such procedures, actions and processes and the circumstances under which they may be undertaken may be established through means, including, but not limited to, statute, regulations, case law and other processes available to the state licensing board or other government agency.

[PL 2023, c. 664, §1 (NEW).]

26. Significant investigative information. "Significant investigative information" means information, records and documents received or generated by a state licensing authority pursuant to an investigation for which a determination has been made that there is probable cause to believe that the licensee has violated a statute or regulation that is considered more than a minor infraction for which the state licensing authority could pursue adverse action against the licensee.

[PL 2023, c. 664, §1 (NEW).]

27. State. "State" means any state, commonwealth, district or territory of the United States of America that regulates the practices of dentistry and dental hygiene.

[PL 2023, c. 664, §1 (NEW).]

28. State licensing authority. "State licensing authority" means an agency or other entity of a state that is responsible for the licensing and regulation of dentists or dental hygienists.

[PL 2023, c. 664, §1 (NEW).]

SECTION HISTORY

PL 2023, c. 664, §1 (NEW).

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