120-1.01 The Seal
120-1.02 Whom Shall Preside at Meetings

Note: This Rule Chapter has been withdrawn from publication under the provisions of Section 120.021 (2), Florida Statutes. The rules formerly contained herein remain in full force and effect, but will no longer be published.
120-2.01 Examination Dates

Examinations for Licensure will be held annually.

General Authority 466.01, 466.08 (9) FS Law Implemented 466.14, 466.37 FS

120-2.02 Temporary Licenses.—The Board will not issue temporary licenses or permits to practice dentistry or dental hygiene.

General Authority 466.01, 466.08 (9) FS Law Implemented 466.14, 466.37 FS

120-2.03 Examination Requirements.—

(a) All examinations will be conducted in English. Each applicant is required to take the entire examination and no credit will be given for successful completion of a portion of the examination.

(b) The examination for dental licensure shall consist of three parts, (1) a written examination, (2) a practical examination in operative dentistry, and (3) a practical examination in prosthetic dentistry. A final grade of 70 or better shall be required in the practical phases of the examination and an overall average of 75 or better on the complete examination, shall be required for licensure.

(c) The examination for dental hygiene licensure shall consist of written and practical examinations. The written examination shall consist of two parts. Part one of the written examination shall determine 20% of the final grade. The National Board of Dental Examiners Hygiene Examination will be accepted in lieu of part one of the written examination for those who have successfully completed the examination within the past five years with the provision that the applicant must have received a minimum grade of 75 in each portion of the examination. A National Board equivalency examination will be administered for those applicants not having successfully completed the National Board Examination. Part two of the written examination shall determine 5% of the final grade and will be taken from the Florida Dental Practice Act (Florida Statutes 466). The practical examination shall determine 75% of the final grade. A final grade of 75 or better shall be required for licensure.

General Authority 466.01, 466.08 (9) FS Law Implemented 466.02, 466.14, 466.37 FS. History—Amended 6-7-70

120-2.04 Manner of Application.—All applications for examination shall be made on forms hereinafter prescribed, and no applications shall be deemed complete which do not set forth all the information relative to the applicant required by said forms. Preliminary application for licensure as a dentist shall be made prior to April 1 and Final Application prior to May 1 of the year in which the applicant desires to take the examination. Application for licensure as a dental hygienist shall be made prior to June 1.

In making application for licensure as a dentist or dental hygienist, the applicant authorizes the Board to verify the information contained in the application or to seek such further information pertinent to the applicant’s qualifications or character as the Board may deem proper. The applicant consents that his character and reputation may be inquired into and waives any right he may have to recover damages against the Board, any member thereof, its agents or from any person of whom the Board inquires who answers such inquiry in good faith and without malicious intent. Applications not completed within the time limit will be held over until the next examination subject to the regulations dealing with postponement of examination.

General Authority 466.01, 466.08 (9), 466.13 FS Law Implemented 466.13, 466.14, 466.37 FS.

120-2.05 Whom May Apply.—Applicants who graduated prior to the establishment of the council on Dental Education of the A.D.A. shall have graduated from a dental school or school of dental hygiene approved by the Board. In the case of such applicants for licensure as dentists, the course of study must have consisted of either four years of dental subjects or two years of predental education followed by three years of dental subjects. Applications may be accepted from students...
currently enrolled in schools of dentistry and dental hygiene who expect to graduate prior to the examination. Such applications will automatically be deemed denied if the applicant should fail to complete the required course of study satisfactorily.

General Authority 466.01, 466.08 (9), 466.13 FS Law Implemented 466.14, 466.37 FS.

120-2.06 Credentials.—The Chairman shall appoint a credentials committee from the membership of the Board, which committee shall pass on the eligibility of every applicant to take the examination applied for. The committee shall make such investigation as it deems necessary to determine the applicant possesses the good moral character and professional education required by law. The Committee shall investigate each applicant promptly and issue or deny credentials to the applicant not later than thirty days prior to the opening date of the examination. In the event credentials are denied, the committee shall make such further investigation as it deems necessary and shall issue or deny credentials not later than (90) days prior to the opening date of the examination following the examination for which application was made. No applicant shall be permitted to take an examination until the credentials committee shall have approved the application. The committee shall grant or deny credentials by majority vote. Any person aggrieved by any decision of the credentials committee may appeal to the Board by informal communication in writing addressed to the Secretary-Treasurer. General Authority 466.01, 466.08 (9), 466.13 FS Law Implemented 466.14, 466.37 FS.

120-2.07 Penalty for Violating Examination Rules.—Every phase of the examination must be done in the presence of examiners. No aid shall be given or received.

Any applicant detected violating the foregoing rules will be immediately dismissed from the examination, or if such violation is discovered by the Board after a license has been issued to the violator, such license shall be revoked.

General Authority 466.01, 466.08 (9), FS Law Implemented 466.14, 466.37 FS.

120-2.08 Equipment for Examination.—Each applicant must furnish his own patients, engine, instruments, and all materials for the practical work. Applicants without adequate equipment are not eligible to take the examination.

General Authority 466.01, 466.08 (9), FS Law Implemented 466.14, 466.37 FS.

120-2.09 Examination Fees.—The fee for each examination (or re-examination) must accompany the Preliminary Application. Send Money Order, Cashier’s Check, or Certified Check on bank which is a member of Federal Reserve System. Examination fees cannot be refunded.

General Authority 466.01 FS 466.08 (9) FS Law Implemented 466.20 FS.

120-2.10 Diplomas.—

General Authority 466.01, 466.08 (9), 466.13 FS Law Implemented 466.13, 466.14, 466.37 FS. History.—Repealed 4-23-67.

120-2.11 Re-Examination.—

Complete new Preliminary and Final Applications are required in case of re-examination, however, transcripts of scholastic credits are not required again.

General Authority 466.01, 466.08 (9), 466.13 FS Law Implemented 466.13, 466.37 FS. History.—Amended 4-23-67.

120-2.12 Postponement of Examination.—

No applicant shall be permitted to postpone taking the examination unless he shall make application to the Board, stating his reasons for the request, to have his application held over until the following year. Such request shall be made, except in cases of emergency, not later than the tenth day preceding the opening date of the examination. If the Board shall grant the request, the application will remain pending until the next succeeding examination, subject to the continuing right and duty of the Credentials Committee to investigate the character of the applicant since the original issuance of credentials and subject also to the requirements that the applicant notify the Board in writing after January 1 and prior to April 1 of the following year, of his intention to take the examination. In event such applicant fails to appear and take such succeeding examination, the fee will be forfeited and the application voided. Unless permission is granted to postpone taking of any examination, any applicant who fails to take the examination shall be deemed to have taken the examination and failed it for the purpose of determining his eligibility for re-examination under these regulations.

General Authority 466.01, 466.08 (9), 466.13 FS Law Implemented 466.13, 466.37 FS.
120-3.01 Appointment of Assistant Secretary-Treasurer

The Board shall annually appoint one assistant secretary-treasurer from each District, as set forth in Chapter 466.06, of Florida Statutes (1961), to serve from June 1 until May 30 of the following year.

Each of the assistant secretary-treasurers shall serve and be responsible directly to the member or members of the Board from the district in which he is selected. Said Board member will have complete authority to direct the activities and responsibilities of the assistant secretary-treasurer, and may delegate or withhold any of the duties as set forth in Chapter 466.12 of the Florida Statutes (1961).

General Authority 466.01 FS 466.08 (9) FS 466.12 FS Law Implemented 466.12 FS

120-3.02 Investigations. — There may be routine inspections of all dental offices, private technicians, commercial dental laboratories, dental facilities at State and other hospitals and County Health Units (Preceptees) and scholarship recipients doing compensatory service. These routine inspections are to be made by the Executive Director of the Board with the assistance of the Board members for each of the Districts in which the inspection is being made, and the Florida State Board of Dental Examiners may hire such persons as the Board deems necessary for this purpose and activity of the Board. When a suspected or known illegal activity is found, the Board member of the District wherein such activity is found may authorize the assistant secretary-treasurer in his district to proceed with the necessary investigations and procurement of evidence as is required by law. Anticipated financial obligations to be borne by the Board must be approved by the Secretary-Treasurer of the Florida State Board of Dental Examiners prior to the expenditure or obligation of such funds.

General Authority 466.01, 466.08 (9), 466.12, 466.20 (4), 466.56 FS Law Implemented 466.12, 466.34, 466.35, 466.44, 466.46 FS, 466.54 FS

120-3.03 Reports and Penalties.—

(a) The results of all inspections and investigations will be made by report to the Board member responsible for the area involved, and a copy thereof will be sent to the assistant Secretary-Treasurer in that District with additional copies to be sent to the Chairman of the Illegal Practice Committee of the Florida Dental Society, as well as to the Florida State Board of Dental Examiner’s office.

(b) In all matters, reprimand and leniency will be considered for first offenders and for minor infractions of the law. In appropriate cases, and under appropriate circumstances, offenders may be given the opportunity to resign, return to the Board their license to practice dentistry, and execute a sealed instrument whereby they are not to reapply for license renewal certificate.

General Authority 466.08 (9), 466.56 FS Law Implemented 466.12, 466.34, 466.35, 466.36, 466.40, 466.42, 466.52, 466.55, 466.58 FS

120-3.04 Hearings.—

(a) All hearings shall be conducted in accordance with the applicable sections of Chapters 120 and 466, Florida Statutes 1961.

(b) Whenever possible and feasible, the Board member or members in the area in which the violation or incident occurs shall be designated to conduct the hearing and determine the facts for the Board.

(c) In cases involving Court trials, the decision of whether to use the Circuit Court for injunctive relief, or otherwise, or to use the Criminal Court for prosecution of any offender for any incident, will be determined by the local conditions then existing. Consideration will be given to the offense and most practical manner of handling the particular violation or incident. In any event, the manner and cost of prosecution wherein the Florida State Board of Dental Examiners is involved, directly or indirectly, shall be approved by the Florida State Board of Dental Examiners.

General Authority 120.20, 466.08 (9), 466.12, 466.56 FS Law Implemented 120.20, 120.21, 120.22, 120.23, 120.24, 120.25, 120.26, 120.27, 120.28, 466.25, 466.26 FS

120-3.05 Accusation.—

(a) Upon receipt of a sworn accusation,
the Secretary-Treasurer shall forthwith procure the written opinion of the Attorney General of Florida, or its privately employed attorney, upon the legal sufficiency thereof.

(b) If and when approved by the Attorney General or the Board's private counsel, said accusation shall be filed by the Secretary-Treasurer and copies thereof forwarded to each member of the Board.

(c) Upon the filing of said accusations, the Board shall set a hearing date as provided by law. A hearing date may be fixed at a formal Board meeting or by a poll of the Board to be informally conducted by the Secretary-Treasurer.

120-3.06 Advice of Attorneys.—

(a) The Board may have the advice of an attorney of its selection to advise on points of law and procedure and to assist in examining witnesses and presenting the evidence against the accused.

(b) The accused person may be represented by counsel and otherwise accorded the customary rights and privileges of a fair, open and impartial trial.

General Authority 120.23, 466.08 (9), 466.12, 466.56 FS
Law Implemented 120.26, 466.25, 466.26 FS.

120-3.07 Judgment.—

(a) After the hearing, the Board shall, within a reasonable period of time, consider the facts and issues or a summary of the facts and issues presented to the Board by the Board member, or members or hearing examiner presiding over such hearing; and arrive at its judgment by majority vote on a finding and adjudication of guilt or a finding and adjudication of not guilty.

(b) In the event of an adjudication of guilt, the penalty shall be fixed by the Board and entered in the records.

(c) Thereupon, a proper adjudication and judgment shall be drafted in conformance with Florida Statutes 466.26.

General Authority 120.23, 466.01, 466.08 (9), 466.12, 466.58
Law Implemented 120.25, 120.26, 120.27, 120.28, 120.29, 120.30, 120.31, 466.26 FS.
### RULES
### OF
### FLORIDA STATE BOARD OF
### DENTAL EXAMINERS
### CHAPTER 120-4
### PRECEPTORSHIPS

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**120-4.01 Whom Shall Serve as Preceptees**—
General Authority 466.01, 466.08 (9), 466.41 FS Law Implemented 466.01, 466.41 FS. History.—Repealed 6-7-70.

**120-4.02 Appointments of Preceptees.**—
General Authority 466.01, 466.08 (9), 466.41 FS Law Implemented 466.01, 466.41 FS. History.—Repealed 6-7-70.

**120-4.03 Establishment of Preceptorships.**—
General Authority 466.01, 466.08 (9), 466.41 FS Law Implemented 466.01, 466.41 FS. History.—Repealed 6-7-70.

**120-4.04 Termination of Appointment.**—
General Authority 466.01, 466.08 (9), 466.41 FS Law Implemented 466.01, 466.41 FS. History.—Repealed 6-7-70.

**120-4.05 Cause for Termination.**—
General Authority 466.01, 466.08 (9), 466.41 FS Law Implemented 466.01, 466.41 FS. History.—Repealed 6-7-70.

**120-4.06 Requirement for Preceptorship.**—
General Authority 466.01, 466.08 (9), 466.41 FS Law Implemented 466.01, 466.41 FS. History.—Repealed 6-7-70.

**120-4.07 Rules and Regulations for Preceptees.**—
General Authority 466.01, 466.08 (9), 466.41 FS Law Implemented 466.01, 466.41 FS. History.—Repealed 6-7-70.
Chapter 120-5
Dental Laboratories and Dental Technicians

120-5.01 Jurisdiction
120-5.02 Registration Fee
120-5.03 Work Order Form

120-5.01 Jurisdiction.—The Board exercises jurisdiction over dental technicians, dental laboratories and other unlicensed persons pursuant to applicable statutes. Only applicants of good moral character shall be eligible for registration as provided in Chapter 466.52, Florida Statutes 1961.

General Authority 466.34, 466.50, 466.56 FS Law Implemented 466.50, 466.52, 466.53 FS.

120-5.02 Registration Fee.—Each dental laboratory as defined in Florida Statutes shall register as provided under Chapter 466.52, Florida Statutes 1961, and shall pay the required fee of $10.00 for each such laboratory location or office.

General Authority 466.56 FS Law Implemented 466.51 FS 466.52 FS.

120-5.03 Work Order Form.—All work performed by unlicensed persons, whether employees of licensed dentists or in dental laboratories as defined by law, must be accompanied at all times by a work order. Such work order must include the name and address of the unlicensed person and the name and address of the licensed dentist, in addition to fulfilling the requirements of Chapter 466.34, Florida Statutes 1961.

General Authority 466.08 (9), 466.34, 466.56 FS Law Implemented 466.03, (5) 466.34, 466.51 FS.

120-5.04 Suspension and Revocation.—The foregoing regulations relative to suspension or revocation of licenses shall likewise apply to the suspension or revocation of registration certificates of dental laboratories.

General Authority 466.56 FS Law Implemented 466.55 FS

120-5.05 Delinquent Registration Fee.—
1. Any Dental Laboratory established after March 1st of any year shall be required to pay a delinquency fee of twenty-five dollars in addition to the regular registration fee if he has not obtained a registration certificate prior to a date sixty days following the establishment of such laboratory.

2. The provisions of Florida Statutes 466.52 (4) shall apply to the operator of any laboratory who has not obtained a registration certificate within 60 days of the establishment of such laboratory.

General Authority 466.08 (9), 466.56 FS Law Implemented 466.52 (3) (4) FS

History.—New 4-20-64
CHAPTER 120-6
CONDITIONAL RENEWAL CERTIFICATES

120-6.01 Grievance
120-6.02 Manner of Application
120-6.03 Dentists in Military Service
120-6.04 Dentists Obtaining Continued Education

120-6.01 Grievance.—If any dentist to whom a conditional renewal certificate has been issued feels aggrieved by the issuance of such a certificate instead of an annual renewal certificate he shall make application in writing informally to the Secretary-Treasurer for hearing by the Board at its next regular meeting, at which time the Board shall either sustain the action of the Secretary-Treasurer, or cancel the conditional renewal certificate theretofore issued and direct the Secretary-Treasurer to issue an annual renewal certificate in lieu thereof. Upon receipt by the Secretary-Treasurer of any request for hearing, he shall cause the matter to be fully investigated and shall present to the Board the facts thus ascertained.

General Authority 466.08 (9) FS Law Implemented 466.17 FS 466.18 FS.

120-6.02 Manner of Application.—Any dentist who desires to apply for an Annual Renewal Certificate in exchange for a Conditional Renewal Certificate shall submit to the Secretary-Treasurer of the Board an application upon a form prescribed by the Board at least 30 days but not more than 6 months prior to his intended establishment of residence and domicile in Florida.

General Authority 466.08 (9) FS Law Implemented 466.17 (2) FS

History.—New 4-20-64

120-6.03 Dentists in Military Service.—Any licensed dentist who maintains residence and domicile in the state of Florida at the time of his entry in service will be presumed to have residence and domicile in this state for a period of three years from such date of entry; and may be issued an Annual Renewal Certificate upon fulfillment of all other necessary requirements.

General Authority 466.08 (9) FS Law Implemented 466.17 (2) FS

History.—New 4-20-64

120-6.04 Dentists Obtaining Continued Education.—Any licensed dentist attending graduate or post-graduate school for the purpose of continued education who has maintained residence and domicile in the state of Florida at the time of his entry into such school will be presumed to maintain residence and domicile in this state for a period of three years from such date of entry; any may be issued an Annual Renewal Certificate upon fulfillment of all other necessary requirements.

General Authority 466.08 (9) FS Law Implemented 466.17 (2) FS

History.—New 4-20-64
120-7.01 Requirements for Internship Program

(a) Any hospital desiring the establishment of a dental internship shall submit to the Board of Dental Examiners for their approval, a proposed plan outlining the need for such a program.

(b) The proposed program shall provide for the following:
1. Supervision of the intern by a recognized staff of one or more licensed dentists.
2. Provision for the continued education and instruction of the intern.
3. An outline of the duties, proposed schedule, and salary of the intern.
4. The manner and source of financing the program.
5. The approval and co-operation of the local dental society.
6. Any other pertinent information as may be required by the Board.

General Authority 466.01, 466.08 (9), 466.41 FS Law Imple­mented 466.41 FS.

120-7.02 Requirements for Dental Interns & Institutional Dentists

120-7.03 Manner of Acquiring Permit.

ANY hospital, institution or clinic prior to the employment of a dental intern or institutional dentist shall submit to the Secretary-Treasurer of the Board, an application stating the applicants name, age, and marital status, where he is licensed, his qualifications and any such other information as may be required by the Board.

General Authority 466.08 (9), 466.41 FS Law Implemented 466.41 FS.

120-7.04 Requirements for Issuance of Teaching Permits.

A teaching permit may be issued by the Florida State Board of Dentistry to a full-time faculty member holding a DDS or DMD degree from an accredited dental college as approved by the Florida State Board of Dentistry, who is a member of the Staff of the College of Dentistry, University of Florida at Gainesville, Florida, to practice dentistry at the teaching facility of that College under the following terms and conditions:

(a) Only full time employees of the professional staff of the College of Dentistry may be permitted privileges to practice dentistry, within University-sponsored teaching hospitals and/or clinics in Gainesville.

(b) All patients are to be accepted on the basis of their value to the educational program of the Colleges of the Health Center.

(c) Patients who are Florida residents must be referred by a Florida licensed dentist, except individuals requiring emergency care, dentists, faculty physicians, medical and dental students and their immediate families.

(d) All professional fees will be paid to the professional fee clearing fund and deposited in accordance with the rules governing the academic enrichment fund of the J. Hillis Miller Health Center.

(e) Practice will be limited to normal school hours, except in emergency cases.

(f) All records pertaining to the teaching practice shall be subject to review and available to the Florida State Board of Dentistry.

(g) The Board may require any information necessary to carry out the purpose of Chapter 466 Florida Statutes and the Rules and Regulations of the Florida State Board of Dentistry.

(h) Such permits shall be issued annually for a period of one year and be subject to cancellation, revocation or suspension for non­compliance with Chapter 466 Florida Statutes or the Rules and Regulations of the Florida State Board of Dentistry.

(i) Said teaching permit shall be automatically cancelled and nullified upon the termination of the holder as a faculty member of the College of Dentistry, University of Florida.

General Authority 446.08(9) FS; Law Implemented 446.03(7) FS History.—New 8-30-68
120-8.01 Manner of Approval

120-8.01 Manner of Approval.—The Board shall deem the accreditation of any dental or dental hygiene school by the Council on Dental Education of the American Dental Association to be an adequate base for the approval of such schools by this Board.

General Authority 466:08 (4) FS Law Implemented 466.13, 466.37, 466.41 FS
History.—New 4-20-64

120-8.02 Tentative Approval

120-8.02 Tentative Approval.—The Board may, following investigation, grant tentative approval to a new dental or dental hygiene school for a period of not longer than one year following the date of the school's first graduating class.

General Authority 466:08 (4) FS Law Implemented 466.13, 466.37, 466.41 FS
History.—New 4-20-64