



COMMONWEALTH of VIRGINIA

Arne W. Owens
Director

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
PHONE (804) 367- 4400

TO: The Honorable Robert D. Orrock
Chairman, House Committee on Health, Welfare, and Institutions

The Honorable Louise L. Lucas
Chairman, Senate Committee on Education and Health

FROM: Arne W. Owens
Director, Virginia Department of Health Professions

DATE: October 2, 2023 *Arne W. Owens*

RE: Report Regarding Licensure of Dentists and Dental Hygienists in the
Commonwealth pursuant to Ch. 485 of the 2023 General Assembly

This report is submitted by the Department of Health Professions in compliance with Chapter 485 of the 2023 Acts of Assembly, which states:

The Virginia Department of Health Professions shall convene a work group consisting of representatives of the Virginia Dental Association, the Virginia Dental Hygienists' Association, the Association of Dental Support Organizations, the Virginia Board of Dentistry, and other relevant stakeholders to analyze licensure requirements for dentists and dental hygienists in the Commonwealth and determine what changes to such requirements may be warranted, if any, to ensure access to affordable, quality dental care throughout the Commonwealth. The work group shall (i) compare licensure requirements for dentists and dental hygienists in the Commonwealth with such requirements in other states and the District of Columbia; (ii) analyze the number of licensed dentists in the Commonwealth relative to population growth and geography; (iii) identify the risks and benefits to the public if a licensure by endorsement pathway were to exist in the Commonwealth; and (iv) identify any other licensure pathways that would serve the public good. The work group shall report its findings along with any recommendations for legislation to the

House Committee on Health, Welfare and Institutions and the
Senate Committee on Education and Health by October 1, 2023.

Should you have questions about this report, please feel free to contact me at (804) 367-4648 or arne.owens@dhp.virginia.gov.

AO/EB
Enclosure

CC: The Honorable John Littel, Secretary of Health and Human Resources

Preface

This report is submitted in compliance with Chapter 485 of the 2023 Acts of Assembly:

The Virginia Department of Health Professions shall convene a work group consisting of representatives of the Virginia Dental Association, the Virginia Dental Hygienists' Association, the Association of Dental Support Organizations, the Virginia Board of Dentistry, and other relevant stakeholders to analyze licensure requirements for dentists and dental hygienists in the Commonwealth and determine what changes to such requirements may be warranted, if any, to ensure access to affordable, quality dental care throughout the Commonwealth. The work group shall (i) compare licensure requirements for dentists and dental hygienists in the Commonwealth with such requirements in other states and the District of Columbia; (ii) analyze the number of licensed dentists in the Commonwealth relative to population growth and geography; (iii) identify the risks and benefits to the public if a licensure by endorsement pathway were to exist in the Commonwealth; and (iv) identify any other licensure pathways that would serve the public good. The work group shall report its findings along with any recommendations for legislation to the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by October 1, 2023.

Contents

I. Executive Summary.....	1
II. Comparison of licensure requirements	2
III. Dentists and dental hygienists relative to population	4
IV. Licensure by endorsement pathway.....	4
V. Other licensure pathways.....	5
VI. Additional considerations	5

I. Executive Summary

Pursuant to House Bill 2251, passed during the 2023 General Assembly Session, the Board of Dentistry convened a workgroup on July 21, 2023 to:

1. compare licensure requirements for dentists and dental hygienists in the Commonwealth with such requirements in other states and the District of Columbia;
2. analyze the number of licensed dentists in the Commonwealth relative to population growth and geography;
3. identify the risks and benefits to the public if a licensure by endorsement pathway were to exist in the Commonwealth; and
4. identify any other licensure pathways that would serve the public good.

The workgroup found that the licensure requirements for dentists and dental hygienists were generally comparable with the majority of United States jurisdictions. The workgroup additionally found that numbers of dentists and dental hygienists have remained stable in terms of available workforce and the number of licensees planning to retire in the next 10 years.

The workgroup noted that licensure by endorsement is currently available in Virginia for dentists and dental hygienists. Such a pathway has been available for many years and is successfully used by applicants.

Finally, the workgroup examined other licensure pathways. The workgroup considered the possibility of joining a dental compact. Evidence examined during the workgroup and confirmed following the workgroup show that the currently available dental compact may allow licensure of individuals who do not meet the educational requirements for Virginia. The workgroup also discussed potential pathways for licensure for foreign graduates used by another jurisdiction which required supervised clinical practice in the state prior to licensure.

The workgroup did not suggest or recommend changes to the current licensure process, the endorsement process, or any specific pathway to licensure not currently in use in Virginia based on the information reviewed by the workgroup.

Workgroup Members

Margaret F. Lemaster
R.D.H., Board Member

William C. Bigelow, D.D.S.
Board Member

Lisa Ward
Vice President, Communications
Association of Dental Support Organization (ADSO)

Heather Tuthill
President
Virginia Dental Hygienists' Association (VDHA)

Benjamin H. Traynham, Esq.
Representative
Virginia Dental Association (VDA)

Jamie C. Sacksteder
Executive Director
Virginia Board of Dentistry

Erin L. Barrett
Director of Legislative and Regulatory Affairs
Department of Health Professions

II. Comparison of licensure requirements

Licensure by examination and licensure by endorsement pathways currently in existence in Virginia were reviewed by the workgroup.¹ The workgroup made no suggestions for change in Virginia's current licensure by examination or endorsement processes.

A. Licensure by examination

Licensure by examination is a licensure pathway used most often by new graduates. It may be used by experienced dentists and dental hygienists from other jurisdictions who do not meet requirements for licensure by endorsement. Virginia's requirements for licensure by examination are similar to other jurisdictions in the United States.

1. *Dentists*

For licensure by examination, Virginia requires graduation from a program accredited by the Commission on Dental Accreditation ("CODA") or the Commission on Dental Accreditation of Canada ("CDAC") (*see* 18VAC60-21-200), which is the same requirement as 36 other states in the U.S. Virginia allows foreign-trained applicants to receive licenses in Virginia if the applicant completes a 12-month post-doctoral advanced general dentistry program or a post-doctoral dental program of at least 24 months in any other specialty that includes a clinical component. *See* 18VAC60-21-200. Virginia requires passage of the American Board of Dental Examiners ("ADEX") exam as the required clinical competency exam for licensure. *See* Va. Code § 54.1-2709(B)(iv). 48 states accept the ADEX examination for licensure; 15 states require passage of the ADEX examination. The fee of \$400 for licensure by examination is lower than 17 states.

¹ For information reviewed by the workgroup regarding license requirements in Virginia, including national comparisons, see: https://townhall.virginia.gov/L/GetFile.cfm?File=Meeting\21\35453\Agenda_DHP_35453_v2.pdf. Pages 2 – 20 provide information related to licensure of dentists, and pages 21 – 35 provide information related to licensure of dental hygienists.

Virginia does not require a background check or a jurisprudence exam. 25 states require a criminal background check prior to licensure, and 41 states require passage of a jurisprudence exam.

2. *Dental hygienists*

Virginia requires graduation from a CODA or CDAC accredited program for licensure as a dental hygienist, which is the same requirement as 37 other states in the U.S. Virginia requires passage of the ADEX examination for licensure. 48 states accept the ADEX examination for licensure; 14 states require passage of the ADEX examination. The fee of \$175 for licensure by examination is lower than 18 other states.

Virginia does not require criminal background checks for licensure as a dental hygienist. 23 states currently require a criminal background check for licensure. Virginia does not accept foreign-trained applicants for licensure as a dental hygienist. Nationally, only 12 states accept foreign-trained applicants. All such states impose additional requirements on applicants, and several states provide only a restricted license.

B. Licensure by endorsement

Both dentists and dental hygienists may be licensed by endorsement in Virginia. Regulations related to licensure by endorsement refer to this pathway as “licensure by credentials,” consistent with terminology used across the United States related to dentistry. *See* 18VAC60-21-210(B) (setting forth requirements for licensure by credentials for dentists); *see also* 18VAC60-25-150 (setting forth requirements for licensure by credentials for dental hygienists).²

1. *Dentists*

Virginia’s licensing fee for licensure by endorsement is lower than 23 other states. Virginia’s educational requirements are identical to 36 other states. Virginia’s active practice requirement is the same as 27 other states.³ 42 states require an applicant take and pass a jurisprudence exam. The fee of \$500 for licensure by endorsement is lower than 23 states.

2. *Dental hygienists*

Virginia’s educational requirements are identical to 37 other states. Virginia’s active practice requirement is lower than 27 states.⁴ The fee for licensure by endorsement as a dental hygienist of \$275 is lower than 15 other states.

² To avoid confusion and for consistency with the language of HB2251, this pathway will be referred to as “licensure by endorsement” within this report.

³ Virginia requires active practice for five out of the last six years immediately preceding application for licensure by endorsement to practice dentistry.

⁴ Virginia requires active practice for 24 out of the last 48 months immediately preceding application for licensure by endorsement to practice dental hygiene.

III. Dentists and dental hygienists relative to population

Data produced by the Department of Health Professions' Health Workforce Data Center ("HWDC") provided the following information related to licensed dentists and licensed dental hygienists relative to population.⁵

A. Licensed dentists

Currently, there are 66.19 dentists per 100,000 people in the Commonwealth of Virginia, which is higher than the density nationally of 60.84 dentists per 100,000 people in the United States. The highest overall concentration of dentists is reported in the Northern Virginia area, with Central Virginia and Hampton Roads having the next highest concentrations. The highest number of dentists per 100,000 residents is reported in Northern Virginia, with the Eastern Virginia Region in second place.

Dentists have seen consistent increases in workforce from 2013 – 2021, with the profession adding 9% more licensees during that time. In 2022, a 2% drop in licensed dentists was recorded by the HWDC, although the overall number of licensed dentists remains stable. The median age of dentists is 48 years old, a number that has been relatively stable and has decreased from a high of 50 in 2015. The number of dentists planning to retire in 10 years has remained stable at 28%, which is substantially similar to all yearly results since 2013.

B. Licensed dental hygienists

Currently, there are 61.21 dental hygienists per 100,000 people in the Commonwealth of Virginia, which is lower than the density nationally of 65.04 dental hygienists per 100,000 people in the United States. The highest overall concentration of dental hygienists is reported in the Northern Virginia area, with Hampton Roads reporting the second highest concentration. The highest number of dental hygienists per 100,000 residents is reported in Hampton Roads, with the West Central Region in second place.

Dental hygienists have seen consistent increases in workforce from 2013 – 2022, with a total of 18% more licensees added during that time. The median age of dental hygienists is 43 years old, a number that has been relatively stable. The number of dental hygienists planning to retire in 10 years has remained stable at 27%, although the overall percentage of dental hygienists planning to retire in 10 years has increased from the 23% reported in 2013.

IV. Licensure by endorsement pathway

As stated under Part II, a licensure by endorsement pathway exists for both dentists and dental hygienists. *See* 18VAC60-21-210(B) (setting forth requirements for licensure by credentials for dentists); *see also* 18VAC60-25-150 (setting forth requirements for licensure by credentials for dental hygienists). HB2251 directed the workgroup to “identify the risks and benefits to the public

⁵ *See* Virginia Oral Health Workforce: Digging Deeper, Yetty Shobo, Ph.D, July 12, 2023 presentation, available at: https://www.dhp.virginia.gov/media/dhpweb/docs/hwdc/presentations/BOD_072223.pdf.

if a licensure by endorsement pathway were to exist in the Commonwealth.” Because this pathway already exists, the workgroup did not make findings regarding this portion of the legislation.

V. Other licensure pathways

The workgroup considered the Dental Licensure Compact as created by the Council of State Governments.⁶ The Board of Dentistry has previously considered the Compact and declined to support it for a variety of reasons, including that the licensure requirements for the Compact do not meet the licensure requirements for Virginia.⁷ The ability of the Compact to impose as-yet undetermined fees on member states and the cost of implementing the required criminal background check requirement on applicants creates an unknown cost to the Commonwealth that may not be justified given the current low participation in the Compact.⁸

The workgroup briefly discussed requirements for foreign dental applicants in Minnesota. That jurisdiction allows foreign applicants, following passage of the Test of English as a Foreign Language (“TOEFL”) examination and submission of educational equivalency through the Foreign Credential Service of America, to obtain a limited general license. The applicant must then work under the supervision of a licensed dentist for two years before applying to the Minnesota Board of Dentistry for an unrestricted license to practice dentistry. Using this model in Virginia would require Code revision and regulatory changes.

VI. Additional considerations

The workgroup received the following information from Board of Dentistry staff regarding applications to practice in Virginia.

The Board removed unnecessary barriers to the licensure application process and streamlined staff review over the last year. Thus, even though applications for the same six-month period in 2022⁹ and 2023¹⁰ increased by 206 applications, Board staff processed 217¹¹ more applications during that time, which more than made up for the increase. Streamlining efforts included: removal of unnecessary forms and information included in applications; receiving

⁶ Currently, only three states have enacted legislation to join the Compact. See ddhcompact.org/compact-map/.

⁷ Although Virginia and a large number of states require graduation from a CODA or CDAC accredited program, the Compact (1) does not include CDAC, which may exclude Canadian applicants, and (2) contains language which may allow for non-CODA accredited education to satisfy licensure requirements, should the Department of Education approve additional accrediting bodies in the future.

⁸ Following the workgroup, another dental compact was proposed through the American Association of Dental Boards (soon to become the Federation of State Dental Boards). This new compact will be modeled on the Interstate Medical Licensure Compact (“IMLC”), and similar to the IMLC will require individual applicants to apply for “compact” licenses in member states. Compact costs will predominantly be borne by applicants, but Virginia would incur a fiscal impact in the implementation of criminal background checks. Because this compact was proposed after the workgroup met, it was not considered by the workgroup. As of August 30, 2023, no public draft compact was available to provide as a citation.

⁹ From January 1, 2022 – July 1, 2022, the Board received 398 applications.

¹⁰ From January 1, 2023 – July 1, 2023, the Board received 604 applications.

¹¹ From January 1, 2022 – July 1, 2022, the Board processed 371 applications. From January 1, 2023 – July 1, 2023, the Board processed 588 applications.

information electronically; and not requiring original documentation when information can be verified another way.