

CHAPTER 101**(SB 105)**

AN ACT relating to the discipline of dental professionals.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 313.330 is amended to read as follows:

The board may, upon complaint or upon its own motion, after a hearing conducted in accordance with KRS Chapter 13B, **issue a private admonishment, reprimand, or place on probation, or may revoke, suspend, refuse to renew, or refuse to issue a license to any dental hygienist who** ~~[revoke, suspend, or refuse to renew the license of any dental hygienist by entering a final order to that effect, together with its findings in respect thereto, if it shall be determined that the licensee]:~~

- (1) Has violated any of the provisions of KRS 313.260 to 313.350 or any regulation **promulgated** ~~made~~ thereunder;
- (2) Has made a material false statement in his **or her** application for examination;
- (3) No longer possesses good moral character;
- (4) Directly or indirectly advertises or solicits for dental hygiene business; or
- (5) Is grossly negligent in his **or her** profession.

A private admonishment shall not be subject to disclosure to the public under KRS 61.878(1)(l). A private admonishment shall not constitute disciplinary action, but may be used by the board for statistical purposes or in subsequent disciplinary action against the same licensee, certificate holder, or applicant.

Section 2. KRS 313.130 is amended to read as follows:

The board may, **upon complaint or upon its own motion, after a hearing conducted in accordance with KRS Chapter 13B**, issue a private admonishment, reprimand, or place on probation, or may revoke, suspend, refuse to renew, or refuse to issue a license to any dentist for any of the following causes:

- (1) Conviction of any felony or conviction of only those misdemeanors involving moral turpitude, in which case the record of conviction or a copy thereof, certified by the clerk of the court or by the judge in whose court the conviction is had, shall be conclusive evidence.
- (2) Renting or lending to any person his license or diploma to be used as a license or diploma, or illegally or fraudulently obtaining a license from the board.
- (3) Unprofessional conduct, gross ignorance, or inefficiency in his profession or failure to accumulate a sufficient number of points for continuing dental education as prescribed by the board under the provisions of KRS 313.080.
- (4) Violating any of the provisions of this chapter or any lawful order, rule, or regulation made or issued under the provisions of this chapter.
- (5) Addiction to a drug habit.
- (6) Chronic or persistent alcoholism.
- (7) Such physical or mental disability, or other condition, that continued practice would be dangerous to patients or to the public.

A private admonishment shall not be subject to disclosure to the public under KRS 61.878(1)(l). A private admonishment shall not constitute disciplinary action but may be used by the board for statistical purposes or in subsequent disciplinary action against the same licensee, certificate holder, or applicant.

Approved March 23, 2007.