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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1992



# ENROLLED

SENATE BILL NO. 524

(By Senator Spears)



PASSED March 2, 1992

In Effect 90 days from Passage

**ENROLLED**

**Senate Bill No. 524**

(BY SENATOR SPEARS)

[Passed March 2, 1992; in effect ninety days from passage.]

AN ACT to amend and reenact section seventeen-b, article four, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended; to further amend said article by adding thereto a new section, designated section seventeen-c, relating to increasing the license renewal fees of dentists and dental hygienists; making continuing education requirements a prerequisite to license renewal; authorizing the board to establish continuing education requirements and criteria for course providers; and establishing the effective dates for compliance.

*Be it enacted by the Legislature of West Virginia:*

That section seventeen-b, article four, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted; and that said article be further amended by adding thereto a new section, designated section seventeen-c, to read as follows:

**ARTICLE 4. DENTISTS, DENTAL HYGIENISTS AND DENTAL CORPORATIONS.**

**§30-4-17b. Annual information and renewal fee; notice; reinstatement; penalty fees; waiver of payment of fee on retirement or disability; change of address.**

1 On or before the first day of February of each year,

2 every dentist licensed to practice dentistry in this  
3 state, and every dental hygienist licensed to practice  
4 dental hygiene in this state, shall transmit to the  
5 secretary of the board upon a form prescribed by the  
6 board, his signature, post-office address, office address,  
7 the serial number of his license certificate, whether he  
8 has been engaged during the preceding year in the  
9 active and continuous practice of dentistry or dental  
10 hygiene, as the case may be, whether within or  
11 without this state, and such other information as may  
12 be required by the board, together with an informa-  
13 tion and renewal fee herein provided for.

14 The annual information and renewal fee for a  
15 dentist shall be seventy-five dollars and for a dental  
16 hygienist shall be fifty dollars.

17 Upon receipt of the required information and the  
18 payment of the proper renewal fee, the licensee shall  
19 be issued a renewal certificate authorizing him to  
20 continue the practice of dentistry or the practice of  
21 dental hygiene in this state for a period of one year  
22 from the first day of February.

23 A license to practice dentistry or dental hygiene  
24 granted under the authority of this article shall be  
25 canceled on the first day of May if the holder thereof  
26 fails to secure a current renewal certificate by that  
27 day. Any licensee whose license is thus canceled by  
28 reason of the failure, neglect or refusal to secure the  
29 proper renewal certificate may be reinstated by the  
30 board at any time within six months from the date of  
31 the cancellation of said license upon the payment of  
32 the proper renewal fee and an additional fee of  
33 twenty-five dollars. If the licensee shall not apply for  
34 renewal of his license as herein required within the  
35 said six months, that person shall, at the discretion of  
36 said board, be required to file an application for and  
37 take the examination provided in this article should he  
38 desire to practice dentistry or dental hygiene in this  
39 state.

40 Upon failure of any licensee to submit the required  
41 information and pay the annual renewal fee as herein

42 required by the statutory date, the board shall attempt  
43 to notify such licensee in writing by mailing to his last  
44 registered address a notice of the requirements of this  
45 section apprising him of the fact that his license to  
46 practice will be canceled on the statutory date: *Pro-*  
47 *vided*, That failure to mail or receive such notice shall  
48 not affect the cancellation of his license.

49 The board may waive the annual payment of the  
50 renewal fee herein required, and issue a renewal  
51 certificate to any West Virginia licensee for at least  
52 twenty-five years and who is presently retired from  
53 active practice, or to any West Virginia licensee who  
54 has retired for reasons of physical disability, so long as  
55 such retirement continues: *Provided*, That the licensee  
56 provides the board with the information required by  
57 this section.

58 Every licensed dentist within thirty days of changing  
59 his place of practice or establishing additional offices  
60 shall furnish the secretary of the board with his new  
61 professional address.

62 Every licensed dental hygienist within thirty days of  
63 changing his place of employment shall furnish the  
64 secretary of the board with his new professional  
65 address and the name of his employer.

**§30-4-17c. Continuing education requirements as a prereq-  
uisite to license renewal; board's authority;  
compliance deadlines.**

1 (a) The board of dental examiners is authorized to  
2 establish continuing education requirements as a  
3 prerequisite to renewal of licenses for dentists and  
4 dental hygienists. The board shall develop criteria for  
5 course content and publish the same for course  
6 providers.

7 Only those courses approved by the board will be  
8 accepted for purposes of fulfilling the continuing  
9 education requirements.

10 The board will determine the number of continuing  
11 education hours necessary for relicensure: *Provided*,  
12 That the requirement does not exceed twenty hours

13 for any two year period.

14 (b) Beginning on the first day of February, one  
15 thousand nine hundred ninety-six, and every two  
16 years thereafter, each dentist and dental hygienist  
17 licensed to practice in this state shall return to the  
18 secretary of the board evidence satisfactory to that  
19 board that such dentist or dental hygienist has com-  
20 pleted the required number of course hours for the  
21 previous two year period.

22 Dentists or dental hygienists receiving their original  
23 license to practice after the first day of February, one  
24 thousand nine hundred ninety-four shall comply with  
25 the provisions of this section beginning on the first day  
26 of February, one thousand nine hundred ninety-eight.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Normer Heck*  
.....  
Chairman Senate Committee

*Ernest C. Moore*  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.)

*Harrell E. Holmes*  
.....  
Clerk of the Senate

*Donald G. Kopp*  
.....  
Clerk of the House of Delegates

*Walter Burdette*  
.....  
President of the Senate

*Boyd*  
.....  
Speaker House of Delegates

The within *is approved* this the *11<sup>th</sup>*.....  
day of *March*....., 1992.

*Yaston Caperton*  
.....  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/6/92

Time 9:45 am