

21 NCAC 16B .0501 is amended with changes as published in 34:10 NCR 860-61 as follows:

SECTION .0500 – LICENSURE BY CREDENTIALS

21 NCAC 16B .0501 DENTAL LICENSURE BY CREDENTIALS

(a) An applicant for a dental license by credentials shall submit to the Board:

- (1) a ~~completed~~, notarized application form provided by the ~~Board~~ Board at www.ncdentalboard.org that includes the information and materials required by Rule .0301(a) of this Subchapter;
- (2) the non-refundable licensure by credentials ~~fee~~ fee set forth in Rule 16M .0101 of this Chapter;
- (3) an affidavit from the applicant stating for the five ~~years immediately preceding the application~~ year period set out in G.S. 90-36(c)(1):
 - (A) the dates that and locations where the applicant has practiced dentistry;
 - (B) that the applicant has provided at least 5,000 hours of clinical care ~~directly~~ to patients, not including post graduate training, residency programs or an internship; and
 - (C) that the applicant has ~~continuously~~ held an active, unrestricted dental license issued by another U.S. state or U.S. ~~territory~~ territory, without any period of interruption; and
- (4) a statement disclosing and explaining any investigations, malpractice claims, or state or federal agency complaints, judgments, settlements, or criminal charges; or settlements that are related to licensure and are not disclosed elsewhere in the application.
- ~~(5) a statement disclosing and explaining periods within the last 10 years of any voluntary or involuntary commitment to any hospital or treatment facility, observation, assessment, or treatment for substance abuse, with verification demonstrating that the applicant has complied with all provisions and terms of any county or state drug treatment program, or impaired dentists or other impaired professionals program;~~
- ~~(6) a copy of a current CPR certificate; and~~
- ~~(7) a statement disclosing whether or not the applicant holds or has ever held a registration with the federal Drug Enforcement Administration (DEA) and whether such registration has ever been surrendered or revoked.~~

(b) In addition to the requirements of Paragraph (a) of this Rule, an applicant for a dental license by credentials shall arrange for and ensure the submission to the Board office request the applicable entity to send the following required information or documents as a package, to the Board office, with each document in an unopened envelope sealed by the entity involved:

- (1) the applicant's official transcripts ~~verifying that the applicant graduated~~ from a dental school accredited by the Commission on Dental Accreditation of the American Dental Association;
- ~~(2) if the applicant is or has ever been employed as a dentist by or under contract with a federal agency, a letter certifying the applicant's current status and disciplinary history from each federal agency where the applicant is or has been employed or under contract;~~

- 1 ~~(3)(2)~~ a certificate of the applicant's licensure status from the dental regulatory authority or other
2 occupational or professional regulatory authority and a ~~full, fair and accurate~~ disclosure of any
3 disciplinary action taken or investigation pending, from all licensing jurisdictions where the
4 applicant holds or has ever held a dental license or other occupational or professional license;
- 5 (3) examination scores required by Rule .0303(b) of this Subchapter;
- 6 ~~(4) a report from the National Practitioner Databank;~~
- 7 ~~(5)(4)~~ a report of any pending or final malpractice actions against the applicant verified by the malpractice
8 insurance carrier covering the applicant. ~~The applicant shall submit a letter of coverage history from~~
9 ~~all current and all previous malpractice insurance carriers covering the applicant; and~~
- 10 (5) a letter of coverage history from all current and all previous malpractice insurance carriers covering
11 the applicant.
- 12 ~~(6) a score certification letter from a dental professional regulatory board or regional testing agency of~~
13 ~~a passing score on a clinical licensure examination substantially equivalent to the clinical licensure~~
14 ~~examination required in North Carolina by Rule .0303 of this Subchapter. The examination shall be~~
15 ~~administered by the dental professional regulatory board or a regional testing agency. The score~~
16 ~~certification letter shall:~~
- 17 ~~(A) state that the examination included procedures performed on human subjects as part of the~~
18 ~~assessment of restorative clinical competencies and included evaluations in periodontics~~
19 ~~and at least three of the following subject areas:~~
- 20 ~~(i) endodontics, clinical abilities testing;~~
21 ~~(ii) amalgam preparation and restoration;~~
22 ~~(iii) anterior composite preparation and restoration;~~
23 ~~(iv) posterior ceramic or composite preparation and restoration;~~
24 ~~(v) prosthetics, written or clinical abilities testing;~~
25 ~~(vi) oral diagnosis, written or clinical abilities testing; or~~
26 ~~(vii) oral surgery, written or clinical abilities testing; and~~
- 27 ~~(B) state that licensure examinations after January 1, 1998 included:~~
- 28 ~~(i) anonymity between candidates and examination graders;~~
29 ~~(ii) standardization and calibration of graders; and~~
30 ~~(iii) a mechanism for post exam analysis;~~
- 31 ~~(7) the applicant's passing score on the Dental National Board Part I and Part II written examination~~
32 ~~administered by the Joint Commission on National Dental Examinations; and~~
- 33 ~~(8) the applicant's passing score on the licensure examination in general dentistry conducted by a~~
34 ~~regional testing agency or independent state licensure examination substantially equivalent to the~~
35 ~~clinical licensure examination required in North Carolina as set out in Subparagraph (b)(6) of this~~
36 ~~Rule.~~

1 ~~(c) All information required shall be completed and received by the Board office as a complete package with the~~
2 ~~initial application and application fee. Incomplete applications shall be returned to the applicant. The Board~~ **[must]**
3 **[shall]** ~~receive all information and documentation set forth in Paragraphs (a) and (b) of this Rule and the applicant's~~
4 ~~passing scores on all examinations required by Rule .0303 of this Subchapter for the application to be complete.~~
5 ~~Applications that are not completed within one year of being submitted to the Board shall be disregarded as expired~~
6 ~~without a refund of the application fee.~~

7 ~~(d) All applicants shall submit to the Board a signed release form, completed Fingerprint Record Card, and other~~
8 ~~form(s) required to perform a criminal history check at the time of the application. The forms are available at the~~
9 ~~Board office.~~

10 ~~(e)(d) An applicant for dental licensure by credentials must~~ **[shall]** ~~pass written examinations as set out in G.S. 90-36~~
11 ~~Rule .0303(a) of this Subchapter, and, if deemed necessary based on the applicant's history, a clinical simulation~~
12 ~~examination administered by the Board. An applicant who fails the written examination may retake it two additional~~
13 ~~times during a one year period. The applicant shall wait at least 72 hours before attempting to retake a written~~
14 ~~examination. Individuals who fail the clinical examination or do not pass the written examination after three attempts~~
15 ~~within one year may not reapply for licensure by credentials.~~

16 ~~(e) Any applicant who changes his or her address shall notify the Board office in writing within 10 business days.~~

17 ~~(f) Should the applicant reapply for licensure by credentials, an additional licensure by credentials fee shall be required~~
18 ~~at the time of each reapplication.~~

19 ~~(g)(f) Any license obtained through fraud or by any false representation shall be void ab initio and of no~~
20 ~~effect.~~ **[revoked.]**

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22 *History Note: Authority G.S. 90-28; 90-36;*

23 *Temporary Adoption Eff. January 1, 2003;*

24 *Eff. January 1, 2004;*

25 *Recodified from 21 NCAC 16B .0401 Eff. March 1, 2006;*

26 *Amended Eff. September 1, 2014; February 1, 2010;*

27 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,*
28 *2018.2018;*

29 *Amended Eff. March 1, 2020.*

21 NCAC 16B .0801 is amended with changes as published in 34:10 NCR 863-65 as follows:

SECTION .0800 – SPECIAL RESTRICTED LICENSES

21 NCAC 16B .0801 TEMPORARY VOLUNTEER DENTAL PERMIT

(a) An applicant for a ~~Temporary Volunteer Dental License~~temporary volunteer dental permit shall submit to the ~~Board~~Board an application form provided by the Board at www.ncdentalboard.org that includes the following information:

- ~~(1) — A completed, notarized application form provided by the Board, with a photograph of the applicant taken within six months of the application date attached;~~
- ~~(2) — A statement from all jurisdictions in which the applicant is now or has ever been licensed, disclosing the applicant's disciplinary history and current status of the applicant's license;~~
- ~~(3) — A statement signed by a N.C. licensed dentist agreeing to provide supervision or direction to the temporary volunteer dentist, stating where, during the effective period of the permit such supervision or direction will occur, and affirming that no fee or monetary compensation of any kind will be paid to the applicant for dental services performed; and~~
- ~~(4) — A statement signed by the applicant stating where the applicant will practice, the type of facility where the practice will occur, the duration of the practice, the name of the supervising dentist, and affirming that no fee will be charged or accepted. The applicant shall update the information within five days of any changes in the practice location or facility.~~
- (1) full name;
- (2) street address;
- (3) employer name and address, and the applicant's position title;
- (4) work, home, and cellular telephone numbers;
- (5) fax number;
- (6) email address;
- (7) any other name by which the applicant was known in the past;
- (8) social security number;
- (9) citizenship or immigration status, with verifying documentation;
- (10) authorization to work in the United States;
- (11) dental education, including dental school name, address, and the applicant's graduation date, and any other dental post-graduate education;
- (12) all dental licenses from other states ever held by the applicant, including state, license number, date issued, and licensure status as of the application date;
- (13) if the applicant has ever been denied a license or the privilege of taking a dental licensure or competency examination by any dental licensing authority or examining body, a written statement disclosing the details, jurisdiction, and date;

- (14) if the applicant is not engaged in the practice of dentistry as of the application date, the last month and year when the applicant practiced;
- (15) if the applicant has been charged with or convicted of any crime within the 10 years preceding the application date, excluding traffic violations but including driving while impaired offenses, a written statement disclosing the details and copies of the charges and judgment;
- (16) if the applicant has any contagious or infectious disease, a written statement disclosing the details;
- (17) a statement disclosing and explaining any current condition or impairment, including substance abuse, alcohol abuse, or a mental, emotional, or nervous disorder or condition, that in any way affects the ability to practice dentistry. For purposes of this rule, "current" means recently enough that the condition may affect the applicant's ability to function as a dentist as set out in G.S. 90-41(a)(2) and (7). If the applicant contends that the condition or impairment is reduced or ameliorated because the applicant is receiving ongoing treatment or participating in a monitoring or support program, the applicant may provide information regarding the treatment or program, and may include any verification demonstrating that the applicant has complied with all provisions and terms of any drug treatment program, or impaired dentists or other impaired professionals program;
- (18) the type of facility and addresses of all facilities where the applicant will provide temporary volunteer dental services in North Carolina;
- (19) the dates on which the applicant intends to provide temporary volunteer dental services in North Carolina;
- (20) the names of all North Carolina licensed dentists who will direct or supervise the applicant at each location where the applicant will provide temporary volunteer dental services;
- (21) a copy of an unexpired CPR certificate;
- (22) a photograph of the applicant taken within six months preceding the application date;
- (23) a completed fingerprint record card and signed release of information form authorizing the Board to request a fingerprint-based criminal history record check from the North Carolina State Bureau of Investigation (SBI); and
- (24) a signed, notarized statement by the applicant affirming the applicant has not been disciplined by any dental board or agency, the information in the application is accurate, and no fee will be charged or accepted for any dental services provided.
- (b) ~~All information required must be completed and received in the Board office as a complete package at least two weeks prior to the issuance of the license. Incomplete applications shall be returned to the applicant.~~ In addition to the requirements of Paragraph (a) of this Rule, the applicant shall request the applicable entity or person to send the following required information or documents to the Board office, with each document in an unopened envelope sealed by the entity involved:
- (1) a statement from all jurisdictions in which the applicant is now or has ever been licensed, disclosing the applicant's disciplinary history and current status of the applicant's license; and

1 (2) a statement signed by a North Carolina licensed dentist agreeing to provide supervision or direction
2 to the temporary volunteer dentist, stating when and where the supervision or direction will occur
3 and affirming that no fee or monetary compensation of any kind will be paid to the applicant for
4 dental services performed.

5 (c) The Board ~~[must]~~ shall receive all items set forth in Paragraphs (a) and (b) of this Rule for the application to be
6 complete. Applications that are not completed within one year of being submitted to the Board shall be disregarded
7 as expired.

8 (d) The holder of a temporary volunteer dental permit shall notify the Board within five days of any changes in the
9 practice location or facility disclosed under Paragraph (a) of this Rule.

10 ~~(e)(c) To renew the Temporary Volunteer Dental License~~ temporary volunteer dental permit, the licensee shall submit
11 the information required in Subparagraphs (a)(2) – (4) of this Rule, along with an affidavit stating that the information
12 on the original application is correct and requires no update or correction to the Board:

13 (1) an affidavit or notarized statement verifying the location and type of facility where the applicant
14 will practice, the duration of the practice, the name of the supervising dentist, that no fee will be
15 charged or accepted, and that the information in the original application submitted under Paragraph
16 (a) of this Rule is correct and requires no update or correction; and

17 (2) the information required in Paragraph (b) of this Rule.

18 The Board ~~[must]~~ shall receive all items set forth in this Paragraph for the renewal application to be complete before
19 the deadline for renewing applications. The applicant shall report any changes to submitted information within five
20 days of when the licensee knew or should have known of the changes.

21 ~~(d) All required information shall be completed and received in the Board office as a complete package at least two~~
22 ~~weeks prior to the renewal of the license. Incomplete applications shall be returned to the applicant. The applicant~~
23 ~~shall report any changes to submitted information within five days of when the licensee knew or should have known~~
24 ~~of the changes.~~

25 (f) Any applicant who changes his or her address shall notify the Board office in writing within 10 business days.

26 (g) Any license obtained through fraud or by any false representation shall be revoked.

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29 History Note: Authority G.S. 90-29; 90-37.2; 90-41;

30 Eff. February 1, 2008;

31 Amended Eff. September 1, 2014;

32 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,
33 2018-2018;

34 Amended Eff. March 1, 2020.
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