

SENATE No. 891

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

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. Said chapter 112 is hereby further amended by inserting after section 45A,
2 as so appearing, the following section: -

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

9 (b) In order to qualify for a license for volunteer practice, an applicant shall meet the
10 requirements for a regular license under this chapter, in addition to the requirements set forth
11 below. An applicant shall submit to the board a completed application on a form prescribed by
12 the board and any additional information that the board requests. An applicant shall agree to the
13 conditions on practice promulgated by the board.

14 (c) The board's application form for a license for volunteer practice shall include a
15 request for the following information:

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

18 (2) a written statement from the director of the applicant's proposed work site outlining
19 the scope and duration of the applicant's responsibilities; and

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

23 (d) If an applicant has met all of the requirements of this section to the satisfaction of the
24 board, the applicant shall be granted a license for volunteer practice and entitled to a certificate
25 of registration signed by the chairman and the secretary of the board. A licensee engaged in
26 volunteer practice may practice dentistry only at a work site approved in conjunction with his
27 license application; shall be subject to the same conditions and responsibilities as a regular
28 licensee; and may not accept any compensation for the practice of dental medicine.

29 SECTION 2. The board of registration in dentistry shall promulgate regulations to carry
30 out section 2 not later than 3 months following the effective date of this act.

31 SECTION 3. The commissioner of public health, or his designee, shall study the impact
32 of the Federal Volunteer Protection Act of 1997 and the Free Clinics Federal Tort Claims Act
33 Medical Malpractice Program on health care volunteers in the commonwealth. The
34 commissioner shall review ways in which the commonwealth may act to provide legal counsel

35 and defense to volunteers who may be eligible for the protections afforded in the Volunteer
36 Protection Act of 1997 or the Free Clinics Federal Tort Claims Act Medical Malpractice
37 Program. The commissioner shall report the results of the review by filing the same with the
38 joint committee on health care, together with recommendation for legislation, if any, by
39 December 31, 2007.