



North Dakota State Board of Dental Examiners

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MINUTES SPECIAL MEETING North Dakota Board of Dental Examiners December 20, 2019, 8:00 AM CDT

1. Call to Order: Dr. Keim called the meeting to order at 8:03 AM CDT.
2. Roll call

Board Members and Administrative Staff Attendance

Michael Keim, DDS, President
Greg Evanoff, DDS President-Elect
Bev Marsh, RDH, Immediate Past President
Rita Sommers, Executive Director
Tara Brandner, Assistant Attorney General

Tim Mehlhoff, CPA, Secretary-Treasurer
Otto Dohm, DDS
Mike Goebel, DDS
Alison Fallgatter, DDS

Temporary dental hygiene license application; McLallen, RDH, and military spouse, meets the requirements for a temporary license. The Board believes Ms. McLallen has demonstrated competency in the occupation by providing evidence of work history as required by NDCC § 43-51-11.1(1)(a). Dr. Fallgatter moved and seconded to issue a temporary dental hygiene license to Ms. McLallen. The Board is authorized by 43-51-11.1 which states that a board shall adopt rules regarding licensure of a military spouse or shall grant on a case-by-case basis exceptions to the board's licensing standards to allow a military spouse to practice the occupation or profession in the state if the applicant meets specific criteria. Requirements under subsection 1 of NDCC § 43-51-11.1 have been substantially met. No fees shall be charged by the Board for the temporary license. The applicant may hold the temporary license not to exceed two years during which time the applicant is moving toward fulfilling the unmet licensure requirements at which time the Board may grant the traditional licensure. Dr. Dohm seconded the motion. Roll call vote: Dr. Keim, yes; Dr. Evanoff, yes; Ms. Marsh, yes; Mr. Mehlhoff, yes; Dr. Goebel, yes; Dr. Dohm, yes; Dr. Fallgatter, yes. Motion carried 7-0.

3. Adjourn: The meeting adjourned at 8:11 AM CDT

Respectfully submitted,

Rita Sommers, Executive Director

Tim Mehlhoff, CPA, Secretary-Treasurer

43-51-11. Members of military - License renewal.

1. A board shall adopt rules to provide for or shall grant on a case-by-case basis exceptions to the board's license renewal requirements in order to address renewal compliance hardships that may result from: a. Activation of more than thirty days of a licensee who is a member of the national guard or armed forces of the United States. b. Service in the theater or area of armed conflict by a licensee who is a member of the regular active duty armed forces of the United States.

2. For purposes of this section, the term board includes the state board of accountancy, state electrical board, North Dakota real estate appraiser qualifications and ethics board, state real estate commission, secretary of state with respect to contractor licensing, North Dakota board of medicine, and state board of dental examiners.

43-51-11.1. Military spouses - Licensure.

1. A board shall adopt rules regarding licensure of a military spouse or shall grant on a case-by-case basis exceptions to the board's licensing standards to allow a military spouse to practice the occupation or profession in the state if upon application to the board:

a. The military spouse demonstrates competency in the occupation or profession through methods or standards determined by the board which must include experience in the occupation or profession for at least two of the four years preceding the date of application under this section; and

b. The board determines the issuance of the license will not substantially increase the risk of harm to the public. A board with authority to require an applicant to submit to a statewide and national criminal history record check under section 12-60-24 may order such a record check under this subdivision.

2. A board shall issue a provisional license or temporary permit to a military spouse for which the licensure requirements under subsection 1 have been substantially met. A board may not charge a military spouse any fees for a provisional license or temporary permit under this subsection. A provisional license or temporary permit issued under this subsection may not exceed two years and remains valid while the military spouse is making progress toward satisfying the unmet licensure requirements. A military spouse may practice under a provisional license or temporary permit issued under this subsection until any of the following occurs:

a. The board grants or denies the military spouse a North Dakota license under subsection 1 or grants a North Dakota license under the traditional licensure method;

b. The provisional license or temporary permit expires;

c. The military spouse fails to comply with the terms of the provisional license or temporary permit; or d. The board revokes the provisional license or temporary permit based on a determination revocation is necessary to protect the health and safety of the residents of the state.

3. A board that may elect to subject the board to this chapter under subsection 1 of section 43-51-01 may issue a license, provisional license, or temporary permit to a military spouse in the same manner as provided under subsections 1 and 2 regardless of whether the board has adopted rules to subject the board to this chapter.

4. A military spouse issued a license under this section has the same rights and duties as a licensee issued a license under the traditional licensure method.

5. If within thirty days of receipt of a completed application under subsection 1 the board does not grant or deny a license under subsection 1 or does not issue a provisional license or temporary permit under subsection 2, the board automatically shall issue a provisional license or temporary permit. A provisional license or temporary permit issued under this subsection remains valid until the board grants or denies the application for licensure under subsection 1 or issues a provisional license or temporary permit under subsection 2.

6. For purposes of this section, the term "board" includes the state board of accountancy, state electrical board, North Dakota real estate appraiser qualifications and ethics board, state real estate commission, secretary of state with respect to contractor licensing, North Dakota board of medicine, and **state board of dental examiners.**