

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

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**MEMORANDUM**

To: Senate Public Health and Welfare Committee

From: Office of Revisor of Statutes

Date: March 14, 2024

Subject: Bill Brief for HB 2453

House Bill 2453 enacts the dentist and dental hygienist to provide interstate practice privileges for dentists and dental hygienists.

Section 1 sets out the purpose of the compact, which is to facilitate interstate practice of dentistry and dental hygiene and improve public access to dentistry and dental hygiene services.

Section 2 provides relevant definitions for terms used in the compact. On page 3, subsections (k) and (l) set out that this compact applies to individuals licensed as dentists and dental hygienists by the state licensing authority.

Section 3 sets out the criteria for states to participate in the compact. These include: enacting the compact, implementing a background check requirement (within a time frame established by commission rule) by receiving the results of a qualifying background check, accepting for licensure dentists/hygienists with appropriate credentials, require professional development.

Section 4 sets out the criteria for an individual to be eligible for multistate licensure under the compact which include: Having a qualifying license, submit to application process, pay applicable fees.

Subsection (d) sets out that a licensee practicing with compact privilege is subject to the state's regulatory authority. In subsection (g) if a licensee's compact privilege is revoked in one state, the individual becomes ineligible for compact privilege.

Section 5 specifies that active military members and their spouses shall not be required to pay the commission a compact privilege fee. If a state chooses to charge a compact privilege fee, the state can charge a reduced fee or no fee.

Section 6 grants a participating state exclusive authority to impose adverse action against a qualifying license issued by the participating state. A remote state also has the authority to take adverse actions against a licensee's compact privilege in the state.

Section 7 sets out the establishment and operation of the commission. The commission consists of a member from each participating state. The commission is granted certain authorities, including to adopt rules and bylaws, initiate legal actions in the name of the commission, appoint committee members, cooperate with law enforcement agencies, borrow money, and determine if a state's compact language is materially different from the model language.

Section 8 requires the commission to develop and maintain a data system that contains licensure, adverse action, and investigative information on licensees in participating states. Participating states are required to submit certain data information on licensees to the data system.

Section 9 requires the commission to adopt reasonable rules to implement and administer the provisions of the compact and sets out the procedures to adopt such rules.

Section 10 sets out the rules for oversight, dispute resolution and enforcement of the compact.

Section 11 states that the effective date of the commission is upon passage in the 7<sup>th</sup> member state. Procedures for a state's withdrawal and amendment of the compact are also provided.

Section 12 contains a severability clause, which gives instructions to a court interpreting the compact if a provision is held unconstitutional. The commission is also granted authority to deny a state's participation in the compact if a constitutional requirement of the state is a material departure from the compact.

Section 13 provides that nothing in the compact is to prevent or inhibit the enforcement of any other law or regulation in a participating state.

HB 2453 would take effect on July 1, 2024, upon publication in the statute book.

There were no House amendments.

HB 2453 passed the House 119 to 0.