

SESSION OF 2005

**CONFERENCE COMMITTEE REPORT BRIEF
SENATE BILL NO. 91**

As Agreed to March 28, 2005

Brief *

SB 91 would amend an existing statute in the Dental Practices Act and add a new section to the Act.

The statute that would be amended by SB 91 sets fee maximums for various fees collected by the Kansas Dental Board. The bill would increase the statutory caps on fees collected by the Board in conjunction with licensing and regulating dentists and dental hygienists. Authority to collect three new fees would be added by the bill.

A new section that would be added to and made a part of the Dental Practices Act by SB 91 would give the Kansas Dental Board authority to require the registration of mobile dental facilities and portable dental operations, terms defined in the bill. The new section sets out the requirements that must be met for registration, gives the Board authority to adopt applicable rules and regulations, authorizes the Board to refuse to issue or to revoke or suspend a registration, and creates several exemptions to the new requirements relating to the registration of persons to operate a mobile dental facility or portable dental operation. The bill would exempt dentists and dental hygienists providing services as charitable health care providers under KSA 75-6102 and not-for-profit organizations providing dental services from the registration requirements of the Act.

Conference Committee Action

In Conference Committee, the Senate conferees agreed to the House amendments to the bill, with the following revisions and exceptions:

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. The conference committee summary report may be accessed on the Internet at <http://www.kslegislature.org>

- Clarify the exemptions in the section regarding the operator of a mobile dental facility or portable dental operation that provides dental services to identify dentists and dental hygienists providing dental services as charitable health care providers, as defined in KSA 75-6102 and to insert an exemption for not-for-profit organizations providing dental services.
- Delete the exemption of not-for-profit organizations providing dental services under KSA 75-6102 from the definition of “mobile dental facility or portable dental operation.”

Background

The introduction of SB 91 was requested by a representative of the Kansas Dental Board who explained that analysis of the existing and projected fee fund balances indicate that current fees are insufficient to support the Board's operations beyond the end of fiscal year 2006 even if no additional expenditures are authorized. A representative of the Kansas Dental Association indicated the Association's recognition of the need for fee increases.

During the course of the Senate Committee consideration of SB 91, the Committee was informed that the Kansas Dental Board has no specific statutory authority to require registration of mobile dental facilities or portable dental operations, nor to fix and collect fees for such registrations. The Senate Committee amendment added a new section to the Dental Practices Act that would give the Board the needed authority.

The House Committee amendment exempted from this Act charitable health care entities, dentists, and dental hygienists providing dental services as defined by KSA 75-6102. The amendment was requested by the Kansas Dental Association (KDA) to exempt its Kansas Mission of Mercy project, a dental charity clinic sponsored by the KDA's 501(c)(3) charitable foundation.

The fiscal note on the introduced version of SB 91 indicates that passage of SB 91 would increase the Board's revenues by \$63,910, from which the 20.0 percent contribution to the State General Fund would be \$12,782. For FY 2007, additional revenues would be \$139,735 with a contribution of \$27,945 to the State General Fund.