21 NCAC 16C .0312 is adopted under emergency procedures as follows:

21 NCAC 16C .0312 TEMPORARY LIMITED LICENSE DURING STATE OF EMERGENCY

(a) An individual shall be eligible for a temporary limited dental hygiene license during a state of emergency, subject to the requirements and limitations set out in this Rule, if he or she:

(1) is a graduate of a dental hygiene program accredited by the Commission on Dental Accreditation of the American Dental Association;
(2) satisfies the requirements set out in Rules .0301(a), (b), and (c)(1)-(3) of this Subchapter; and
(3) satisfies the examination requirements in Rule .0303(a) of this Subchapter.

(b) A temporary limited dental hygiene license shall not be granted to an individual who:

(1) is licensed to practice dental hygiene in any jurisdiction;
(2) lacks good moral character;
(3) has been disciplined by any dental board or other licensing body in another state or country; or
(4) has failed the clinical examinations required by Rule .0303(b) of this Subchapter or any other clinical examinations accepted by another jurisdiction.

(c) An applicant for a temporary limited dental hygiene license under this Rule shall submit to the Board:

(1) a notarized application form provided by the Board at www.ncdentalboard.org that includes the information and materials required by Rule .0301(a) of this Subchapter;
(2) the nonrefundable application fee set forth in 21 NCAC 16M .0102;
(3) a letter from the dean of the dental hygiene program satisfying the requirements of Subparagraph (a)(1) of this Rule, confirming:
   (A) the applicant is a graduate of the dental hygiene program; and
   (B) the applicant is competent to practice dental hygiene under the supervision of a North Carolina licensed dentist; and
(4) a statement disclosing and explaining any investigations, malpractice claims, or state or federal agency complaints, judgments, or settlements that are related to licensure and are not disclosed elsewhere in the application.

(d) In addition to the requirements of Paragraph (c) of this Rule, an applicant for a temporary limited dental hygiene license shall request the applicable entity to provide the following required information or documents to the Board office, with each document in an unopened envelope sealed by the entity involved:

(1) the information or documents as set out in Rule .0301(c)(1)-(3) of this Subchapter;
(2) examination scores on the examination administered by the Joint Commission on National Dental Examinations required by Rule .0303(b) of this Subchapter if the applicant has taken the examination prior to submitting the application; and
(3) examination scores on the clinical examinations required by Rule .0303(b) of this Subchapter or any other clinical examinations accepted by another jurisdiction if the applicant has taken all or any portion of a clinical examination prior to submitting the application.
(e) The Board shall receive all information and documentation set forth in Paragraphs (c) and (d) of this Rule and the applicant's passing scores on all examinations required by Rule .0303(a) of this Subchapter for the application to be complete. Applications that are not completed within one year of being submitted to the Board shall be disregarded as expired without a refund of the application fee.

(f) The temporary limited dental hygiene license shall not take effect until the Board receives a letter from a North Carolina licensed dentist stating he or she will supervise the licensee and be responsible for all consequences or results arising from the temporary licensee's practice of dental hygiene. The temporary licensee shall maintain documentation of any additional dentists under whose supervision the licensee practices, including a signed statement from each dentist agreeing to supervise the licensee and be responsible for all consequences or results arising from the temporary licensee's practice of dental hygiene. The licensee shall provide the documentation to the Board at its request.

(g) A temporary limited dental hygiene license granted under this Rule shall be in effect until the earlier of:

1. the applicant completes the written and clinical examinations required by Rule .0303(b) of this Subchapter and receives passing scores, in which event the applicant's temporary dental hygiene license shall be converted to a dental hygiene license under Rule .0301 of this Subchapter as of the date the passing scores are provided to the Board by the testing agencies;

2. the applicant completes the written examination administered by the Joint Commission on National Dental Examinations required by Rule .0303(b) of this Subchapter and receives failing scores three times, thereby requiring additional study pursuant to Rule .0311(c) of this Subchapter, in which event the applicant shall promptly notify the Board of the third failing score and the applicant's temporary dental hygiene license shall expire as of the date the third failing score is issued;

3. the applicant completes the clinical examinations required by Rule .0303(b) of this Subchapter or any other clinical examinations accepted by another jurisdiction and receives failing scores, in which event the applicant shall promptly notify the Board and the applicant's temporary dental hygiene license shall expire as of the date the failing scores are issued; or

4. one year from the date the temporary limited dental hygiene license is issued.

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

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

History Note: Authority G.S. 90-28.5, 90-223; 90-224; S.L. 2020-3, s. 4.38; S.L. 2020-97, s. 3.20; Emergency Adoption Eff. May 22, 2020 to expire pursuant to S.L. 2020-3, s. 4.38.(e); Emergency Adoption Expired Eff. August 1, 2020 pursuant to S.L. 2020-3, s. 4.38.(e); Emergency Adoption Eff. ________________.