

Vermont State



Dental Society

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A CONSTITUENT OF THE AMERICAN DENTAL ASSOCIATION

AUGUST 26, 2009
FROM: VSIDS

VERMONT GRANTS LICENSE TO GRADUATE OF NON ACCREDITED FOREIGN DENTAL SCHOOL

This is the first time in the history of the Board of Dental Examiners (BDE) that a Vermont dental license has been granted to an individual who has not met the basic requirement of having graduated from a dental college accredited by the Commission on Dental Accreditation of the American Dental Association. The Vermont State Dental Society believes that graduation from an accredited dental school is a basic requirement for dental licensure found in Vermont law and that the BDE decision is contrary to those statutes. The VSIDS Executive Board has submitted a request for a rules change to the BDE. We believe that our recommendation will bring the BDE Rules back in compliance with legislative intent.

In March of this year the BDE denied a Vermont dental license to a graduate of a non accredited foreign dental school who was a holder of a Canadian dental license. At a July 8, 2009 BDE hearing the individual appealed the BDE decision of March and following an executive session the BDE granted a Vermont Dental license to this individual based on the individual's Canadian license which had been held for over 5 years.

The decision was arrived at during a 1 hour closed session and was based on a new interpretation of current BDE Rules and Vermont Statutes.

The BDE is currently in the process of rule making and since a section of those proposed rules already relates to the process of licensing dentists we believe that the rules can easily be amended to reflect the historical intent of Vermont statutes.

At its August 12 meeting the VSIDS requested that the BDE change the wording of Rules to clarify that all applying for licensure as a dentist in Vermont must be graduates of a CODA accredited dental program or have completed a minimum of one year of study in a school of dentistry accredited by CODA resulting in the awarding of a dental degree (D.D.S. or D.M.D.) by that institution. This change of wording will keep Vermont licensing standards consistent with Vermont statutes and rules of other states and Canada.

Please see the attached VSIDS Letter to the BDE. Should you have questions about the VSIDS recommendations please contact us. If you wish to comment on the proposed BDE rules you may go to the BDE web site <http://vtprofessionals.org/opr1/dentists/> for more information on the proposed rules.

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August 10, 2009

Dr. John Langfeldt, Chair
Vermont Board of Dental Examiners
Vermont Office of Secretary of State
National Life Building
North Floor 2
Montpelier, VT 05620-34-02

Dear Doctor Langfeldt,

The Executive Board of the Vermont State Dental Society (the "VSDS") is requesting that the Administrative Rules of the Vermont Board of Dental Examiners (the "BDE") be amended to clarify that graduation from a dental college accredited by the Commission on Dental Accreditation of the American Dental Association is a requirement for obtaining license to practice dentistry in Vermont consistent with Vermont statutes.

The VSDS Executive Board is sending this communication in light of a recent decision by the BDE to grant a dental license in Vermont to an individual who is not a graduate of an accredited dental college. The VSDS Executive Board wishes to express its concern over this decision, which it feels is contrary to Vermont law. Thus, the VSDS Executive Board is formally requesting that the current proposed Administrative Rules of the BDE be amended so that the requirements and path to dental licensure in Vermont are clear to future applicants.

This is the first time in the history of the BDE that a Vermont dental license has been granted to an individual who has not met this basic requirement found in Vermont law. Specifically, Vermont Statutes provide, in part, that "any person who has attained the age of majority, who is a graduate of a dental college accredited by the Commission on Dental Accreditation of the American Dental Association, upon the payment of the required application fee and an examination fee, may apply to be examined." (26 V.S.A. § 801)

In its recent decision, the BDE appears to rely on its Administrative Rules as the basis for granting a license. It also appears that the BDE, in its interpretation of the Administrative Rules, decided a dental degree from an accredited college is not a requirement for certain paths to licensure. The VSDS Executive Board strongly disagrees with this decision, believes it is contrary to legislative intent related to the law, and was never articulated as a purpose of the 2005 amendments to the BDE Administrative Rules. As stated in statute, a person must be the age of majority and a graduate of an accredited dental college in order to apply to be examined. The VSDS believes these two components form the minimum requirements of eligibility for applicants in all paths to licensure. Regardless of the BDE's recent decision based on perceived

flexibility granted under the Administrative Rules, the VSIDS Executive Board notes that each path to licensure, including the so-called 5-year rule, requires the applicant to complete an exam.

In order to sit for such exam, as stated in law, the applicant must be of age and a graduate of an accredited dental college.

In our review of the past and current Administrative Rules of the Board, it appears that a change in formatting in 2005 has allowed for the current confusion that has led to licensure consideration of an individual who does not possess a dental degree from an accredited college. Prior to 2005, BDE Administrative Rules were very clear and consistent with Vermont law that for any form of licensure a degree from an accredited program was required by all applicants for licensure. (See attached sections of the 2000 BDE Administrative Rules.)

So that clarity may again be achieved for future applicants for licensure, the VSIDS Executive Board requests that the attached proposed amendments to the BDE's Administrative Rules be incorporated into its current, proposed revisions to the Rules.

The VSIDS' Executive Board appreciates the BDE's consideration of this request. We look forward to working with the BDE in this effort.

Sincerely,

A handwritten signature in cursive script that reads "Peter Taylor". The signature is written in black ink and is positioned above the typed name and title.

Peter Taylor
Executive Director

c: Members Vermont Board of Dental Examiners

p.s. We would also point out that in 2001 graduation from a dental school accredited by the Commission on Dental Accreditation of the American Dental Association became a requirement for licensure in Canada.

Attachment A

Rules of Vermont Board of Dental Examiners 2000

"2.4 HOW TO BECOME LICENSED AS A DENTIST ON THE BASIS OF EXAMINATION..

1. Has graduated from a school of dentistry accredited by the Commission on Dental Accreditation of the American Dental Association or, if the applicant has completed a program of dental education in a unregistered and unaccredited foreign dental school, evidence of successful completion of a minimum of one year of study in a school of dentistry accredited by the Commission on Dental Accreditation of the American Dental Association, resulting in the awarding of a dental degree (D.D.S. or D.M.D.) by that institution ;...

2.5 HOW TO BECOME LICENSED AS A DENTIST ON THE BASIS OF CREDENTIALS

1. Is a graduate of a dental school accredited by the Commission on Dental Accreditation of the American Dental Association or a dental school accredited by an organization recognized by the Council on Dental Accreditation of the American Dental Association ;..."

Proposed change to rules of the Vermont Board of Dental Examiners Submitted by the Vermont State Dental Society 8-11-09

PART 4. INFORMATION FOR DENTISTS

4.1 How to Obtain a License as a Dentist

(a) Qualifications for licensure as a dentist are set forth by 26 V.S.A. Chapter 13 §§ 801 through 805. 26 V.S.A. § 804 gives the Board authority to promulgate rules relating to 1) the qualifications of applicants; 2) conducting the examinations; and 3) granting licenses.

(b) Applications for a dental license may be obtained from the Office or online at <http://vtprofessionals.org/>. An applicant shall submit a fully completed application form with all supporting documentation and the fee to the Office.

(c) An applicant may obtain a license as a dentist through one of the following three paths: examination, credentials (also referred to as "endorsement"), or licensed practice experience; provided, however, the applicant first meets each of the following qualifications:

(1) is at least 18 years of age and not in violation of these rules or statutes governing the profession; and

(2) has graduated from a school of dentistry or dental college accredited by the Commission on Dental Accreditation of the American Dental Association or, if the applicant has completed a program of dental education in an unregistered and unaccredited foreign dental school, evidence of successful completion of a minimum of one year of study in a school of dentistry accredited by the Commission on Dental Accreditation of the American Dental Association, resulting in the awarding of a dental degree (D.D.S. or D.M.D.) by that institution.

4.2 Licensure by Examination

The application and accompanying documents must show that the applicant:

- (a) ~~Is at least 18 years of age and not in violation of these rules or statutes governing the profession.~~
- (b) ~~Has graduated from a school of dentistry or dental college accredited by the Commission on Dental Accreditation of the American Dental Association or, if the applicant has completed a program of dental education in an unregistered and unaccredited foreign dental school, evidence of successful completion of a minimum of one year of study in a school of dentistry accredited by the Commission on Dental Accreditation of the American Dental Association, resulting in the awarding of a dental degree (D.D.S. or D.M.D.) by that institution;~~
- (c) Presents a certificate of the National Board of Dental Examiners; and
- (d) (b) Has:
 - (1) passed the ADLEX or Northeast Regional Board Examination (NERB); or,
 - (2) passed the board certifying examinations of the American Dental Association's recognized specialty boards, or,
 - (3) has passed the written portion of the NERB/ADLEX and all sections of one of the following:
 - (A) ADLEX;
 - (B) the Central Regional Dental Testing Service Examination (CRDTS);
 - (C) the Council of Interstate Testing Agencies (CITA);
 - (D) the Southern Regional Testing Agency Examination (SRTA);
 - (E) the Western Regional Examining Board Examination (WREB); or,
 - (F) another regional or national clinical examination approved by the Board before the examination is taken.
- (e) (c) Has completed training in emergency office procedures required in Rule 2.1(m).
- (f) (d) Has successfully completed the Vermont dental statutes and rules examination. The examination questions are available from the Office or online at <http://vtprofessionals.org/>