STATE OF NEW YORK

7877--A

IN SENATE

February 27, 2020

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to unprofessional dental conduct

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 6611 of the education law is amended by adding a new subdivision 11 to read as follows:

11. Unprofessional conduct shall include the failure by a treating dentist, prior to the initial diagnosis and correction of malpositions of human teeth or initial use of orthodontic appliances, to perform an examination, including the review of the patient's most recent diagnostic digital or conventional radiographs or other equivalent bone imaging suitable for orthodontia. New radiographs or other equivalent bone imaging shall be ordered if deemed appropriate by the treating dentist. Unprofessional conduct shall also include attempting to have a patient waive liability in advance of providing any dental service. Unprofessional conduct shall also include requiring a patient to sign an agreement that limits the patient's ability to file a complaint with the department.

§ 2. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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