

DEPARTMENT OF REGULATORY AGENCIES

Board of Dental Examiners Colorado Dental Board

DENTISTS & DENTAL HYGIENISTS

3 CCR 709-1

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

Rule I. Definitions

(Amended December 2, 2002; Amended and Re-numbered November 2, 2011, Effective December 30, 2011; Amended January 22, 2015, Effective March 30, 2015)

- A. Unless otherwise noted, all statutory references are to C.R.S. the Colorado Revised Statutes (C.R.S.) 12-12-35-101, et seq., as amended.
- B. The Board hereby incorporates by references all definitions as contained in section 12-12-35-103, C.R.S., as amended.
- C. "Regularly announced office location" as specified in CRS-section 12-35-128(3)(d)(II), C.R.S., means those offices of which a dentist or a dental hygienist is the proprietor and in which he or she regularly practices dentistry or dental hygiene. This may include the occasional practice in other health care facilities such as hospitals, nursing homes, and/or other facilities under the jurisdiction of the Colorado Department of Public Health and Environment.
- D. "Regularly" means fixed intervals or periods or as stated in Rule I.C.
- E. "Certify or Certification" means to declare in writing on the patient's record.
- F. "Doctor's Office Notes" as used in C.R.S-section 25-1-802, C.R.S., and applied to dental and dental hygiene practice means a separate record within the patient's file that does not contain anything that relates to or constitutes diagnosis, treatment plan, radiograph interpretation, treatment progress or outcome. All such clinical information is considered the treatment record or progress notes.
- G. "Local Therapeutic Agents" as used in these rules means any agent approved for use by the FDA utilized in controlled drug delivery systems in the course of periodontal pocket treatment.
- H. "Unprofessional Conduct" as used in section 12-35-129.2(5), C.R.S., means any cause that is considered grounds for disciplinary action pursuant to sections 12-35-129(1) and 24-34-110, C.R.S.

Comment [MXM1]: HPPP requirements. Rather than addressing in a separate rule as previously recommended, cover it here and then further educate on those requirements through a policy.

Rule II. Financial Responsibility Exemptions

(Amended December 2, 2002; Amended and Re-numbered November 2, 2011, Effective December 30, 2011; Amended January 22, 2015, Effective March 30, 2015)

Financial liability requirements pursuant to sections 13-64-301(1)(a), C.R.S., and 12-35-127(4)141, C.R.S., do not apply to dentists and dental hygienists who are public employees of the state of Colorado under the Colorado Governmental Immunity Act, as well as the following:

- A. A dentist or dental hygienist who performs dental services exclusively as an employee of the United States government.
- B. A dentist or dental hygienist who holds an inactive license.
- C. A dentist or dental hygienist who holds a retired license.
- D. A dentist who holds an active license and does not engage in any patient care within Colorado or any of the acts as defined by C.R.S. 12-35-103(5) and 12-35-113, including but not limited to the prescribing of medications, diagnosis, and development of a treatment plan, or a dental hygienist who holds an active license and does not engage in any patient care within Colorado or any of the acts as defined by C.R.S. 12-35-103(4), 12-35-103(4.5), 12-35-124, 12-35-125, and 12-35-128.
- E. A dentist or dental hygienist who provides uncompensated dental care and who does not otherwise engage in any compensated patient care whatsoever.

Rule III. Licensure of Dentists and Dental Hygienists

(Amended December 2, 2002; Amended on Emergency Basis July 7, 2004; Re-Promulgated August 11, 2004; Amended April 22, 2009; Amended October 21, 2009, Effective December 30, 2009; Amended November 2, 2011, Effective December 30, 2011; Amended January 22, 2015, Effective March 30, 2015)

A. General Requirements for ~~Dentists and Dental Hygienists~~ Licensees and Applicants

- 1. Any person who practices or offers or attempts to practice dentistry or dental hygiene without an active license issued under the Dental Practice Law of Colorado or Board Rules commits a class 2 misdemeanor for the first offense and a class 6 felony for the second or any subsequent offense.

2. As a requirement of practicing dentistry or dental hygiene in Colorado, all applicants and licensees are required to have current Basic Life Support (BLS) for healthcare providers.

3. Any notification by the Board to a licensee or applicant, required or permitted, under section 12-35-101 et seq., C.R.S. or the State Administrative Procedure Act, found at section 24-4-101 et seq., C.R.S., shall be served personally or by first class mail to the last address of record provided in writing to the Board. Service by mail shall be deemed sufficient and proper upon a licensee or applicant.

Licensees

4. a. If a dentist, including an academic one, or dental hygienist has a long-term (more than 90 days) physical illness/ condition, or a debilitating mental illness/condition that renders the licensee unable to practice dentistry or dental hygiene with reasonable skill and safety to patients, the licensee shall notify the Board of the illness or condition within 30 days and submit, within 60 days, a letter from his/her treating medical or mental health provider describing:

- i. The condition(s).
- ii. The impact on his/her ability to practice safely, and
- iii. Any applicable limitation(s) to such practice.

Comment [MXM2]: I have addressed this requirement here as discussed, but it may be best to require it as part of continuing education.

b. If a licensee has entered into a voluntary rehabilitation contract with the Board's peer health assistance program, then the licensee is not required to report the applicable condition as long as it is being managed and treated.

c. The Board may require the licensee to submit to an examination to evaluate the extent of the illness or condition and its impact on the licensee's ability to practice with reasonable skill and safety to patients, and the Board may enter into a non-disciplinary confidential agreement with the licensee in which he or she agrees to limit his or her practice based on any restrictions imposed by the illness or condition, as determined by the Board. A licensee found to be habitually abusing or excessively using alcohol, a habit-forming drug, or a controlled substance is not eligible to enter into a confidential agreement.

5. If a dentist, including an academic one, is arrested for a drug or alcohol related offense, the dentist shall refer himself or herself to the Board's peer health assistance program within 30 days after the arrest for an evaluation and referral for treatment as necessary. If the dentist self refers, the evaluation by the program is confidential and cannot be used as evidence in any proceedings other than before the Board.

5. If a licensee with a current registration issued by the Drug Enforcement Administration (DEA) fails to register and maintain a user account with the Prescription Drug Monitoring Program (PDMP) pursuant to section 12-42.5-403(1.5)(a), C.R.S., then such failure constitutes a violation of section 12-35-129(1)(j), C.R.S.

Comment [MXM3]: I recommend moving this to Rule IX and addressing it then when we work on the next batch of rules, which will include Rule IX.

26. Change of name and address

a. A licensee shall inform the Board in clear, explicit, and unambiguous written statement of any name or business address change within 30 days of the change. The Board will not change the licensee's information without explicit written notification from the licensee. Notification by fax or email is acceptable.

i. The Division of Registrations Professions and Occupations maintains one contact address for each licensee, regardless of the number of different professional licenses the licensee may hold.

ii. All communication from the Board to a licensee will be to the contact address maintained with the Division of Registrations Professions and Occupations.

b. The Board requires one of the following forms of documentation to change a licensee's name or social security number:

i. Marriage license;

ii. Divorce decree;

iii. Court order; or

iv. A driver's license or social security card with a second form of identification may be acceptable at the discretion of the Director of Support Services.

~~e. Any notification by the Board to a licensee or applicant, required or permitted, under section 12-35-101 et seq., C.R.S., or the State Administrative Procedure Act, found at section 24-4-101 et seq., C.R.S., shall be served personally or by first class mail to the last address~~

~~of record provided in writing to the Board. Service by mail shall be deemed sufficient and proper upon a licensee or applicant.~~

Comment [MXM4]: Moved to be 3.

~~7. A licensed dentist or dental hygienist or an academic dentist is required to renew his or her license every 2 years and submit the applicable fee. This includes renewing to an active, inactive, or retired status. An academic dentist is not eligible for retired or inactive status.~~

~~8. A dentist or dental hygienist in retired status may provide dental services on a voluntary basis to the indigent, if such services are provided on a limited basis and no fee is charged by the dentist or dental hygienist.~~

~~9. A dentist or dental hygienist in inactive status shall not provide dental services in this state while his or her license is inactive.~~

~~10. A dentist or dental hygienist with an expired license shall not provide dental services in this state while his or her license is expired.~~

Applicants

~~311.~~ A foreign-trained dentist is required to complete a program in clinical dentistry and obtained a doctorate of dental surgery or a doctorate of dental medicine at an accredited dental school in order to be eligible for licensure in this state. The only exception is if a foreign-trained dentist ~~is eligible to apply~~satisfies the requirements for an academic dentist license.

~~4. An academic dentist license shall authorize the licensee to practice dentistry only while engaged in the performance of his or her official duties as an employee of the accredited school or college of dentistry and only in connection with programs affiliated or endorsed by the school or college. An academic dentist may not use an academic license to practice dentistry outside of his or her academic responsibilities.~~

Comment [MXM5]: Moved to Academic Dentist section.

~~5. A licensed dentist or dental hygienist or an academic dentist is required to renew his or her license biennially and submit the applicable fee. This includes renewing to an active status or retired status. A dentist in inactive status will also be required to renew his or her license biennially and submit the applicable fee. An academic dentist is not eligible for retired or inactive status.~~

~~6. A dentist in retired status may provide dental services on a voluntary basis to the indigent, if such services are provided on a limited basis and no fee is charged by the dentist. A dental hygienist in retired status shall not provide dental hygiene services in this state while his or her license is retired.~~

~~7. A dentist in inactive status shall not provide dental services in this state while his or her license is inactive.~~

~~8. A dentist or dental hygienist with an expired license shall not provide dental services in this state while his or her license is expired.~~

Comment [MXM6]: Moved up to section above at top of this page.

~~912.~~ Any person whose license to practice is revoked will be ineligible to apply for any license under the Dental Practice ~~Law of Colorado Act~~ for at least 2 years after the date of revocation or surrender of the license. Any subsequent application for licensure shall be treated as an application for an original license.

~~4013.~~ It is unlawful for any person to file with the Board a forged document or credentials of another person as part of an application for licensure.

~~4414.~~ All documents required as part of a licensure application, except for license renewal, must be received within 1 year of the date of receipt of application. An application is incomplete until the Board receives all additional information requested or required in order to determine whether to grant or deny the application. If all required information is not submitted within the 1 year period, then the original application materials will be destroyed and the applicant will be required to submit a new application, fee, and all required documentation. ~~The only exception to this are examination results; they will be maintained for an additional 1 year if the application is not completed within 1 year of receipt of the application before they are also destroyed if a new application is not filed before that time.~~

~~4215.~~ The Board may deny an application for licensure upon a finding that the applicant has violated any provisions of the Dental Practice ~~Law of Colorado~~Act and Board Rules.

~~4316.~~ An applicant for licensure may not begin practicing as a dentist or dental hygienist in this state until he or she has been issued an active license number to do so, this includes an application to reinstate an expired license or reactivate an inactive license which will require that license number to be activated again before active practice may resume.

~~14.~~ ~~An applicant for original license, endorsement, and an academic dentist license will be required to take and pass a jurisprudence exam approved by the Board as part of the application process.~~

~~15.~~ ~~An applicant applying to reinstate/reactivate an expired, retired, or inactive license will also be required to take and pass a jurisprudence exam approved by the Board as part of the application process to return to active status only if the applicant's license has been expired, retired, or inactive for 2 or more years.~~

~~4617.~~ A dentist applying for a license is required to be at least 21 years of age.

~~4718.~~ Education, training, or service gained in military services outlined in C.R.S. 24-34-102(8.5), to be accepted and applied towards receiving a license, must be equivalent, as determined by the Board, to the qualifications otherwise applicable at the time of receipt of application. It is the applicant's responsibility to provide timely and complete evidence for review and consideration. Satisfactory evidence of such education, training, or service will be assessed on a case by case basis.

19. Regulation of Military Spouses

a. A person need not obtain authority to practice dentistry or dental hygiene during the person's first year of residence in Colorado if:

i. The person is a military spouse, as defined in section 12-71-103(3), C.R.S., who is authorized to practice that occupation or profession in another state;

ii. Other than the person's lack of licensure, registration, or certification in Colorado, there is no basis to disqualify the person under Title 12 of the Colorado Revised Statutes; and

iii. The person consents as a condition of practicing dentistry or dental hygiene in Colorado, to be subject to the jurisdiction and disciplinary authority of the Board.

b. To continue practicing dentistry or dental hygiene in Colorado after the person's first year of residence, the person must apply for licensure in accordance with all licensing laws and requirements in effect at the time of the application, including, but not limited to,

the Dental Practice Law, this Board Rule III, and current clinical competency requirements.

Comment [MXM7]: We need to determine whether this exemption carries over to permits. Most likely it will as long as the individual is authorized to perform those procedures requiring a permit here in another state.

B. Original Licensure for Dentists

1. Each applicant shall submit a completed Board approved application along with the required fee in order to be considered for licensure approval and must also verify that he or she:
 - a. Graduated with a DDS or DMD degree from an accredited dental school or college, which at the time of the applicant's graduation was accredited by the ~~American Dental Association~~, Commission on Dental Accreditation:
 - ~~i. A, as evidenced by an official transcript of credits with the date of graduation and degree obtained shall be deemed sufficient evidence.~~
 - b. Successfully passed the examination administered by the Joint Commission on National Dental Examinations.
 - c. Successfully passed an examination ~~designed to test the applicant's clinical skills and knowledge administered by a regional testing agency composed of at least four states or an examination of another state or other methodology, as determined by the Board, designed to test the applicant's clinical skills and knowledge, which may include residency and/or portfolio models.~~
 - ~~i. An applicant may take a clinical examination 3 times before remedial training is required. If an applicant fails once, he or she can retake the examination 2 more times. These retakes must be completed within 16 months from the date of the first examination.~~
 - ~~ii. After failing the examination for a 3rd time, and prior to the 4th attempt of the examination, an applicant must:
 - ~~A. Submit to the Board for its pre-approval a detailed plan for remedial training by an American Dental Association, Commission on Dental Accreditation accredited dental institution. The proposed remediation program must be the equivalent of an additional year of study at the qualifying institution.~~
 - ~~B. Successfully complete the Board-approved program and submit proof to the Board of passing the remediation program, within 24 months of its approval by the Board.~~
 - ~~C. Based on its review of all documents submitted as proof of completion of the Board-approved remediation program, the Board may grant or deny a 4th attempt of the clinical examination. Any 4th attempt must occur within 12 months of the date of the Board's decision.~~
 - ~~D. If an applicant fails any or all parts of the examination after remedial training, the Board must approve additional retake attempts.~~~~
2. Each applicant will also be required to verify that he or she:
 - a. Obtained or will obtain prior to practicing as a licensed dentist in this state commercial professional liability insurance coverage with an insurance company authorized

to do business in Colorado pursuant to Article 5 of Title 10, C.R.S., in a minimum indemnity amount of ~~five hundred thousand dollars~~ \$500,000 per incident and ~~one million five hundred thousand dollars~~ \$1,500,000 annual aggregate per year, ~~unless the dentist is a public employee under the "Colorado Governmental Immunity Act", Article 10 of Title 24, C.R.S., or if covered under a financial responsibility exemption listed in Rule II.~~

- b. Accurately and completely listed any acts that would be grounds for disciplinary action under the Dental Practice ~~Law of Colorado Act~~ and provided a written explanation of the circumstances of such act(s) and what steps have been taken to remediate the acts, omissions, or discipline, including supporting documentation ~~if required~~.
- c. Accurately and completely provided any and all information pertaining to any final or pending disciplinary action by any state or jurisdiction in which the applicant is or has been previously licensed and provided a written explanation of the circumstances of such action(s) and what steps have been taken to remediate the acts, omissions, or discipline that led to the final disciplinary action(s), including supporting documentation.
- d. Accurately and completely provided any and all information pertaining to any pending or final malpractice actions against the applicant, verified by the applicant's malpractice insurance carrier(s) and provided a written explanation of the circumstances of such action(s) and what steps have been taken to remediate the practice that led to the settlement(s), including supporting documentation.
The applicant must request a verification of coverage history for the past 10 years from his/her current and all previous malpractice insurance carriers. Any settlement or final judgment during the applicant's practice history must be reported.

~~e. Disclosed the existence of any dental or other health care license previously held or currently held in any other state or jurisdiction, including dates and status.~~

- 3. Demonstrates current clinical competency and professional ability through at least one of the following:
 - a. Graduated within the 12 months immediately preceding the date the application is received with a DDS or DMD degree from an accredited dental school or college, which at the time of the applicant's graduation was accredited by the ~~American Dental Association~~, Commission on Dental Accreditation.
 - b. Engaged in the active clinical practice of dentistry for at least 1 year of the 5 years immediately preceding the date the application is received. Experience from postgraduate training, residency programs, internships, or research during this time will be evaluated on a case-by-case basis.
 - c. Engaged in teaching dentistry in an accredited program for at least 1 year of the 5 years immediately preceding the date the application is received.
 - d. Engaged in service as a dentist in the military for at least 1 year of the 5 years immediately preceding the date the application is received.
 - e. Passed a Board approved ~~regional or state~~ clinical examination within 1 year of the date the application is received.

f. Successfully completed a Board approved evaluation by ~~an American Dental Association~~ a Commission on Dental Accreditation accredited institution or another Board approved entity within 1 year of the date the application is received, which demonstrates the applicant's proficiency as equivalent to the current school graduate. ~~An applicant must submit a proposed evaluation for pre-approval by the Board before it is begun~~ Before undertaking such evaluation, an applicant must submit a proposed evaluation for pre-approval by the Board. The Board may reject an evaluation whose proposal it has not pre-approved or for other good cause.

g. If a dentist with a revoked license, a license suspended for 2 or more years, or any other disciplined license preventing him or her from actively practicing for 2 or more years in Colorado or another state is applying for a license, then the Board may require him or her to comply with more than 1 of the above competency requirements.

h. The Board may also consider applying one or more of the following towards demonstration of current clinical competency (cannot be considered in a situation where an applicant with a revoked license in Colorado or another state is applying for a license):

i. Practice under a probationary or otherwise restricted license for a specified period of time;

ii. Successful completion of courses approved by the Board; or

iii. Any other professional standard or measure of continued competency as determined by the Board.

C. Endorsement for Dentists

1. In order to be qualified for licensure by endorsement, an applicant is required to demonstrate that he or she does not currently possess a ~~revoked~~, suspended, restricted, or conditional license to practice dentistry, or is currently pending disciplinary action against such license in another state or territory of the United States.
2. Each qualified applicant shall submit a completed Board approved application along with the required fee in order to be considered for licensure approval and must also verify through the state in which he or she is seeking endorsement from that he or she meets the requirements listed under section B.1 of this rule.
3. Such an applicant will also be required to verify as part of his or her application the requirements listed under section B.2 of this rule.
4. An applicant for endorsement will also be required to demonstrate current clinical competency and professional ability through at least one of the following:
 - a. Engaged in the active practice of clinical dentistry in the U.S. or one of its territories or Canada for a minimum of 300 hours per year, for a minimum of 5 years out of the 7 seven years immediately preceding the date the application was received. Experience from postgraduate training, residency programs, internships, or research will be evaluated on a case-by-case basis.
 - b. Engaged in teaching dentistry, which involves personally providing care to patients for not less than 300 hours annually in an accredited dental school for a minimum of

5 years out of the 7 years immediately preceding the date the application was received.

- c. For the dentists practicing in the military, a report from a senior officer with a recommendation and verification of clinical experience comparable to the requirement in section C.4.a.
- d. Passed a Board approved ~~regional or state~~ clinical examination within 1 year of the date the application is received.
- e. Successfully completed a Board approved evaluation by ~~an American Dental Association~~, a Commission on Dental Accreditation accredited institution or another Board approved entity within 1 year of the date the application is received, which demonstrates the applicant's proficiency as equivalent to the current school graduate. An applicant must submit a proposed evaluation for pre-approval by the Board before it is begun. The Board may reject an evaluation whose proposal it has not pre-approved or for other good cause.

f. The Board may also consider applying one or more of the following towards demonstration of current clinical competency:

i. Practice under a probationary or otherwise restricted license for a specified period of time;

ii. Successful completion of courses approved by the Board; or

iii. Any other professional standard or measure of continued competency as determined by the Board.

D. Academic Dentist

1. A dentist who is employed at an accredited school or college of dentistry in this state and who practices dentistry in the course of his or her employment responsibilities and is applying for an academic dentist license shall submit with the application and fee the following credentials and qualifications for review and approval by the Board:
 - a. Proof of graduation with a DDS or DMD degree or equivalent from a school of dentistry located in the United States or another country.
 - b. Evidence of the applicant's employment by an accredited school or college of dentistry in this state; actual practice is to commence only once licensure has been granted.
2. An applicant for an academic dentist license shall satisfy the credentialing standards of the accredited school or college of dentistry that employs the applicant.
3. An academic dentist license shall authorize the licensee to practice dentistry only while engaged in the performance of his or her official duties as an employee of the accredited school or college of dentistry and only in connection with programs affiliated or endorsed by the school or college. An academic dentist may not use an academic license to practice dentistry outside of his or her academic responsibilities.

E. Original Licensure for Dental Hygienists

1. Each applicant shall submit a completed Board approved application along with the required fee in order to be considered for licensure approval and must also verify that he or she:
 - a. Graduated from a school of dental hygiene that, at the time of the applicant's graduation, was accredited by the ~~American Dental Association~~, Commission on Dental Accreditation, and proof that the program offered by the accredited school of dental hygiene was at least 2 academic years or the equivalent of 2 academic years. An official school transcript of credits with the date of graduation and degree obtained shall be deemed sufficient evidence.
 - b. Successfully passed the examination administered by the Joint Commission on National Dental Examinations.
 - c. Successfully completed an examination designed to test the applicant's clinical skills and knowledge administered by a regional testing agency composed of at least four states or an examination of another state.
2. Each applicant will also be required to verify that he or she:
 - a. Obtained or will obtain prior to practicing as a licensed dental hygienist in this state professional liability insurance in the amount of not less than ~~fifty thousand dollars~~ \$50,000 per claim and an aggregate liability for all claims during a calendar year of not less than ~~three hundred thousand dollars~~ \$300,000, or is covered under a financial responsibility exemption listed in Rule II. Coverage may be maintained by the dental hygienist or through a supervising licensed dentist.
 - b. Accurately and completely listed any acts that would be grounds for disciplinary action under the Dental Practice Law of Colorado Act and provided a written explanation of the circumstances of such act(s) and what steps have been taken to remediate the acts, omissions, or discipline, including supporting documentation ~~if required~~.
 - c. Accurately and completely provided any and all information pertaining to any final or pending disciplinary action by any state or jurisdiction in which the applicant is or has been previously licensed and provided a written explanation of the circumstances of such action(s) and what steps have been taken to remediate the acts, omissions, or discipline that led to the final disciplinary action(s), including supporting documentation.
 - d. Accurately and completely provided any and all information pertaining to any pending or final malpractice actions against the applicant, verified by the applicant's malpractice insurance carrier(s) and provided a written explanation of the circumstances of such action(s) and what steps have been taken to remediate the practice that led to the settlement(s), including supporting documentation. The applicant must request a verification of coverage history for the past 10 years from his/her current and all previous malpractice insurance carriers. Any settlement or final judgment during the applicant's practice history must be reported.
 - e. ~~Disclosed the existence of any dental hygiene or other health care license previously held or currently held in any other state or jurisdiction, including dates and status.~~
3. Demonstrates current clinical competency and professional ability through at least one of the following:

- a. Graduated within the 12 months immediately preceding the date the application was received from an academic program of dental hygiene that, at the time of the applicant's graduation, was accredited by the ~~American Dental Association,~~ Commission on Dental Accreditation and which was at least 2 academic years.
- b. Engaged in the active clinical practice of dental hygiene for at least 1 year of the 5 years immediately preceding the date the application is received.
- c. Engaged in teaching dental hygiene or dentistry in an academic program that was accredited by the ~~American Dental Association,~~ Commission on Dental Accreditation for at least 1 year of the 5 years immediately preceding the date the application is received.
- d. Engaged in service as a licensed dental hygienist in the military for at least 1 year of the 5 years immediately preceding the date the application is received.
- e. Passed a Board approved ~~regional or state~~ clinical examination within 1 year of the date the application is received.
- f. Successfully completed a Board approved evaluation by ~~an American Dental Association,~~ a Commission on Dental Accreditation accredited institution or another Board approved entity within 1 year of the date the application is received, which demonstrates the applicant's proficiency as equivalent to the current school graduate. Before undertaking such evaluation, an applicant must submit a proposed evaluation for pre-approval by the Board.~~An applicant must submit a proposed evaluation for pre-approval by the Board before it is begun.~~ The Board may reject an evaluation whose proposal it has not pre-approved or for other good cause.
- g. If a dental hygienist with a revoked license, a license suspended for 2 or more years, or any other disciplined license preventing him or her from actively practicing for 2 or more years in Colorado or another state is applying for a license, then the Board may require him or her to comply with more than 1 of the above competency requirements.
- h. The Board may also consider applying one or more of the following towards demonstration of current clinical competency (cannot be considered in a situation where an applicant with a revoked license in Colorado or another state is applying for a license):
 - i. Practice under a probationary or otherwise restricted license for a specified period of time;
 - ii. Successful completion of courses approved by the Board; or
 - iii. Any other professional standard or measure of continued competency as determined by the Board.

F. Endorsement for Dental Hygienists

1. In order to be qualified for licensure by endorsement, an applicant is required to demonstrate that he or she does not currently possess a suspended, restricted, or conditional license

to practice dental hygiene, or is currently pending disciplinary action against such license in another state or territory of the United States.

42. Each qualified applicant shall submit a completed Board approved application along with the required fee in order to be considered for licensure approval and must also verify through the state in which he or she is seeking endorsement from that he or she meets the requirements listed under section E.1 of this rule.

23. Such an applicant will also be required to verify as part of his or her application the requirements listed under section E.2 of this rule.

4. Disclosed the existence of any dental hygiene or other health care license previously held or currently held in any other state or jurisdiction, including dates and status.

35. An applicant for endorsement will also be required to demonstrate current clinical competency and professional ability through at least one of the following:

a. Engaged in the active practice of clinical dental hygiene in the U.S. or one of its territories or Canada for a minimum of 300 hours per year, for a minimum of 1 year out of 3 years immediately preceding the date the application was received.

b. Engaged in teaching dental hygiene or dentistry, which involves personally providing care to patients for not less than 300 hours annually in an accredited program for a minimum of 1 year out of the 3 years immediately preceding the date the application was received.

c. For the licensed dental hygienists practicing in the military, a report from a senior officer with a recommendation and verification of clinical experience comparable to the requirement in section F.4.a.

d. Passed a Board approved ~~regional or state~~ clinical examination within 1 year of the date the application is received.

e. Successfully completed a Board approved evaluation by ~~an American Dental Association~~, a Commission on Dental Accreditation accredited institution or another Board approved entity within 1 year of the date the application is received, which demonstrates the applicant's proficiency as equivalent to the current school graduate. An applicant must submit a proposed evaluation for pre-approval by the Board before it is begun. The Board may reject an evaluation whose proposal it has not pre-approved or for other good cause.

f. The Board may also consider applying one or more of the following towards demonstration of current clinical competency:

i. Practice under a probationary or otherwise restricted license for a specified period of time;

ii. Successful completion of courses approved by the Board; or

iii. Any other professional standard or measure of continued competency as determined by the Board.

G. Reinstatement/Reactivation Requirements for Dentists and Dental Hygienists with Expired, Inactive, or Retired Licenses, ~~or Dentists in Inactive Status~~

1. In order to reinstate or reactivate a license back into active status, each applicant shall submit a completed Board approved application along with the required fee in order to be considered for licensure approval and must also verify that he or she:
 - a. Obtained or will obtain prior to active practice in this state Financial Liability Requirements pursuant to the Health Care Availability Act as defined in section 13-64-301, C.R.S. for dentists and the professional liability insurance requirement as defined in section 12-35-~~127(4),141~~ C.R.S. ~~for dental hygienists,~~ or is covered under a financial responsibility exemption listed in Rule II.
 - b. Accurately and completely listed any acts that would be grounds for disciplinary action under the Dental Practice ~~Law of Colorado Act~~ and provided a written explanation of the circumstances of such act, including supporting documentation if required since last renewing his or her license to an active, retired, or inactive status in this state.
 - c. Accurately and completely provided any and all information pertaining to any final or pending disciplinary action by any state or jurisdiction in which the applicant is or has been previously licensed since last renewing his or her license to an active, retired, or inactive status in this state.
 - d. Accurately and completely provided any and all information pertaining to any pending or final malpractice actions against the applicant, verified by the applicant's malpractice insurance carrier(s) since last renewing his or her license to an active, retired, or inactive status in this state.
 - ~~e. Disclosed the existence of any dental or other health care license previously held or currently held in any other state or jurisdiction, including dates and status.~~
2. If the license has been expired, retired, or inactive for 2 or more years, then an applicant is required to demonstrate continued clinical competency. A licensee who applies for an active license and has not practiced at least 300 hours in a 12-month period during the 5 years immediately preceding the application for reinstatement/reactivation to an active status must demonstrate to the Board how he or she maintained his or her professional ability, knowledge, and skills. The Board may request documentation of the 300 hours for a 12-month period or may accept the following qualifications as fulfillment of the practice requirement, which will be reviewed on a case-by-case basis:
 - a. Time spent in postgraduate training, residency programs, or an internship.
 - b. Time spent in research and in teaching.
 - c. Time spent practicing in the military or public health service. For licensed dentists and dental hygienists practicing in the military, a report from a senior officer with a recommendation and verification of clinical experience may be accepted.
 - d. Passed a Board approved ~~regional or state~~ clinical examination within 1 year of the date the application is received.
 - e. Successfully completed a Board approved evaluation by ~~an American Dental Association,~~ a Commission on Dental Accreditation accredited institution or another Board approved entity within 1 year of the date the application is received, which demonstrates the applicant's proficiency as equivalent to the current school graduate. An applicant must submit a proposed evaluation for pre-

approval by the Board before it is begun. The Board may reject an evaluation whose proposal it has not pre-approved or for other good cause.

f. The Board may also consider applying one or more of the following towards demonstration of current clinical competency (cannot be considered in a situation where an applicant with a revoked license in another state is applying for a license):

i. Practice under a probationary or otherwise restricted license for a specified period of time;

ii. Successful completion of courses approved by the Board; or

iii. Any other professional standard or measure of continued competency as determined by the Board.

H. Temporary Licenses

1. By invitation only:

a. A dentist or dental hygienist who lawfully practices dentistry or dental hygiene in another state or United States territory may be granted a temporary license to practice dentistry or dental hygiene in this state pursuant to section 12-35-107(1)(e), C.R.S., if:

i. Such dentist or dental hygienist has been invited by a program provided through a lawful agency of Colorado local, county, state, or federal government or a Colorado non-profit tax exempt organized under section 501 (c) (3) of the federal "Internal Revenue Code of 1986," as amended to provide dental or dental hygiene services to persons identified through such program;

ii. The governmental entity or nonprofit private foundation as defined in section H.1.a.i of this rule certifies the name of the applicant and the dates within which the applicant has been invited to provide dental or dental hygiene services in this state, the applicant's full dental or dental hygiene license history with verification of licensure in each state, and an active license in at least one state on a form provided by the Board; and

iii. Such applicant's practice in this state, if granted by the Board, is limited to that required by the entities specified in section H.1.a.i and ii of this rule and shall not exceed 120 consecutive days in a 12 month period, renewable once in a 1 year period for a maximum of 240 consecutive days in a 1 year period.

b. A temporary licensee shall provide dental or dental hygiene services only to persons identified through an entity as described in section H.1.a.i of this rule and will not accept any compensation above what he or she has agreed to be paid by the entity.

2. The Board may also issue a temporary license to an applicant for licensure to demonstrate clinical competency in compliance with sections B.3.f, C.4.e, E.3.f, ~~and F.3.e~~, and G.2.e under direct supervision of a licensed dentist or dental hygienist.

3. A temporary licensee may be subject to discipline by the Board as defined in section 12-35-129 et. seq. and shall be subject to the ~~Financial Liability Requirements pursuant to the Health Care Availability Act as defined in section 13-64-301, C.R.S. for dentists and the professional liability insurance requirement as defined in section 12-35-127(4),141, C.R.S.~~ for dental hygienists.

Editor's Notes

History

Rules XVII, XXVI eff. 07/01/2007.

Rules XXVI, XXIX, XXX eff. 12/31/2007.

Rule XXVI eff. 11/30/2008.

Rule III eff. 05/30/2009.

Rule III eff. 12/30/2009.

Rules III, XIV - XXX eff. 03/30/2010.

Rules I - IX, XI - XIII, XV - XXII eff. 12/30/2011.

[Rules I, II, and III eff. 03/30/2015.](#)