

HOUSE BILL NO.

Introduced by

Representative Glassheim

1 A BILL for an Act to create and enact a new section to chapter 43-28 of the North Dakota
2 Century Code, relating to volunteer dentists for low-income patients.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 43-28 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Volunteer dentists - Liability limited.**

- 7 1. Notwithstanding any other provision of law, the board may issue a special license
8 to an individual who is fully retired from the practice of dentistry and who before
9 retirement maintained full licensure in good standing in dentistry in this state. The
10 practice of dentistry by a special licensee is limited to the practice of dentistry in the
11 noncompensated employ of a board-approved entity that is a public agency or
12 institution or a not-for-profit organization, provides dentistry services at no cost to
13 indigent patients, and is located in an area of the state which is underserved by
14 dentists or which is located in a critical need population area of the state, as
15 determined by the board. A board-approved entity under this section may not
16 charge any patient for dental services.
- 17 2. An applicant for a special license under this section shall submit to the board a
18 notarized statement from the board-approved employing entity on a form
19 prescribed by the board, whereby the applicant agrees not to accept compensation
20 for any dentistry services the applicant may render while in possession of the
21 special license. The board may waive application and licensure fees for special
22 licensees under this section. A special license is valid for no more than one year.
23 If an applicant for a special license is not in compliance with the continuing

1 education requirements under this chapter, the special license is nonrenewable
2 and is valid for no more than six months.

3 3. A special licensee under this section may not be held liable in any personal injury
4 or other civil action for any act or omission for dental services provided within the
5 scope of practice if the services are provided in accordance with the limitations of a
6 special license unless the special licensee's acts or omissions constituted
7 intentional misconduct or gross negligence. A board-approved entity under this
8 section may not be held liable in any personal injury or other civil action for any act
9 or omission related to the rendering of free dental services as provided under this
10 section unless the entity's act or omission constituted intentional misconduct or
11 gross negligence.