

House Bill 241 (AM)

By: Representatives Jackson of the 148th, Childers of the 13th, Henson of the 65th, Randall of the 127th and McKinney of the 51st

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 11 of Title 43 of the Official Code of Georgia Annotated,
2 relating to licenses for the practice of dentistry, so as to provide for special licensing of
3 certain retired and other dentists; to provide for a short title; to provide for conditions and
4 limitations; to provide for liability and immunity from liability; to provide for statutory
5 construction; to provide for automatic repeal and expiration of licenses; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 2 of Chapter 11 of Title 43 of the Official Code of Georgia Annotated, relating to
10 licenses for the practice of dentistry, is amended by adding at the end a new Code section to
11 read as follows:

12 "43-11-52.

13 (a) This Code section shall be known and may be cited as the 'Georgia Volunteers in
14 Dentistry Act.'

15 (b) Notwithstanding any other provision of law, the board may issue a special license to
16 qualifying dentists under the terms and conditions set forth in this Code section. The
17 special license may only be issued to a person who is retired from the practice of dentistry
18 and not currently engaged in such practice either full time or part time and has, prior to
19 retirement, maintained full licensure in good standing in dentistry in this state.

20 (c) The special licensee shall be permitted to practice dentistry only in the
21 noncompensated employ of public agencies or institutions, not for profit agencies, not for
22 profit institutions, nonprofit corporations, or not for profit associations which provide
23 dentistry services only to indigent patients in areas which are underserved by dentists or
24 critical need population areas of the state, as determined by the board.

25 (d) The person applying for the special license under this Code section shall submit to the
26 board a notarized statement from the employing agency, institution, corporation, or

1 association on a form prescribed by the board, whereby he or she agrees unequivocally not
2 to receive compensation for any dentistry services he or she may render while in possession
3 of the special license.

4 (e) The examination by the board, any application fees, and all licensure and renewal fees
5 may be waived for the holder of the special license under this Code section.

6 (f) If, at the time application is made for the special license, the dentist is not in
7 compliance with the continuing education requirements established by the board for
8 dentists in this state, the dentist may be issued a nonrenewable temporary license to
9 practice for six months provided the applicant is otherwise qualified for such license.

10 (g) The liability of persons practicing dentistry under and in compliance with a special
11 license issued under this Code section and the liability of their employers for such practice
12 shall be governed by Code Section 51-1-29.1.

13 (h) This Code section, being in derogation of the common law, shall be strictly construed."

14 **SECTION 2.**

15 This Act shall be automatically repealed July 1, 2004, upon which date any special license
16 issued pursuant to this Act shall also expire.

17 **SECTION 3.**

18 All laws and parts of laws in conflict with this Act are repealed.