

HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 656 (HSB 220)	House Committee:	PASSED March 2 (22-0)
Committee:	State Government	House Floor:	PASSED March 14 (97-0)
Floor Manager:	Rep. Collins	Senate Floor:	PASSED April 17 (50-0)
Date:	May 3, 2023	Governor:	SIGNED April 27
Staff:	Jason Covey (1-3626)		

Dentist and Dental Hygienist Compact

- This bill is a proposed interstate compact to support the mobility of licensed dentists and dental hygienists.
- The compact would allow qualified licensed dentists and dental hygienists to apply and be approved for the compact privilege to practice in remote participating states.
- The compact would go into effect when the 7th state enacts the compact model language. Currently no state has enacted the legislation.

Section by Section Analysis

Section 1 – Dentist and dental hygienist compact (Iowa Code 147G.1)

1. Adds the title and purpose of the Dentist and Dental Hygienist Compact.
2. Creates subsection of definitions for the compact.
3. State participation in the compact – In order to be a member of the compact a state must enact the model compact, participate in the commission’s data system, have a mechanism in place for receiving and investigating complaints, implement criminal background checks, comply with commission rules, accept the national board examinations of the joint commission on national dental examinations or another acceptable examination, require licensees to complete a clinical assessment, have continuing professional development requirements for licensure renewal, and pay a participation fee to the commission.
4. Compact privilege – Qualified licensed dentists or dental hygienist from a participating state must pay commission and remote state fees for the compact privilege in a remote state. Licensees practicing in a remote state are required to meet the requirements and practice within the scope of practice of the remote state.

Remote states are authorized to impose adverse action against a licensee, including revoking the licensee’s compact privilege in the remote state. If a licensee’s compact privilege is removed in a remote state the individual shall be ineligible for the compact privilege in any remote state until the suspension in the remote state has ended.

5. Adverse actions – A participating state has the exclusive authority to impose adverse action against a licensee in that state. A participating state may take adverse action against a licensee based on investigative information from a remote state.
6. Establishment and operation of the commission – Each participating state shall have one commissioner selected by the participating state’s licensing authority. The commission shall establish a code of conduct, adopt rules and bylaws, initiate and conclude legal proceedings or actions, maintain and certify records and information for participating states, purchase and maintain insurance and bonds, set rules and fees for the granting of compact privilege for a licensee.
7. Data systems – the commission shall provide for the development, maintenance, operation, and utilization of a database and reporting system for licensure, adverse action, and investigative information.

Participating states shall submit uniform data sets to the system on all applicable individuals. Participating states may designate information that may not be shared with the public without the permission of the state.

8. Rulemaking – The commission shall enact reasonable rules to implement and administer the compact. The rules of the commission shall have the force of law in each participating state, except where the rules are in conflict with the laws of the state. If a majority of legislatures in the compact reject a commission rule within 4 years of adoption it shall no longer be in effect.
9. Oversight, dispute resolution, and enforcement – The executive and judicial branches of each participating state shall enforce the compact. If the commission determines that a participating state is in default in the performance of its obligations the commission shall issue written notice. If the state fails to cure the default the state may be terminated from the compact by a majority vote of commission members.

The commission shall attempt to resolve disputes between states.

10. Effective Date – The compact goes into effect on the date the 7th participating state enacts the compact into law.
11. Construction and severability – The provisions of the compact shall be severable if any section of the compact is ruled unconstitutional the remainder of the compact shall not be affected.
12. Consistent effect and conflict with other state laws – Nothing in the compact shall prevent or inhibit the enforcement of any other law of a participating state and any laws of a participating state in conflict with the compact supersedes the conflicting rules of the compact.