

HOUSE No. 2268

By Mr. Torrisi of North Andover, petition of David M. Torrisi and others for legislation to promote volunteer dentistry in the Commonwealth. Public Health.

The Commonwealth of Massachusetts

PETITION OF:

David M. Torrisi	Cleon H. Turner
Barbara A. L'Italien	Susan C. Fargo
Gale D. Candaras	

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO VOLUNTEER DENTISTRY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 112 of the General Laws, as appearing in
2 the 2004 Official Edition, is hereby amended by inserting after
3 Section 45A the following section:—

4 Section 45B. (a) The board may grant or renew a certificate of
5 registration without payment of a fee to a dentist qualified for regis-
6 tration or renewal of the same under this chapter; provided, that the
7 dentist has agreed to restrict his practice to that of a volunteer practi-
8 tioner in a specified free care program operated by a nonprofit orga-
9 nization. The scope of practice of a dentist whose certificate of
10 registration is granted or renewed pursuant to this section may be
11 restricted as the board may provide by regulation.

12 (b) In order to qualify for a license for volunteer practice, an
13 applicant shall meet the requirements for a regular license under this
14 chapter, in addition to the requirements set forth below. An applicant
15 shall submit to the board a completed application on a form pre-
16 scribed by the board and any additional information that the board
17 requests. An applicant shall agree to the conditions on practice pro-
18 mulgated by the board.

19 (c) The board's application form for a license for volunteer prac-
20 tice shall include a request for the following information:—

21 (1) a written statement from the applicant outlining the scope and
22 duration of services to be provided by the applicant;

23 (2) a written statement from the director of the applicant's pro-
24 posed work site outlining the scope and duration of the applicant's
25 responsibilities; and

26 (3) evidence satisfactory to the board that, in the proposed work
27 site, the volunteer dentist will be serving without compensation and
28 providing free dental care to a low-income community, or a commu-
29 nity with limited access to dental care.

30 (d) If an applicant has met all of the requirements of this section
31 to the satisfaction of the board, the applicant shall be granted a
32 license for volunteer practice and entitled to a certificate of registra-
33 tion signed by the chairman and the secretary of the board. A
34 licensee engaged in volunteer practice may practice dentistry only at
35 a work site approved in conjunction with his license application;
36 shall be subject to the same conditions and responsibilities as a reg-
37 ular licensee; and may not accept any compensation for the practice
38 of dental medicine.

1 SECTION 2. The board of registration in dentistry shall promul-
2 gate regulations to carry out Section 2 not later than 3 months
3 following the effective date of this act.

1 SECTION 3. The commissioner of public health, or his designee,
2 shall study the impact of the Federal Volunteer Protection Act of
3 1997 and the Free Clinics Federal Tort Claims Act Medical Malprac-
4 tice Program on health care volunteers in the Commonwealth. The
5 commissioner shall review ways in which the Commonwealth may
6 act to provide legal counsel and defense to volunteers who may be
7 eligible for the protections afforded in the Volunteer Protection Act
8 of 1997 or the Free Clinics Federal Tort Claims Act Medical Mal-
9 practice Program. The commissioner shall report the results of the
10 review by filing the same with the joint committee on health care
11 financing, together with recommendation for legislation, if any, by
12 December 31, 2008.