

# STATE OF NEW YORK

5928

2025-2026 Regular Sessions

## IN ASSEMBLY

February 25, 2025

Introduced by M. of A. WOERNER, LUPARDO, LUNSFORD, ANGELINO, DeSTEFANO, SEAWRIGHT, JONES, BICHOTTE HERMELYN, SHRESTHA, STECK, DAVILA, RAGA -- Multi-Sponsored by -- M. of A. WALSH -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to licensing of a dental therapist and an advanced dental therapist; and to amend the social services law, in relation to Medicaid reimbursement for dental therapy services

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

1 Section 1. The article heading of article 133 of the education law, as  
2 amended by chapter 390 of the laws of 2019, is amended to read as  
3 follows:

4 DENTISTRY, DENTAL HYGIENE, DENTAL THERAPY, ADVANCED DENTAL  
5 THERAPY AND REGISTERED DENTAL ASSISTING

6 § 2. Section 6600 of the education law, as amended by chapter 390 of  
7 the laws of 2019, is amended to read as follows:

8 § 6600. Introduction. This article applies to the professions of  
9 dentistry, dental hygiene, dental therapy, advanced dental therapy and  
10 registered dental assisting. The general provisions for all professions  
11 contained in article one hundred thirty of this title apply to this  
12 article.

13 § 3. The education law is amended by adding eight new sections 6614,  
14 6614-a, 6614-b, 6614-c, 6615, 6615-a, 6615-b and 6615-c to read as  
15 follows:

16 § 6614. Definition of practice of dental therapy. 1. The practice of  
17 the profession of dental therapy is defined as the performance of dental  
18 services under the general supervision of a dentist within the parame-  
19 ters of a collaborative agreement, as provided in subdivision two of  
20 this section, which shall include: oral health instruction and disease  
21 prevention education, including nutritional counseling and dietary anal-

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

LBD10043-01-5

1 ysis; preliminary charting of the oral cavity; making radiographs;  
2 mechanical polishing; application of topical preventive or prophylactic  
3 agents, including fluoride varnishes and pit and fissure sealants; pulp  
4 vitality testing; application of desensitizing medication or resin;  
5 fabrication of athletic mouthguards; placement of temporary restora-  
6 tions; fabrication of soft occlusal guards; tissue conditioning and soft  
7 reline; atraumatic restorative therapy; dressing changes; tooth reim-  
8 plantation; administration of local anesthetic; administration of  
9 nitrous oxide. A licensed and registered dental therapist may perform  
10 the following services under indirect supervision: emergency palliative  
11 treatment of dental pain; the placement and removal of space maintain-  
12 ers; cavity preparation; restoration of primary and permanent teeth;  
13 placement of temporary crowns; preparation and placement of preformed  
14 crowns; pulpotomies on primary teeth; indirect and direct pulp capping  
15 on primary and permanent teeth; stabilization of reimplanted teeth;  
16 extractions of primary teeth; suture removal; brush biopsies; repair of  
17 defective prosthetic devices; and recementing of permanent crowns and  
18 any other function in the definition of the practice of dentistry as may  
19 be delegated by a licensed dentist in accordance with regulations  
20 promulgated by the commissioner. The practice of dental therapy may be  
21 conducted in the office of any licensed dentist or in any appropriately  
22 equipped school or public institution.

23 2. (a) Prior to performing any of the services authorized under this  
24 article, a dental therapist shall enter into a written collaborative  
25 management agreement with a licensed and registered dentist. Such colla-  
26 borative arrangement shall not obviate or supersede any law or regu-  
27 lation which requires identified services to be performed under the  
28 personal supervision of a dentist. When dental therapist services are  
29 provided pursuant to a collaborative agreement, such dental therapists  
30 shall instruct individuals to visit a licensed dentist for comprehensive  
31 examination or treatment.

32 (b) A collaborating dentist is limited to entering into a collabora-  
33 tive agreement with no more than five dental therapists or advanced  
34 dental therapists at any one time. The agreement shall include: practice  
35 settings where services may be provided and the populations to be  
36 served; any limitations on the services that may be provided by the  
37 dental therapist, including the level of supervision required by the  
38 collaborating dentist; age and procedure-specific practice protocols,  
39 including case selection criteria, assessment guidelines, and imaging  
40 frequency; a procedure for creating and maintaining dental records for  
41 the patients that are treated by the dental therapist; a plan to manage  
42 medical emergencies in each practice setting where the dental therapist  
43 provides care; a quality assurance plan for monitoring care provided by  
44 the dental therapist, including patient care review, referral follow-up,  
45 and a quality assurance chart review; criteria relating to the provision  
46 of care to patients with specific medical conditions or complex medica-  
47 tion histories, including requirements for consultation prior to the  
48 initiation of care; supervision criteria of dental assistants; a plan  
49 for the provision of clinical resources and referrals in situations  
50 which are beyond the capabilities of the dental therapist; and protocols  
51 for administering and dispensing analgesics, anti-inflammatories, and  
52 antibiotics, including the specific conditions and circumstances under  
53 which these medications are to be dispensed and administered.

54 (c) A collaborating dentist shall be licensed and practicing in New  
55 York state. The collaborating dentist shall accept responsibility for

1 all services authorized and performed by the dental therapist pursuant  
2 to the management agreement.

3 (d) Collaborative dentist management agreements shall be signed and  
4 maintained by the collaborating dentist and the dental therapist. Agree-  
5 ments shall be reviewed, updated, and submitted to the board on an annu-  
6 al basis.

7 3. A dental therapist licensed under this article is limited to prima-  
8 rily practicing in settings that serve low-income, uninsured, and under-  
9 served patients or in a dental health professional shortage area as  
10 designated by the commissioner, including a health facility or agency  
11 that is reimbursed as a federally qualified health center as defined in  
12 42 U.S.C. § 1395x(aa)(4) or a medically-underserved population as  
13 defined in 42 U.S.C. § 254b.

14 4. The commissioner shall promulgate regulations defining the func-  
15 tions a dental therapist may perform that are consistent with the train-  
16 ing and qualifications for a license as a dental therapist.

17 5. As used in this section, "general supervision" shall mean the  
18 supervision of tasks or procedures that do not require the presence of a  
19 dentist in the office or on the premises at the time the tasks or proce-  
20 dures are being performed but require the tasks be performed with the  
21 prior knowledge and consent of such dentist. As used in this section,  
22 "indirect supervision" shall mean the dentist is in the office, author-  
23 izes the procedures and remains in the office while the procedures are  
24 being performed by allied dental personnel.

25 § 6614-a. Requirements for a license as a dental therapist. To qualify  
26 for a license as a dental therapist, an applicant shall fulfill the  
27 following requirements:

28 1. Application: file an application with the department;

29 2. Education: have received an education, including high school gradu-  
30 ation and a baccalaureate degree or master's degree from a dental thera-  
31 py education program, in accordance with the commissioner's regulations;

32 3. Experience: have experience satisfactory to the board and in  
33 accordance with the commissioner's regulations;

34 4. Examination: pass an examination satisfactory to the board and in  
35 accordance with the commissioner's regulations;

36 5. Age: be at least eighteen years of age;

37 6. Citizenship or immigration status: be a United States citizen or a  
38 noncitizen lawfully admitted for permanent residence in the United  
39 States; provided, however, that the board of regents may grant a three  
40 year waiver for a noncitizen to practice in an area which has been  
41 designated a federal dental health professions shortage area, except  
42 that the board of regents may grant an additional extension not to  
43 exceed six years to a noncitizen to enable such noncitizen to secure  
44 citizenship or permanent resident status, provided such status is being  
45 actively pursued;

46 7. Character: be of good moral character as determined by the depart-  
47 ment; and

48 8. Fees: pay a fee of one hundred fifteen dollars to the department  
49 for admission to a department conducted examination and for an initial  
50 license, a fee of fifty dollars for each reexamination, a fee of seventy  
51 dollars for an initial license for persons not requiring admission to a  
52 department conducted examination, and a fee of fifty dollars for each  
53 triennial registration period.

54 § 6614-b. Practice of dental therapy and use of title "dental thera-  
55 pist". Only a person licensed under section sixty-six hundred four-

1 teen-a of this article or exempt shall practice dental therapy or use  
2 the title "dental therapist".

3 § 6614-c. Mandating continuing education for dental therapists. 1. (a)  
4 Each dental therapist licensed pursuant to sections sixty-six hundred  
5 fourteen and sixty-six hundred fourteen-a of this article and required  
6 to register triennially with the department to practice in this state  
7 shall comply with the provisions of the mandatory continuing education  
8 requirements, except as set forth in paragraphs (b) and (c) of this  
9 subdivision. Dental therapists who do not satisfy the mandatory continu-  
10 ing education requirements shall not practice until they have met such  
11 requirements and have been issued a registration or conditional regis-  
12 tration certificate.

13 (b) Dental therapists shall be exempt from the mandatory continuing  
14 education requirement for the triennial registration period during which  
15 they are first licensed. In accordance with the intent of this section,  
16 adjustments to the mandatory continuing education requirement may be  
17 granted by the department for reasons of health, certified by a physi-  
18 cian, for extended active duty with the Armed Forces of the United  
19 States, or for other good cause acceptable to the department which may  
20 prevent compliance.

21 (c) A licensed dental therapist not engaged in the practice of dental  
22 therapy shall be exempt from the mandatory continuing education require-  
23 ment upon the filing of a statement with the department declaring such  
24 status. Any licensee who returns to the practice of dental therapy  
25 during the triennial registration period shall notify the department  
26 prior to reentering the profession and shall meet such mandatory contin-  
27 uing education requirements as shall be prescribed by regulation of the  
28 commissioner.

29 2. During each triennial registration period an applicant for regis-  
30 tration shall complete a minimum of twenty-four hours of acceptable  
31 formal continuing education including currently mandated child abuse  
32 reporting instruction and infection control training as approved by the  
33 department. Of these twenty-four hours a maximum of ten hours may be  
34 self-instructional coursework as approved by the department. A licensee  
35 who has not satisfied the mandatory continuing education requirements  
36 shall not be issued a triennial registration certificate by the depart-  
37 ment and shall not practice unless and until a conditional registration  
38 certificate is issued as provided in subdivision three of this section.  
39 The individual licensee shall determine the selection of courses or  
40 programs of study pursuant to subdivision four of this section.

41 3. The department, in its discretion, may issue a conditional regis-  
42 tration to a licensee who fails to meet the continuing education  
43 requirements established in subdivision two of this section but who  
44 agrees to make up any deficiencies and take any additional education  
45 which the department may require. The fee for such a conditional regis-  
46 tration shall be the same as, and in addition to, the fee for the trien-  
47 niel registration. The duration of such conditional registration shall  
48 be determined by the department. Any licensee who is notified of the  
49 denial of registration for failure to submit evidence, satisfactory to  
50 the department, of completion of required continuing education and who  
51 practices dental therapy without such registration, may be subject to  
52 disciplinary proceedings pursuant to section sixty-five hundred ten of  
53 this title.

54 4. As used in this section, "acceptable formal continuing education"  
55 shall mean formal programs of learning which contribute to professional  
56 practice and which meet the standards prescribed by regulations of the

1 commissioner. To fulfill the mandatory continuing education requirement,  
2 programs shall be taken from sponsors approved by the department, pursu-  
3 ant to the regulations of the commissioner.

4 5. The mandatory continuing education fee of thirty dollars shall be  
5 payable on or before the first day of each triennial registration period  
6 and shall be paid in addition to the triennial registration fee required  
7 by section sixty-six hundred fourteen-a of this article.

8 § 6615. Definition of practice of advanced dental therapy. 1. The  
9 practice of the profession of advanced dental therapy is defined as the  
10 performance of dental services under the general supervision of a  
11 dentist within the parameters of a collaborative agreement as provided  
12 in subdivision two of this section which shall include: an oral evalu-  
13 ation and assessment of dental disease and the formulation of an indi-  
14 vidualized treatment plan authorized by the collaborating dentist;  
15 nonsurgical extractions of periodontally diseased permanent teeth with  
16 tooth mobility of +3 to +4 under general supervision if authorized in  
17 advance by the collaborating dentist, but shall not include extracting a  
18 tooth for any patient if the tooth is unerupted, impacted, fractured, or  
19 needs to be sectioned for removal; and the services and procedures  
20 described under subdivision one of section sixty-six hundred fourteen of  
21 this article. The practice of advanced dental therapy may be conducted  
22 in the office of any licensed dentist or in any appropriately equipped  
23 school or public institution.

24 2. Prior to performing any of the services authorized under this arti-  
25 cle, an advanced dental therapist shall enter into a written collabora-  
26 tive management agreement with a licensed and registered dentist pursu-  
27 ant to subdivision two of section sixty-six hundred fourteen of this  
28 article. The collaborating dentist shall ensure that a dentist is avail-  
29 able to the advanced dental therapist for timely consultation during  
30 treatment if needed and shall either provide or arrange with another  
31 dentist or specialist to provide the necessary treatment to any patient  
32 who requires more treatment than the advanced dental therapist is  
33 authorized to provide.

34 3. An advanced dental therapist licensed under this article is limited  
35 to primarily practicing in settings that serve low-income, uninsured,  
36 and underserved patients or in a dental health professional shortage  
37 area as designated by the commissioner.

38 4. The commissioner shall promulgate regulations defining the func-  
39 tions an advanced dental therapist may perform that are consistent with  
40 the training and qualifications for a license as an advanced dental  
41 therapist.

42 § 6615-a. Requirements for a license as an advanced dental therapist.  
43 To qualify for a license as an advanced dental therapist, an applicant  
44 shall fulfill the following requirements:

45 1. Application: file an application with the department;

46 2. Education: have received an education, including high school gradu-  
47 ation and a master's degree from a dental therapy education program, in  
48 accordance with the commissioner's regulations;

49 3. Experience: have experience satisfactory to the board and in  
50 accordance with the commissioner's regulations;

51 4. Examination: pass an examination satisfactory to the board and in  
52 accordance with the commissioner's regulations;

53 5. Age: be at least eighteen years of age;

54 6. Citizenship or immigration status: be a United States citizen or a  
55 noncitizen lawfully admitted for permanent residence in the United  
56 States; provided, however, that the board of regents may grant a three

1 year waiver for a noncitizen to practice in an area which has been  
2 designated a federal dental health professions shortage area, except  
3 that the board of regents may grant an additional extension not to  
4 exceed six years to a noncitizen to enable such noncitizen to secure  
5 citizenship or permanent resident status, provided such status is being  
6 actively pursued;

7 7. Character: be of good moral character as determined by the depart-  
8 ment; and

9 8. Fees: pay a fee of one hundred fifteen dollars to the department  
10 for admission to a department conducted examination and for an initial  
11 license, a fee of fifty dollars for each reexamination, a fee of seventy  
12 dollars for an initial license for persons not requiring admission to a  
13 department conducted examination, and a fee of fifty dollars for each  
14 triennial registration period.

15 § 6615-b. Practice of advanced dental therapy and use of the title  
16 "advanced dental therapist". Only a person licensed under section  
17 sixty-six hundred fifteen-a of this article or exempt shall practice  
18 advanced dental therapy or use the title "advanced dental therapist".

19 § 6615-c. Mandatory continuing education for advanced dental thera-  
20 pists. 1. (a) Each advanced dental therapist, licensed pursuant to this  
21 article and required to register triennially with the department to  
22 practice in this state shall comply with the provisions of the mandatory  
23 continuing education requirements, except as set forth in paragraphs (b)  
24 and (c) of this subdivision. Advanced dental therapists who do not  
25 satisfy the mandatory continuing education requirements shall not prac-  
26 tice until they have met such requirements and have been issued a regis-  
27 tration or conditional registration certificate.

28 (b) Advanced dental therapists shall be exempt from the mandatory  
29 continuing education requirement for the triennial registration period  
30 during which they are first licensed. In accordance with the intent of  
31 this section, adjustments to the mandatory continuing education require-  
32 ment may be granted by the department for reasons of health, certified  
33 by a physician, for extended active duty with the Armed Forces of the  
34 United States, or for other good cause acceptable to the department  
35 which may prevent compliance.

36 (c) A licensed advanced dental therapist not engaged in the practice  
37 of advanced dental therapy shall be exempt from the mandatory continuing  
38 education requirement upon the filing of a statement with the department  
39 declaring such status. Any licensee who returns to the practice of  
40 dental therapy during the triennial registration period shall notify the  
41 department prior to reentering the profession and shall meet such manda-  
42 tory continuing education requirements as shall be prescribed by regu-  
43 lation of the commissioner.

44 2. During each triennial registration period an applicant for regis-  
45 tration shall complete a minimum of twenty-four hours of acceptable  
46 formal continuing education including currently mandated child abuse  
47 reporting instruction and infection control training as approved by the  
48 department. Of these twenty-four hours a maximum of ten hours may be  
49 self-instructional coursework as approved by the department. A licensee  
50 who has not satisfied the mandatory continuing education requirements  
51 shall not be issued a triennial registration certificate by the depart-  
52 ment and shall not practice unless and until a conditional registration  
53 certificate is issued as provided in subdivision three of this section.  
54 The individual licensee shall determine the selection of courses or  
55 programs of study pursuant to subdivision four of this section.

1 3. The department, in its discretion, may issue a conditional regis-  
2 tration to a licensee who fails to meet the continuing education  
3 requirements established in subdivision two of this section but who  
4 agrees to make up any deficiencies and take any additional education  
5 which the department may require. The fee for such a conditional regis-  
6 tration shall be the same as, and in addition to, the fee for the trien-  
7 ennial registration. The duration of such conditional registration shall  
8 be determined by the department. Any licensee who is notified of the  
9 denial of registration for failure to submit evidence, satisfactory to  
10 the department, of completion of required continuing education and who  
11 practices advanced dental therapy without such registration, may be  
12 subject to disciplinary proceedings pursuant to section sixty-five  
13 hundred ten of this title.

14 4. As used in this section, "acceptable formal continuing education"  
15 shall mean formal programs of learning which contribute to professional  
16 practice and which meet the standards prescribed by regulations of the  
17 commissioner. To fulfill the mandatory continuing education requirement,  
18 programs shall be taken from sponsors approved by the department, pursu-  
19 ant to the regulations of the commissioner.

20 5. The mandatory continuing education fee of thirty dollars shall be  
21 payable on or before the first day of each triennial registration period  
22 and shall be paid in addition to the triennial registration fee required  
23 by section sixty-six hundred fifteen-a of this article.

24 § 4. Subdivision 2 of section 365-a of the social services law is  
25 amended by adding a new paragraph (nn) to read as follows:

26 (nn) care and services furnished by a licensed dental therapist pursu-  
27 ant to article one hundred thirty-three of the education law who is  
28 enrolled as a medicaid managed care provider;

29 § 5. The commissioner of health is authorized to promulgate or adopt  
30 any rules or regulations necessary to implement the provisions of this  
31 act and any procedures, forms, or instructions necessary for such imple-  
32 mentation may be adopted and issued on or after the effective date of  
33 this act. Notwithstanding any inconsistent provision of the state admin-  
34 istrative procedure act or any other provision of law, rule or regu-  
35 lation, the commissioner of health and the superintendent of financial  
36 services and any appropriate council is authorized to adopt or amend or  
37 promulgate on an emergency basis any regulation such commissioner or  
38 such council determines necessary to implement any provision of this act  
39 on its effective date.

40 § 6. This act shall take effect on the one hundred eightieth day after  
41 it shall have become a law.