

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

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SENATE DRS55129-LU-62 (3/9)

Short Title: NC Dental Board/Exams & Real Property.

(Public)

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Sponsors: Senators Swindell, and Stevens.

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Referred to:

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A BILL TO BE ENTITLED

1 AN ACT AUTHORIZING THE NORTH CAROLINA STATE BOARD OF DENTAL  
2 EXAMINERS TO ACCEPT, IN ADDITION TO EXAMINATIONS  
3 CONDUCTED BY THE BOARD, THE RESULTS OF OTHER  
4 BOARD-APPROVED REGIONAL OR NATIONAL INDEPENDENT THIRD-  
5 PARTY CLINICAL EXAMINATIONS OF APPLICANTS SEEKING A LICENSE  
6 TO PRACTICE DENTISTRY; AND AUTHORIZING THE BOARD TO  
7 ACQUIRE REAL PROPERTY.  
8

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** G.S. 90-30(a) reads as rewritten:

11 "(a) The North Carolina State Board of Dental Examiners shall grant licenses to  
12 practice dentistry to such applicants who are graduates of a reputable dental institution,  
13 who, in the opinion of a majority of the Board, shall undergo a satisfactory examination  
14 of proficiency in the knowledge and practice of dentistry, subject, however, to the  
15 further provisions of this section and of the provisions of this Article.

16 The applicant for a license to practice dentistry shall be of good moral character, at  
17 least 18 years of age at the time the application for examination is filed. The application  
18 for a dental license shall be made to the ~~said~~ Board in writing and shall be accompanied  
19 by evidence satisfactory to ~~said~~ ~~the~~ Board that the applicant is a person of good moral  
20 character, has an academic education, the standard of which shall be determined by the  
21 ~~said~~ Board; that ~~he~~ ~~the~~ applicant is a graduate of and has a diploma from a reputable  
22 dental college or the dental department of a reputable university or college recognized,  
23 accredited and approved as such by the ~~said~~ ~~Board~~.~~Board~~; and that the applicant has  
24 passed a clinical licensing examination, the standard of which shall be determined by  
25 the Board.

26 The North Carolina State Board of Dental Examiners is authorized to conduct both  
27 written or oral and clinical examinations or to accept the results of other

1 Board-approved regional or national independent third-party clinical examinations that  
2 include procedures performed on human subjects as part of the assessment of restorative  
3 clinical competencies and that are determined by the Board to be of such character as to  
4 thoroughly test the qualifications of the applicant, and may refuse to grant a license to  
5 any person who, in its discretion, is found deficient in ~~said examination, or the~~  
6 examination. The Board may refuse to grant a license to any person guilty of cheating,  
7 deception or fraud during ~~such the~~ examination, or whose examination discloses to the  
8 satisfaction of the Board, a deficiency in academic or clinical education. The Board may  
9 employ ~~such all~~ dentists found qualified therefor by the Board, in examining applicants  
10 for licenses as it deems appropriate.

11 The North Carolina State Board of Dental Examiners may refuse to grant a license to  
12 any person guilty of a crime involving moral turpitude, or gross immorality, or to any  
13 person addicted to the use of alcoholic liquors or narcotic drugs to such an extent as, in  
14 the opinion of the Board, renders the applicant unfit to practice dentistry.

15 Any license obtained through fraud or by any false representation shall be void ab  
16 initio and of no effect."

17 **SECTION 2.** G.S. 90-39(1) reads as rewritten:

18 "**§ 90-39. Fees.**

19 In order to provide the means of carrying out and enforcing the provisions of this  
20 Article and the duties devolving upon the North Carolina State Board of Dental  
21 Examiners, it is authorized to charge and collect fees established by its rules not  
22 exceeding the following:

- 23 (1) Each application for general dentistry ~~examination~~ license.....\$1,200
- 24 ...."

25 **SECTION 3.** G.S. 90-28 reads as rewritten:

26 "**§ 90-28. Bylaws and ~~regulations.~~ regulations; acquisition of property.**

27 (a) The North Carolina State Board of Dental Examiners shall have the power to  
28 make necessary bylaws and regulations, not inconsistent with the provisions of this  
29 Article, regarding any matter referred to in this Article and for the purpose of  
30 facilitating the transaction of business by the ~~said~~ Board.

31 (b) The Board shall have the power to acquire, hold, rent, encumber, alienate,  
32 and otherwise deal with real property in the same manner as a private person or  
33 corporation, subject only to approval of the Governor and the Council of State.  
34 Collateral pledged by the Board for an encumbrance is limited to the assets, income, and  
35 revenues of the Board."

36 **SECTION 4.** This act is effective when it becomes law.