

**313.254 Temporary license for dentist or dental hygienist to provide medical care to indigent populations -- Waiver for volunteers.**

- (1) The board may grant a temporary license to a dentist or dental hygienist who holds a currently valid license from another state, district, possession, or territory of the United States for the sole purpose of providing medical care to indigent populations who may not otherwise be able to obtain such services, without expectation of compensation or charge to the individual, and without payment or reimbursement by any governmental agency or insurer. The health care services shall be provided to charitable organizations only. A temporary license issued under this section shall be valid for no more than a ten (10) day period during any given charitable event.
- (2) To obtain the temporary license issued under subsection (1) of this section, the dentist or dental hygienist shall:
  - (a) Apply online or in writing to the Board of Dentistry at least thirty (30) days prior to providing the health care services under subsection (1) of this section;
  - (b) Submit himself or herself for a National Practitioner Databank query to be conducted by the board.
- (3) Prior to beginning the services permitted under subsection (1) of this section, the dentist or dental hygienist shall notify the appropriate agent in the Cabinet for Health and Family Services.
- (4) A dentist or dental hygienist working under this section may perform all preventive procedures and treatments including but not limited to scaling, prophylaxis, radiographs, sealants, and fluoride application.
- (5) In addition to the procedures permitted under subsection (4) of this section, a dentist may perform those procedures or treatments considered to be routine in nature and that are typically performed and completed in one (1) appointment. The procedures include simple extractions and basic restorative procedures. All procedures performed other than those provided in this subsection and subsection (4) of this section shall be performed by a dentist holding a currently valid license in the Commonwealth.
- (6) A dentist or dental hygienist working under this section who registers as a charitable health care provider under KRS 216.941 shall be eligible for the provision of medical malpractice insurance procured under KRS 304.40-075.
- (7) The board may waive the requirements of subsections (1), (2), and (3) of this section and the requirements of KRS 313.035 and 313.040 for a dentist or dental hygienist who volunteers to provide dental services through a nonprofit, all-volunteer charitable organization.
- (8) The board shall promulgate administrative regulations that are reasonably necessary to administer this section.
- (9) Any person or organization that conducts a nonprofit charitable dentistry event shall be granted immunity from civil liability in accordance with KRS 411.200.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 85, sec. 22, effective July 15, 2010. -- Amended 2008 Ky. Acts ch. 92, sec. 2, effective April 14, 2008. -- Amended 2005 Ky. Acts

ch. 99, sec. 595, effective June 20, 2005. -- Created 2002 Ky. Acts ch. 142, sec. 1, effective July 15, 2002.

**Legislative Research Commission Note** (7/15/2010). A reference in subsection (7) of this statute to "KRS 313.045" has been changed in codification to "KRS 313.035 and 313.040" to correct an inadvertent omission by the drafter, since KRS 313.045 was repealed and reenacted in the same Act to relate to administrative regulations concerning dental assistants, rather than licensing requirements addressed in KRS 313.035 and 313.040.