



North Dakota State Board of Dental Examiners

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House Industry, Business, and Labor Committee

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State Capitol; Room 327C

Testimony of the North Dakota State Board of Dental Examiners

In Support of SB 2217

I. Introduction and Background

Chairman Warrey and members of the House Industry, Business, and Labor Committee, my name is David Schaibley—Executive Director of the North Dakota State Board of Dental Examiners. I am here today providing the Dental Board’s testimony on SB 2217. Through this Bill, which the Board put together with input from many stakeholders and the valuable support and sponsorship of Senator Cleary, the Board proposes changes to North Dakota Century Code chapters 43-20 and 43-28—the statutes related to the practice of dentistry.

As with nearly all professions and sectors of the economy, dental offices are struggling to find enough employees. This places a great deal of stress on their small businesses, their staff, and on patients—who experience longer wait times for appointments. Board members feel the impact of these constraints on a daily basis because they own dental offices, and they work as dentists, hygienists, and assistants. They don’t lose sight of that when stepping into their role on the Board—where they are obligated to regulate dentistry in ways that assure safe, quality dental care.

Board members also recognize that over the last several sessions, legislators have directed all licensing boards to thoroughly assess their laws to determine if any statutes or rules might be unnecessarily exacerbating workforce shortages and to ensure the laws are updated and effective.

As a result, even before the 2023 Legislative Session ended the Dental Board began extensive outreach to state associations, our licensees, fellow licensing boards and state agencies, academicians, and others to gather perspectives on our laws. With

that broad input in hand, the Board studied each statute and rule within its authority to assess whether they regulate only as far as necessary, and whether any might be modified or eliminated—while still ensuring safe, quality patient care.

Through that review the Board identified scores of possible changes in both statute and rule. It then promptly initiated rulemaking in early 2024. Examples of those new rules are ones allowing dental assistants to safely carry out substantially more tasks than previously allowed, creating new categories of assistants, and creating new pathways to licensure. Those new rules took effect on October 1, 2024, and had an immediate and very positive impact on workforce and allowed dental offices to treat more patients on a daily basis. A considerable amount of supportive testimony in the record confirms that impact.

During the same time that the Board was engaged in rulemaking, it was also assessing its two chapters of Century Code to determine if changes could be made there. This Bill is the result of that nearly two-year process.

II. Key Changes

My testimony will first highlight what the Board and many others consider to be the most imperative and impactful changes. Those are:

1. Implementing language that will allow the Board to make use of an existing statute related to professional health programs. P12; L17-24.
2. Confirming the Board's power to issue volunteer licenses to retired dentists and hygienists. P5; L5-8 and P13; L10-13.
3. Clarifying a streamlined pathway to licensure for those who hold licenses issued by other states. P15; L1-5.
4. Allowing hygienists to administer local anesthetic to minors. P7; L27-31.
5. Revising conflicting language in the section regulating Board member appointment. P10; L5 through P11; L14.
6. Following state open records law as to the quantity of a quorum. P11; L20-21.

7. Strengthening the language that allows patients to timely receive their dental records, and the ability of the Board to discipline dentists for failure to timely provide the records. P17: L23 through P 18; L3.

With those points highlighted, I am prepared to walk through each section and describe every change the Bill seeks. I recognize, however, that there are scores of changes and you have limited time. So at this point, I'll pause and welcome any questions, and if there are specific sections you would like me to address, I will focus on those areas.

III. Conclusion

In conclusion I will share that the Board anticipates that passage of this Bill will have a positive impact on workforce and on the Board's operational efficiencies, while not risking patient safety or reducing the quality of care. Benefits will include:

- Applicants for licensure will be approved more quickly and having more pathways to the workforce.
- Dental offices will be able to more readily hire licensed professionals.
- Dentists will be able to confidentially participate in a professional health care program, thus increasing the likelihood they will remain healthy, and their small businesses will remain in operation.
- Patients will benefit because these changes are being proposed in ways that continue to ensure patient safety, and patients will experience shorter wait times and be able to obtain their dental records more quickly.
- All dental professionals and patients will benefit from administrative changes that are expected to increase Board efficiencies—allowing the Board to more effectively serve the public and the dental community.

The Board greatly appreciates your time and consideration of these proposed changes, and welcomes any questions. Thank you.

Prepared and Presented by:

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