

DENTAL BOARD OF CALIFORNIA

Modified Text

Changes to the current regulatory language are shown by single underline for additions, and single strikeout for deletions.

Changes to the originally proposed language are shown by double underline for new additions and double strike-through for deleted text.

(1) Adopt Sections 1007 and 1008 of Division 10 of Title 16 of the California Code of Regulations, to read as follows:

Article 2. ~~General Rules Regarding Conduct of Examinations~~ General Rules Regarding Fingerprint Requirement

Section 1007. Response to Board Inquiry.

If the board or its designee asks a licensee to provide criminal history information, a licensee shall respond to that request within 30 days. The licensee shall make available all documents and other records requested and shall respond with accurate information.

NOTE: Authority cited: Section 1614, Business and Professions Code. Reference: Sections 1601.2, 1629(b) Business and Professions Code, and Section 11105 Penal Code

1008. Fingerprint and Disclosure Requirements for Renewal of License.

(a) As a condition of renewal for a license that expires on or after December 1, 2010, a licensee who was initially licensed prior to January 1, 1999, or for whom an electronic record of the submission of fingerprints ~~no longer~~ does not exist, shall furnish to the Department of Justice a full set of fingerprints for the purpose of conducting a criminal history record check and to undergo a state and federal level criminal offender record information search conducted through the Department of Justice.

(1) The licensee shall pay any costs for furnishing the fingerprints and conducting the searches.

(2) As a condition of renewal, a licensee shall certify whether his or her fingerprints have been furnished to the Department of Justice in compliance with this section.

(3) This requirement is waived if the licensee is renewed in an inactive status, or is actively serving in the military outside the country.

(4) A licensee shall retain, for at least three years from the renewal date, either a receipt showing the electronic transmission his or her fingerprints to the Department of Justice or a receipt evidencing that the licensee's fingerprints were taken.

(b) As a condition of renewal, a licensee shall disclose whether, in the prior renewal cycle, he or she has been convicted of any violation of the law in this or any other state, the United States, or other country, omitting traffic infractions under ~~\$300~~ \$1,000 not involving alcohol, dangerous drugs, or controlled substances. In addition, a licensee shall disclose any disciplinary actions against any other license he or she may hold.

(c) Failure to comply with the requirements of this section renders any renewal incomplete and the license will not be renewed until the licensee demonstrates compliance with all requirements.

(d) Failure to furnish a full set of fingerprints to the Department of Justice as required by this section on or before the date required for renewal of a license is grounds for discipline by the Board.

NOTE: Authority cited: Section 1614, Business and Professions Code. Reference: Sections 1601.2, 1629(b) Business and Professions Code, and Section 11105 Penal Code

(2) Amend Section 1017.2 of Division 10 of Title 16 of the California Code of Regulations, to read as follows:

Article 4. Continuing Education

1017.2. Inactive Licenses.

(a) A licensee who desires an inactive license shall submit a completed Application to Activate/Inactivate License (12/09) that is incorporated herein by reference. ~~an application to the board on a form provided by the board.~~

(b) In order to restore an inactive license to active status, the licensee shall submit a completed Application to Activate/Inactivate License (12/09) that is incorporated herein by reference. ~~an application to the board on a form provided by the board,~~ accompanied by evidence that the licensee has completed the required number of hours of approved continuing education in compliance with this article within the last two years preceding such application. In addition, the licensee shall submit a full set of fingerprints as required by Section 1008.

(c) The holder of an inactive license shall continue to pay to the board the required biennial renewal fee.

(d) The board shall inform an applicant who wishes to activate/inactivate his/her license in writing with 30 days whether the application is complete and accepted for filing or is deficient and what specific information is required. The board shall decide within 30 days after the filing of a completed application whether the applicant meets the requirements.

NOTE: Authority cited: Section 1614, Business and Professions Code. Reference: Sections 1601.2, 1629(b) Business and Professions Code, and Section 11105 Penal Code