



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY  
12234

**TO:** The Honorable the Members of the Board of Regents

**FROM:** Johanna Duncan-Poitier

**COMMITTEE:** Higher and Professional Education  
**TITLE OF ITEM:** Proposed Amendment to the Regulations of the  
Commissioner of Education Relating to the Residency Option  
Pathway for Dental Licensure

**DATE OF SUBMISSION:** February 24, 2003

**PROPOSED HANDLING:** Discussion

**RATIONALE FOR ITEM:** To Implement Statute

**STRATEGIC GOAL:** Goal 3

**AUTHORIZATION(S):**

**SUMMARY:**

Attached for discussion is a proposed promulgation of subdivision (i) of section 61.2 and section 61.18 of the Regulations of the Commissioner of Education, relating to the residency option pathway for dental licensure. Supporting materials for the proposed amendment are available upon request from the Secretary to the Board of Regents.

The purpose of the proposed amendment is to establish requirements for a residency option pathway for dental licensure that would permit a candidate to substitute successful completion of an acceptable dental residency program for the licensure examination in clinical dentistry.

A Notice of Proposed Rule Making concerning the proposed amendment was published in the State Register on February 19, 2003. It is recommended that formal action on the proposed amendment be taken at the April 2003 meeting of the Board of Regents.

Attachment

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 207, 6506, 6507, 6601, and 6604 of the Education Law.

1. Subdivision (i) is added to section 61.2 of the Regulations of the Commissioner of Education, effective May 22, 2003, as follows:

(i) In accordance with section 6604(4) of the Education Law, applicants who are issued by the department a license to practice dentistry between May 22, 2003 and December 31, 2005, may substitute successful completion of a residency program that meets the requirements of section 61.18 of this Title in lieu of successful completion of Part III, the examination in clinical dentistry.

2. Section 61.18 of the Regulations of the Commissioner of Education is added, effective May 22, 2003, as follows:

Section 61.18 Residency option pathway for dental licensure.

(a) Definitions. As used in this section:

(1) CDA means the Commission on Dental Accreditation of the American Dental Association.

(2) Clinical means relating to or involving the direct examination and treatment of patients.

(3) Competent to practice dentistry means the level of knowledge and skills necessary to perform safely and independently the practice of dentistry consistent with the definition of the practice of dentistry in section 6601 of the Education Law.

(b) Residency program. In accordance with section 6604(4) of the Education Law, applicants who are issued by the department a license to practice dentistry between May 22, 2003 and December 31, 2005 may substitute successful completion of a

residency program that meets the requirements of this section in lieu of successful completion of the examination in clinical dentistry (Part III of the dental licensing examination), prescribed in section 61.2 of this Title. In addition to meeting other requirements of this section, such residency program shall meet the following requirements:

(1) The residency program shall be a postdoctoral clinical dental residency program in either general dentistry, or a specialty of dentistry as defined in paragraph (2) of this subdivision, of at least one year's duration in a hospital or dental facility accredited for teaching purposes by the CDA, which is completed successfully by the applicant within two years prior to application for licensure to the department.

(2) The residency program in a specialty of dentistry shall be in the specialty of endodontics, oral and maxillofacial surgery, orthodontics and dentofacial orthopedics, pediatric

dentistry, periodontics, prosthodontics, or another specialty of dentistry, as determined by the department, for which at least 50 percent of the CDA accredited residency program consists of clinical training in one or more of the following areas: general dentistry, endodontics, oral and maxillofacial surgery, orthodontics and dentofacial orthopedics, pediatric dentistry, periodontics, and prosthodontics.

(3) The residency program shall include a formal written outcome assessment which is acceptable to the department.

(i) For a CDA accredited residency program in general dentistry, the formal written outcome assessment used by the residency program shall be acceptable to the department if it includes:

(a) an acceptable notarized written statement by the residency program director attesting that the applicant has completed successfully the CDA accredited residency program and

is in the director's judgment competent to practice dentistry;

and

(b) acceptable notarized written statement(s) by the residency program director who supervised the dental procedures performed by the applicant, and/or the attending dentist(s) who supervised the dental procedures performed by the applicant if different from the residency program director, attesting that the applicant completed independently, and to generally accepted professional standards for dentistry, two full crowns, two endodontically treated teeth, four restorations (two anterior, two posterior) and one periodontal case during the residency program.

(ii) For a CDA accredited residency program in a specialty of dentistry, as defined in paragraph (2) of this subdivision, the formal written outcome assessment used by the residency program shall be acceptable to the department if it includes an

acceptable notarized written statement by the residency program  
director attesting that the applicant has successfully completed  
the CDA accredited residency program in a specialty of  
dentistry, as defined in paragraph (2) of this subdivision, and  
is in the director's judgment competent to practice dentistry.

(c) A residency program that has not met the requirements  
of this section shall not be acceptable to the department for  
purposes of licensure under this section. A formal written  
outcome assessment shall not be acceptable to the department for  
purposes of licensure under this section if it does not meet the  
requirements of paragraph (3) of subdivision (b) of this  
section.