

House Engrossed
FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Fiftieth Legislature
First Regular Session
2011

CHAPTER 87

HOUSE BILL 2169

AN ACT

AMENDING SECTIONS 32-1236, 32-1287 AND 32-1297.06, ARIZONA REVISED STATUTES;
RELATING TO THE STATE BOARD OF DENTAL EXAMINERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 32-1236, Arizona Revised Statutes, is amended to
3 read:

4 32-1236. Dentist triennial licensure; forfeiture of license;
5 reinstatement; license for each place of practice;
6 notice of change of address or place of practice;
7 retired and disabled licensees; penalties

8 A. Except as provided in section 32-4301, on or before June 30 of
9 every third year, every licensed dentist shall submit to the board a passport
10 size photograph taken of the dentist within the previous six months and pay a
11 fee of NOT MORE THAN six hundred fifty dollars, ESTABLISHED BY A FORMAL VOTE
12 OF THE BOARD. AT LEAST ONCE EVERY THREE YEARS, BEFORE ESTABLISHING THE FEE
13 FOR THE SUBSEQUENT THREE FISCAL YEARS, THE BOARD SHALL REVIEW THE AMOUNT OF
14 THE FEE IN A PUBLIC MEETING. ANY CHANGE IN THE AMOUNT OF THE FEE SHALL BE
15 APPLIED PROSPECTIVELY TO A LICENSEE AT THE TIME OF LICENSURE RENEWAL FOR THE
16 SUBSEQUENT THREE FISCAL YEARS. The fee prescribed by this subsection does
17 not apply to a disabled or retired licensee.

18 B. A person applying for licensure for the first time in this state
19 shall pay a prorated fee for the period remaining until the next June 30.
20 This fee shall not exceed one-third of the fee established pursuant to
21 subsection A of this section. Subsequent licensure renewal shall be
22 conducted pursuant to this section.

23 C. A person who fails to pay a fee prescribed by this section forfeits
24 the license. A license may be reinstated in the fiscal year in which it is
25 forfeited by submitting a written application with payment of the fee plus a
26 penalty of one hundred dollars. During the second fiscal year following
27 forfeiture, reinstatement may be effected by submitting a written application
28 and payment of the fees and all accumulated penalty fees. If a person fails
29 to pay the fees for reinstatement before the beginning of the third fiscal
30 year following the forfeiture of the license, the board shall require that
31 person to successfully complete the regular examination before the board
32 reinstates the license. Whenever issued, reinstatement is as of the date of
33 application and entitles the applicant to licensure only for the remainder of
34 the applicable three year period.

35 D. Each licensee must provide to the board in writing both of the
36 following:

- 37 1. A primary mailing address.
- 38 2. The address for each place of practice.

39 E. A licensee maintaining more than one place of practice shall obtain
40 from the board a duplicate license for each office. A fee set by the board
41 shall be charged for each duplicate license. The licensee shall notify the
42 board in writing within ten days of opening the additional place or places of
43 practice. The board shall impose a penalty of fifty dollars for failure to
44 notify the board.

1 F. A licensee who is over sixty-five years of age and who is fully
2 retired and a licensee who is permanently disabled may contribute services to
3 a recognized charitable institution and still retain that classification for
4 triennial registration purposes on payment of a reduced renewal fee as
5 prescribed by the board by rule.

6 G. A licensee applying for retired or disabled status shall relinquish
7 any prescribing privileges and shall provide evidence that the licensee has
8 surrendered to the United States drug enforcement administration any
9 registration issued pursuant to the federal controlled ~~substance~~ SUBSTANCES
10 act and has surrendered to the board any registration issued pursuant to
11 section 36-2606. If the licensee holds a permit to dispense drugs and devices
12 pursuant to section 32-1298, the licensee shall surrender that permit to the
13 board.

14 H. A licensee who changes the licensee's primary mailing address or
15 place of practice address shall notify the board of that change in writing
16 within ten days. The board shall impose a penalty of fifty dollars if a
17 licensee fails to notify the board of the change within that time. The board
18 shall increase the penalty imposed to one hundred dollars if a licensee fails
19 to notify it of the change within thirty days.

20 Sec. 2. Section 32-1287, Arizona Revised Statutes, is amended to read:

21 32-1287. Dental hygienist triennial licensure; forfeiture of
22 license; reinstatement; notice of change of address;
23 penalties; retired and disabled licensees

24 A. Except as provided in section 32-4301, on or before June 30 of
25 every third year, every licensed dental hygienist shall pay a license renewal
26 fee of NOT MORE THAN three hundred twenty-five dollars, ESTABLISHED BY A
27 FORMAL VOTE OF THE BOARD. AT LEAST ONCE EVERY THREE YEARS, BEFORE
28 ESTABLISHING THE FEE FOR THE SUBSEQUENT THREE FISCAL YEARS, THE BOARD SHALL
29 REVIEW THE AMOUNT OF THE FEE IN A PUBLIC MEETING. ANY CHANGE IN THE AMOUNT
30 OF THE FEE SHALL BE APPLIED PROSPECTIVELY TO A LICENSEE AT THE TIME OF
31 LICENSURE RENEWAL FOR THE SUBSEQUENT THREE FISCAL YEARS. The fee prescribed
32 by this section does not apply to a retired or disabled hygienist.

33 B. A person applying for a license for the first time in this state
34 shall pay a prorated fee for the period remaining until the next June 30.
35 This fee shall not exceed one-third of the fee established pursuant to
36 subsection A. Subsequent registrations shall be conducted pursuant to this
37 section.

38 C. A person who fails to pay a fee prescribed by this section forfeits
39 the license. A license may be reinstated in the fiscal year in which it is
40 forfeited by submitting a written application with payment of the fee plus a
41 penalty of one hundred dollars. During the second fiscal year following
42 forfeiture, reinstatement may be effected by submitting a written application
43 and payment of the fees and all accumulated penalty fees. If a person fails
44 to pay the fees for reinstatement before the beginning of the third fiscal
45 year following forfeiture of the license, the board shall require that the

1 person successfully complete the regular examination before the board
2 reinstates the license. Whenever issued, reinstatement is as of the date of
3 application and entitles the applicant to licensure only for the remainder of
4 the applicable three year period.

5 D. A licensee shall notify the board in writing within ten days after
6 the licensee changes the primary mailing address listed with the board. The
7 board shall impose a penalty of fifty dollars if a licensee fails to notify
8 the board of the change within that time. The board shall increase the
9 penalty imposed to one hundred dollars if a licensee fails to notify it of
10 the change within thirty days.

11 E. A licensee who is over sixty-five years of age and who is fully
12 retired and a licensee who is permanently disabled may contribute services to
13 a recognized charitable institution and still retain that classification for
14 triennial registration purposes on payment of a reduced renewal fee as
15 prescribed by the board by rule.

16 Sec. 3. Section 32-1297.06, Arizona Revised Statutes, is amended to
17 read:

18 32-1297.06. Denturist certification; forfeiture of certificate;
19 reinstatement; certificate for each place of
20 practice; notice of change of address or place of
21 practice; penalties

22 A. Except as provided in section 32-4301, on or before June 30 of
23 every third year, every certified denturist shall pay a certificate renewal
24 fee of NOT MORE THAN three hundred dollars, ESTABLISHED BY A FORMAL VOTE OF
25 THE BOARD. AT LEAST ONCE EVERY THREE YEARS, BEFORE ESTABLISHING THE FEE FOR
26 THE SUBSEQUENT THREE FISCAL YEARS, THE BOARD SHALL REVIEW THE AMOUNT OF THE
27 FEE IN A PUBLIC MEETING. ANY CHANGE IN THE AMOUNT OF THE FEE SHALL BE
28 APPLIED PROSPECTIVELY TO A LICENSEE AT THE TIME OF LICENSURE RENEWAL FOR THE
29 SUBSEQUENT THREE FISCAL YEARS. This requirement does not apply to a disabled
30 or retired denturist.

31 B. A person applying for a certificate for the first time in this
32 state shall pay a prorated fee for the period remaining until the next
33 June 30. This fee shall not exceed one-third of the fee established pursuant
34 to subsection A. Subsequent certifications shall be conducted pursuant to
35 this section.

36 C. A person who does not pay a fee as prescribed by this section
37 forfeits the certificate. A certificate may be reinstated in the fiscal year
38 in which it is forfeited by submitting a written application with payment of
39 the renewal fee plus a one hundred dollar penalty. During the second fiscal
40 year following forfeiture, reinstatement may be effected by submitting a
41 written application and payment of the fees and all accumulated penalty fees.
42 If a person fails to pay the fees for reinstatement before the beginning of
43 the third fiscal year following the forfeiture of that person's certificate,
44 the board shall require that the person successfully complete the regular
45 examination before the board reinstates the certificate. Whenever issued,

1 reinstatement is as of the date of application and entitles the applicant to
2 certification only for the remainder of the applicable three year period.

3 D. Each certificate holder must provide to the board in writing both
4 of the following:

5 1. A primary mailing address.

6 2. The address for each place of practice.

7 E. A certificate holder maintaining more than one place of practice
8 shall obtain from the board a duplicate certificate for each office. The
9 board shall set and charge a fee for each duplicate certificate. A
10 certificate holder shall notify the board in writing within ten days of
11 opening an additional place of practice.

12 F. A certificate holder shall notify the board in writing within ten
13 days after changing a primary mailing address or place of practice address
14 listed with the board. The board shall impose a fifty dollar penalty if a
15 certificate holder fails to notify the board of the change within that time.
16 The board shall increase the penalty imposed to one hundred dollars if a
17 certificate holder fails to notify it of the change within thirty days.

APPROVED BY THE GOVERNOR APRIL 13, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 13, 2011.

Passed the House February 24, 2011

by the following vote: 58 Ayes,

0 Nays, 2 Not Voting

[Signature]
Speaker of the House

Cheryl Laube
Chief Clerk of the House

Passed the Senate April 6, 2011

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

[Signature]
President of the Senate

Charmion Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

7 day of April, 2011

at 10:55 o'clock A. M.

[Signature]
Secretary to the Governor

Approved this 13th day of

April

at 10:57 o'clock A. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 13th day of April, 2011

at 4:59 o'clock M.

[Signature]
Secretary of State

H.B. 2169