

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 4041

By: Townley

AS INTRODUCED

An Act relating to professions and occupations; amending 59 O.S. 2021, Section 328.54, which relates to dental practice; modifying teledentistry requirements; amending 63 O.S. 2021, Sections 1-2711 and 1-2712, which relate to the Oklahoma Dental Loan Repayment Act; adding legislative findings; increasing certain repayment program allowances; modifying program requirements; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2021, Section 328.54, is amended to read as follows:

Section 328.54 A. Any person conducting a diagnosis for the purpose of prescribing medication or treatment or any other action determined to be a dental practice as defined by the State Dental Act, via the Internet or other telecommunications device on any patient that is physically located in this state shall hold a valid Oklahoma state dental license.

B. A dentist holding a valid dental license in Oklahoma may consult, diagnose and treat a patient of record via synchronous or

1 asynchronous telecommunication between the patient and dentist. The
2 dentist must record all activities relating to teledentistry in the
3 patient record and must have an office location ~~in Oklahoma~~
4 available for follow-up treatment and maintenance of records in
5 Oklahoma or adjacent to Oklahoma and within fifty (50) miles of an
6 Oklahoma border of a state with an interstate dental and dental
7 hygienist compact.

8 SECTION 2. AMENDATORY 63 O.S. 2021, Section 1-2711, is
9 amended to read as follows:

10 Section 1-2711. A. The Legislature recognizes that there is a
11 need to:

- 12 1. Upgrade the availability of quality dental care services for
13 the people of Oklahoma;
- 14 2. Improve the balance of dental manpower distribution in the
15 state by geographic location; ~~and~~
- 16 3. Increase access to dental care to those who are dependent on
17 the state for necessary dental care;
- 18 4. Allow providers to work at the top of their license and
19 utilize supporting roles; and
- 20 5. Address the need for dental faculty.

21 B. The purpose of the Oklahoma Dental Loan Repayment Act shall
22 be to:

- 23 1. Increase the number of dentists serving and caring for those
24 dependent upon the state for dental care; and

1 2. Ensure that dental care and services are accessible
2 throughout the state, and specifically, that quality dental care and
3 services be accessible to underserved dental areas in rural and
4 metropolitan areas of the state, and to those dependent upon the
5 state for dental care.

6 SECTION 3. AMENDATORY 63 O.S. 2021, Section 1-2712, is
7 amended to read as follows:

8 Section 1-2712. A. 1. The State Department of Health shall
9 administer the Oklahoma Dental Loan Repayment Program.

10 2. The Program, depending upon available funding, shall provide
11 educational loan repayment assistance for up to a total of ~~twenty-~~
12 ~~five~~ thirty full-time equivalent Oklahoma licensed dentists per year
13 including new and continuing contract renewable participants.

14 3. Each award shall be for a contracted period and shall be
15 distributed to the participant by drafts made payable to the
16 participant for deposit to an appropriate loan agency in equal
17 monthly disbursements, not to exceed ~~Fifty Thousand Dollars~~
18 ~~(\$50,000.00)~~ Sixty Thousand Dollars (\$60,000.00) per year for a
19 maximum five-year period. Prior to any disbursement, the Department
20 shall certify and properly review monthly reports submitted by the
21 participating dentist detailing performance of activities in
22 accordance with the Oklahoma Dental Loan Repayment Act.

23 4. At the conclusion of the minimum service obligation, the
24 Department shall review the performance in the Program of the
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1 participating dentist and determine whether an award may be granted
2 for an additional period not to exceed a total participation in the
3 Program of five (5) years pursuant to rules promulgated by the
4 Department.

5 B. Any dentist entering the Program each year as a nonfaculty
6 participant shall agree to provide dental care and services to
7 Medicaid recipients as authorized by the Oklahoma Health Care
8 Authority. The Department shall be responsible for ensuring that at
9 least thirty percent (30%) of the patients treated by the dentist
10 will be Medicaid recipients.

11 1. Any general practice dentist entering the Program each year
12 as a nonfaculty participant shall agree to provide dental care and
13 services in a designated Dental Health Professional Shortage Area
14 (DHPSA) of this state.

15 2. Any dentist licensed to practice as a Pediatric Dentistry
16 Specialist as defined by the State Dental Act or any dentist
17 practicing in a Federally Qualified Health Center (FQHC), FQHC look-
18 alike, county health department or city-county health department may
19 be exempt from the requirement to practice in a Dental Health
20 Professional Shortage Area (DHPSA).

21 C. A dentist entering the Program as a faculty participant
22 shall agree to teach at the University of Oklahoma College of
23 Dentistry. In the event there are no appropriate faculty
24 applicants, the Program may award additional nonfaculty dentists.

1 D. A dentist shall be eligible to participate in the Program if
2 the dentist:

- 3 1. Is a ~~new~~ dental school graduate. Preference will be given
4 to graduates of the University of Oklahoma College of Dentistry;
5 2. Is licensed to practice dentistry in Oklahoma; and
6 3. Has demonstrated financial need.

7 E. The dentist shall execute a contract with the Department to
8 provide dental services pursuant to the terms of the contract and in
9 accordance with rules promulgated by the Department.

10 F. If the dentist does not fulfill the service obligation, the
11 Department may collect from the participant the entire amount of
12 loan payments made under the Program plus interest.

13 G. The Department shall present a report on the operation of
14 the Program to the Governor, the Speaker of the House of
15 Representatives, and the President Pro Tempore of the Senate within
16 one (1) month of the beginning of each regular session of the
17 Legislature including but not limited to the progress made in
18 accomplishing the goal of the Program.

19 SECTION 4. This act shall become effective November 1, 2024.
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