

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

SESSION LAW 1999-382
HOUSE BILL 1470

AN ACT ALLOWING THE NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS TO ENTER INTO AGREEMENTS WITH SPECIAL IMPAIRED DENTIST PEER REVIEW ORGANIZATIONS TO INCLUDE PROGRAMS FOR IMPAIRED DENTAL HYGIENISTS, TO COLLECT FEES TO FUND SUCH PROGRAMS, AND TO PROVIDE FOR REPRESENTATION FOR DENTAL HYGIENISTS ON THE STATEWIDE SUPERVISORY COMMITTEE.

The General Assembly of North Carolina enacts:

Section 1. Article 2 of Chapter 90 is amended by adding a new section to read:

"§ 90-48.3. Board authority to include impaired dental hygienists in programs developed for impaired dentists.

The Board may enter into agreements with special impaired dentist peer review organizations to include programs for impaired dental hygienists, and the provisions of G.S. 90-48.2 shall apply to any such agreements and programs. Special impaired dentist peer review organizations shall have the authority to appoint to the organizations, upon the recommendation of the dental hygienist member of the Board, one additional member who is a licensed dental hygienist and the member shall participate in activities and programs as they relate to impaired dental hygienists. Peer liaisons and volunteers participating in programs for impaired dental hygienists shall be dental hygienists. Dental hygienists who work with special impaired dentist peer review organizations in conducting programs for impaired dental hygienists shall have the same protections and responsibilities as members of traditional State and local dental society peer review committees under Article 2A of this Chapter and as provided in G.S. 90-48.2. The provisions of G.S. 90-48.2 regarding confidentiality shall also be applicable to all dental hygienist activities authorized under this section."

Section 2. G.S. 90-223 is amended by adding a new subsection to read:

"(e) The Board shall have the authority to provide for programs for impaired dental hygienists as authorized in G.S. 90-48.3."

Section 3. G.S. 90-232 reads as rewritten:

"§ 90-232. Fees.

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

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| (1) | Each applicant for examination | \$125.00 |
| (2) | Each renewal certificate, which fee shall be annually fixed by the Board and not later than November 30 of each year it shall give written notice of the amount of the renewal fee to each dental hygienist licensed to practice in this State by mailing such notice to the last address of record with the Board of each such dental hygienist | 60.00 |
| (3) | Each restoration of license | 60.00 |
| (4) | Each provisional license | 60.00 |
| (5) | Each certificate of license to a resident dental hygienist desiring to change to another state or territory | 25.00 |
| (6) | <u>Annual fee to be paid upon license renewal to assist in funding programs for impaired dental hygienists</u> | <u>40.00.</u> |

In no event may the annual fee imposed on dental hygienists to fund the impaired dental hygienists program exceed the annual fee imposed on dentists to fund the impaired dentist program. All fees shall be payable in advance to the Board and shall be disposed of by the Board in the discharge of its duties under this Article."

Section 4. G.S. 90-48.2(a) reads as rewritten:

"(a) The State Board of Dental Examiners may, under rules adopted by the Board in compliance with Chapter 150B of the General Statutes, enter into agreements with special impaired dentist peer review organizations formed by the North Carolina Dental Society. The organizations shall be made up of Dental Society members designated by the Society, the Board, and the Dental School of the University of North Carolina. Peer review activities to be covered by such agreements shall include investigation, review and evaluation of records, reports, complaints, litigation, and other information about the practices and practice patterns of dentists licensed by the Board, as such matters may relate to impaired dentists. Special impaired dentist peer review organizations may include a statewide supervisory committee and various regional and local components or subgroups. The statewide supervisory committee shall consist of representatives from the North Carolina Dental Society, the UNC School of Dentistry, and the Board. When the statewide supervisory committee considers activities and programs that relate to impaired dental hygienists pursuant to G.S. 90-48.3, its membership shall be expanded to include two dental hygienists appointed upon the recommendation of the dental hygienist member of the Board."

Section 5. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 19th day of July, 1999.

s/ Dennis A. Wicker
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ James B. Hunt, Jr.
Governor

Approved 9:58 p.m. this 4th day of August, 1999