



AADB DENTAL & DENTAL HYGIENE LICENSURE COMPACT

1 AADB DENTAL AND DENTAL HYGIENE LICENSURE COMPACT

2
3
4 Section 1 NEW LAW The American Association of Dental Boards Compact is hereby enacted into law and the
5 Governor shall enter into a compact on behalf of the State of _____ with any jurisdiction legally joined
6 therein, in the form substantially as set forth in this Act.

7
8 Section 1. PURPOSE.

9 Section 2 NEW LAW

10 AADB DENTAL AND DENTAL HYGIENE COMPACT

11 This compact shall be known as the AMERICAN ASSOCIATION OF DENTAL BOARDS (AADB) Compact
12 and the purpose of the compact is to expedite licensure and increase access to dental health care through
13 licensure boards acting in cooperation. The compact adopts the existing structures most utilized by Dental
14 Boards across the United States, while ensuring the safety of the public through the sharing of documents and
15 information. This compact ensures that each state retains the right to impose an adverse action on a licensee as a
16 home state or as a practicing state. Each state has an opportunity to share investigations and information with
17 the home state of licensure. The Dental Board compact is operated by state dental board members,
18 administrators and other staff, thus allowing for each state to maintain its sovereignty.

19 The AADB Compact:

- 20 (a) Allows for expedited licensure portability and ease of movement between states;
21 (b) Allows each state to continue to regulate the practice of dentistry and dental hygiene within their
22 borders and maintain its sovereignty by allowing actions against a compact license privilege or a
23 licensee and maintaining its existing licensure structure while allowing for compact licensure
24 privileges;
25 (c) Creates a common goal of protecting the public by ensuring a uniform licensure standard and
26 sharing of information in the compact;
27 (d) Allows for licensure in every participating state by passing a uniform licensure examination, that
28 tests psychomotor and cognitive dental skills exam that is currently accepted in fifty-state (50)
29 licensing jurisdictions and United States territories;
30 (e) Gives licensees one (1) location to maintain professional documentation to expedite compact
31 license privileges in states, hospitals or institutional credentialing;
32 (f) Facilitates a faster licensure process for relocation or separation of military members and their
33 dependent spouses; there are no compact fees for military members or their spouses;
34 (g) Alleviates a duplicative process for licensure among multiple states;
35 (h) Saves applicants money by not having to obtain duplicate documents from a source that charges
36 for the documents; and
37 (i) Utilizes existing infrastructure of the AADB that has been in existence for over 100 years,
38 representing dental licensing boards.

41
42 Section 2. DEFINITIONS
43

- 44 (a) “AADB” means the American Association of Dental Boards (AADB) or its named successor, formerly
45 known as the American Association of Dental Examiners (AADE), originally chartered on September
46 10th, 1896 and renewed in 1944, comprised of State Dental Boards in the United States and its
47 territories;
48
- 49 (b) “AADB Attorneys’ Committee” means attorneys that currently represent a state dental board. The
50 attorneys’ committee participates in the commission as a non-voting member. An attorney that has
51 previously served as an attorney for a State Dental Board may be invited on a year-to-year basis to serve
52 on the committee if they have not engaged in an official case against a Board within the compact or have
53 any other conflict of interest. The attorney’s committee may assist the investigators in working through
54 joint investigation issues between states. The attorney’s committee shall prepare a summary of legal
55 issues directly dealing with the compacts at the annual meeting as well as a legal update for issues
56 affecting Member State Dental Boards;
57
- 58 (c) “AADB Compact Commission” means the American Association of Dental Boards dental and dental
59 hygiene AADB Compact compact commission. Each state shall have two (2) members as required by
60 Section 3 of this act, meeting as a whole to form the commission;
61
- 62 (d) “AADB composite” means an annual publication listing information regarding each state board,
63 contacts, links to statutes and rules and additional data. Each state shall submit an annual update
64 regarding all dental practice related licenses and permits available by state and the procedures allowed to
65 be conducted by licensees and permit holders;
66
- 67 (e) “Active-duty military person or spouse” means an individual in full-time active-duty status in the active
68 uniformed service of the United States including members of the National Guard and Reserve. The legal
69 spouse of the military member must be recognized by the military unit as a dependent while the service
70 member is on active duty. Spouses shall receive the same privileges as military members for the purpose
71 of this compact;
72
- 73 (f) “Active investigation” means an active investigation resulting in formal allegations or charges
74 precipitating a judicial process by a Dental Board, oversight agency, or other law enforcement entity;
75
- 76 (g) “Adverse action” means an Order issued by a State Dental Board or reported to the AADB
77 clearinghouse pursuant to the compact bylaws and rules. This shall also include a Temporary
78 Emergency Order that may be later withdrawn by a Board;
79
- 80 (h) “ADEX examination” means American Board of Dental Examiners examination;
81
- 82 (i) “Bylaws” means the bylaws passed by the AADB or its named successor Compact Commission;
83
- 84 (j) “Clearinghouse” means the AADB Clearinghouse and databank that houses prior adverse actions, orders
85 and denials of licensure or permits from State Dental Boards in the fifty-states (50) and territories;

- 86
- 87 (k) “CODA” means the Commission on Dental Accreditation or its successor as approved by the United
88 States Department of Education;
- 89
- 90 (l) “Commissioners” means the two members chosen by each Member State Dental Board to serve as the
91 voting members of the compact;
- 92
- 93 (m) “Compact” means the American Association of Dental Boards (AADB), dental and dental hygiene
94 compact;
- 95
- 96 (n) “Compact license privilege” means the expedited dental or dental hygiene license to practice in a
97 Member State that differs from the licensee’s home state;
- 98
- 99 (o) “Conviction” means an adjudication and/or formal judgment by a court that an individual is guilty
100 through a plea of guilty or no contest, or a finding of guilt by the court. Evidence of a conviction of a
101 criminal offense by the court shall be considered final for the purposes of disciplinary action by a board
102 member;
- 103
- 104 (p) “Criminal background check” means a dentist or dental hygienist seeking compact license privileges
105 shall complete and provide a criminal background check, including the use of the results of fingerprint
106 or other biometric data checks compliant with the requirements of the Federal Bureau of Investigation,
107 with the exception of federal employees who have suitability determination in accordance with U.S.
108 C.F.R. Section 731.202;
- 109
- 110 (q) Dental hygienist – means any person who:
- 111 1. Has successfully graduated from a CODA approved dental hygiene school;
- 112 2. Has successfully passed the American Board of Dental Examiners, (ADEX) licensure exam; or have
113 been in practice 5 years or more and has successfully passed a regional or equivalent state
114 administered psychomotor licensure examination prior to January 1, 2024.
- 115 3. Has successfully passed the written national dental hygiene board examination administered by the
116 Joint Commission on National Dental Examinations;
- 117 4. Possesses a full and unrestricted dental hygiene license issued by a Member State of the compact;
- 118 5. Has never been convicted, received adjudication, deferred adjudication, community supervision or
119 deferred disposition for any offense by a court of appropriate jurisdiction;
- 120 6. Has never been a subject of discipline by a board through any adverse action, order or other
121 restriction of the licensee by the board with the exception of failure to pay fees or failure to complete
122 continuing education; and
- 123 7. Is not currently under active investigation by a licensing agency or law enforcement authority in any
124 state, federal or foreign jurisdiction;
- 125 8. Meet any jurisprudence requirement established by a Member State Dental Board in which a
126 licensee is seeking an compact privilege expedited license.
- 127
- 128 (r) “Dental Practice Act” means the laws and regulations governing the practice of dentistry within a
129 Member State;
- 130
- 131 (s) “Dentist” means any person who:

- 132 1. Has successfully graduated from a CODA approved dental school;
- 133 2. Has successfully passed the American Board of Dental Examiners, (ADEX) licensure exam; or have
134 been in practice 5 years or more and has successfully passed a regional or equivalent state
135 administered psychomotor licensure examination prior to January 1, 2024.
- 136 3. Has successfully passed the written National Dental Board Exam administered by the Joint
137 Commission on National Dental Examinations;
- 138 4. Possesses a full and unrestricted dental license issued by a Member State Dental Board of the
139 compact;
- 140 5. Has never been convicted, received adjudication, deferred adjudication, community supervision or
141 deferred disposition for any offense by a court of appropriate jurisdiction;
- 142 6. Has never been a subject of discipline by a board as determined by the AADB Compact bylaws and
143 rules, through any adverse action, order or other restriction of the licensee by the board with the
144 exception of failure to pay fees or failure to complete continuing education;
- 145 7. Has never had a state or federal drug registration, permit or license, restricted, suspended or revoked
146 by the United States Drug Enforcement Administration or any State Board that oversees scheduled
147 drug registrations; and
- 148 8. Is not currently under active investigation by a licensing agency or law enforcement authority in any
149 state, federal or foreign jurisdiction;
- 150 9. Meet any jurisprudence requirement established by a Member State Dental Board in which a
151 licensee is seeking an compact privilege expedited license.

152
153 (t) “Home state” means the state of primary licensure. It is the location of the practicing dentist or dental
154 hygienist license where compact privileges originate and the licensee practices at least 25% of the time
155 within a calendar year; The home state can take an action on a licensee regardless of where an action
156 against a licensee occurred;

157
158 (u) “License” means authorization for a dentist or dental hygienist to engage in the unrestricted practice of
159 dentistry or dental hygiene, which would be unlawful without;

160
161 (v) “Member state dental board” means a state agency in a Member State that acts in the sovereign interests
162 of the state by protecting the public through licensure, regulation and the education of dentist and dental
163 hygienists as directed by the state law. All actions taken by a member board shall be under the authority
164 of their state jurisdiction and any other rights conferred under this compact;

165
166 (w) “Member state” means a state or United States territory that has enacted the compact;

167
168 (x) “Regional board examination” means the Western Regional Dental Board Examination (WREB), the
169 North East Regional Board of Dental Examiners (NERB), the Commission on Dental Competency
170 (CDCA), Council of AADB Compact Testing Agencies (CITA), Southern Regional Testing Agency
171 (SRTA), Central Regional Dental Testing Services (CRDTS);

172
173 (y) “Repository” means the AADB repository of original documents of a licensee that may include, original
174 transcripts, certification documents, test scores, military training records, previous or current licensing
175 documents and other sources of materials needed for applications and verification. The AADB
176 repository shall receive documents from primary or originating sources and/or verify their authenticity;

178 (z) “Scope of practice” means the dental related procedures that require a license, permit or training, to
179 undertake the treatment and procedure to be completed on a patient within the practice state’s
180 requirements;

181
182 (aa) “State” means a state within the United States or a United States Territory; and

183
184 (bb) “State jurisprudence” means the knowledge of the state laws and rules of dentistry and dental hygiene
185 in which a compact license privilege is extended.
186
187

188 Section 3. STATE DENTAL BOARD AADB COMPACT COMMISSION MEMBERSHIP

- 189
190 a) The Member States hereby create the AADB Dental and Dental Hygiene Compact. Each state must
191 enact the AADB model compact that is not materially different as determined by the AADB Compact
192 Commission.
193
194 b) Each state Member State Dental Board shall have two (2) voting commission members that shall serve
195 as commissioners and have one (1) vote each, cumulatively making the AADB Compact Commission.
196 Member States with separate Dental and Dental Hygiene State Dental Boards shall appoint one (1)
197 commissioner from each Board. One shall be a current State Dental Board member. Commissioners
198 may not delegate votes or proxies, however, if a commissioner is unable to attend, the Member State
199 may substitute a delegate that meets the same requirements.
200
201 c) Upon five (5) states joining the compact, the AADB dental and dental hygiene compact will become
202 active. The Compact Commission shall have the authority to enact bylaws and rules on behalf of the
203 compact that shall have the force of law in each participating state to carry out the provisions of the
204 compact.
205
206 d) The AADB Compact Commission shall be a separate body within the American Association of Dental
207 Boards and shall have all the responsibilities, powers and duties set forth in the compact and such
208 additional powers as may be conferred by a concurrent action of the respective legislatures of the
209 Member States in accordance with the terms of the compact.
210
211 e) The Compact Commission shall meet at least once per calendar year and additional times as necessary
212 pursuant to the bylaws and rules. During the annual meeting, the commission members and the
213 attorneys’ committee shall prepare information regarding issues and resolutions between states to
214 further the cooperation of the state boards. The attorneys’ committee shall also prepare a legal update
215 for current events related to dental boards.
216
217 f) The Compact Commission shall elect officers from the membership that shall serve as an Executive
218 Committee. Elections shall occur during the annual meeting. The quorum of Commissioners shall
219 select an Executive Committee consisting of a Chair, Vice Chair, Secretary, Treasurer and a
220 Representative from the North, South, East and West districts as divided pursuant to the AADB Compact
221 Rules.
222

- 223 g) Quorum for purposes of conducting business shall be a majority of commission members attending in
224 person or virtually.
225
- 226 h) The Commission shall provide notice of all meetings on its website and in other communications to
227 members.
228
- 229 i) A vote of two-thirds (2/3) of the membership shall be required for an executive session to discuss:
230 Items specifically related to participation in a lawsuit or in anticipation of a legal proceeding;
231 Matters specifically exempted from disclosure by federal statute;
232 Discussions of investigative records of an active compact member investigation or investigative records
233 for law enforcement or discussions involving specifically accusing a person of a crime or a public
234 censure;
235 Discussions that would include information of a personal nature that would constitute an unwarranted
236 invasion of personal privacy;
237 Anything considered internal practices and procedures or a trade secret;
238 Other items in the Commission bylaws allowing for executive sessions to be called; or
239 Advice of Legal Counsel.
240
- 241 j) The commission shall keep minutes and make them available to all Member States.
242
- 243 k) The Commission may establish other committees as needed.
244
- 245 l) The Commission shall prepare an annual report that shall be made available to the legislatures and
246 governors of the Member States concerning the activities of the AADB Compact Commission during the
247 preceding calendar year. Such reports shall also include reports of financial audits and any
248 recommendations that may have been adopted by the Compact Commission.
249

250 4. DUTIES OF COMPACT MEMBER STATES 251

- 252 a) Member States agree to submit Member State Dental Board actions and other documents and data as
253 determined by the AADB Compact Commission through bylaws and rules;
254
- 255 b) Member States shall notify the AADB Compact Commission pursuant to the rules regarding any
256 Adverse Action taken by the Board, any active investigation by the State Dental Board, any active
257 investigation involving pending criminal charges or other circumstance as determined by the Compact
258 Commission Rules and bylaws;
259
- 260 c) Any adverse action, order, restriction or denial of a license or permit on a licensee or permit holder shall
261 be reported to the AADB Clearinghouse by the Member State Dental Board;
262
- 263 d) Member State Dental Boards may submit nonpublic complaints, disciplinary or investigatory
264 information not required by subsection (C) to the AADB Clearinghouse. All investigatory material shall
265 be considered confidential and not part of a public record unless otherwise specifically required by state
266 statute;
267

- 268 e) Accept continuing education credits as required by each state, including but not limited to classes
269 authorized by AADB Accredited Continuing Education (ACE) program;
- 270
- 271 f) Documents in the AADB Repository shall be treated by a Member State as the equivalent of a primary
272 or original source document for licensure;
- 273
- 274 g) Member States agree to accept a standardized application for compact license privileges. The
275 standardized application shall be established by the rules enacted by the commission;
- 276
- 277 h) **Member States may agree to share information** regarding ongoing investigations and actions, including
278 joint investigations between states. All investigatory material shall be considered confidential and not
279 part of a public record unless otherwise specifically required by state statute; and
- 280
- 281 i) As part of the compact enforcement, participating Member States issuing subpoenas and seeking
282 testimony of witnesses shall be enforced in other participating Member States in the compact and shall
283 be enforced by a court of competent jurisdiction where the witnesses or evidence is located.
- 284
- 285

286 Section 5. POWERS AND DUTIES OF THE AADB COMPACT COMMISSION

287

- 288 a) The AADB Compact Commission shall have the duty and power to:
- 289 1) Oversee and maintain the administration of the Compact, including organizational needs, the
290 financial activities, the hiring of personnel and ongoing activities or needs of the AADB
291 Compact Commission;
- 292 2) Promulgate bylaws and rules to operate the Compact;
- 293 3) Establish a budget and make expenditures;
- 294 4) Issue, upon the request of a Member State Dental Board, advisory opinions concerning the
295 meaning or interpretation of the Compact and its bylaws, rules and actions;
- 296 5) Enforce compliance with Compact provisions, the rules promulgated by the AADB Compact
297 Commission and the bylaws using all necessary and proper means, including but not limited to
298 the use of judicial process;
- 299 6) Hold an annual meeting for the AADB Compact Commission where the elections of an
300 executive board and other issues may be discussed and voted on;
- 301 7) Establish personnel policies and programs relating to conflicts of interest, rates of compensation
302 and qualifications of personnel;
- 303 8) Accept donations and grants of money, equipment, supplies, materials and services, and to
304 receive, utilize and dispose of them in a manner consistent with the conflict-of-interest policies
305 established by the AADB Commission;
- 306 9) Report annually to the legislatures and governors of the Member State Dental Boards concerning
307 the activities of the AADB Compact Commission during the preceding calendar year. Such
308 reports shall also include reports of financial audits and any recommendations that may have
309 been adopted by the AADB Compact Commission; and
- 310 10) Coordinate education, training and public awareness regarding the Compact, its implementation
311 and its operation.
- 312 b) The executive committee shall have the power to act on behalf of the AADB Compact Commission with
313 the exception of rulemaking during periods when the Compact Commission is not in session. When

314 acting on behalf of the Compact Commission, the executive committee shall oversee the administration
315 of the compact including enforcement and compliance of the compact.

- 316 c) The officers and employees of the AADB Compact Commission shall be immune from suit and liability,
317 either personally or in their official capacity, for a claim for damage to or loss of property or personal
318 injury or other civil liability caused or arising out of, or relating to, an actual or alleged act, error or
319 omission that occurred, or that such person had a reasonable basis for believing occurred, within the
320 scope of AADB Compact Commission employment, duties or responsibilities; provided, that such
321 person shall not be protected from suit or liability for damage, loss, injury or liability caused by the
322 intentional or willful and wanton misconduct of such person.
- 323 d) The liability of the executive director and employees of the AADB Compact Commission or
324 representatives of the AADB Compact Commission, acting within the scope of such person's
325 employment or duties for acts, errors or omissions occurring within such person's state may not exceed
326 the limits of liability set forth under the constitution and laws of that state for state officials, employees
327 and agents. The AADB Compact Commission is considered to be an instrumentality of the states for the
328 purposes of any such action. Nothing in this subsection shall be construed to protect such person from
329 suit or liability for damage, loss, injury or liability caused by the intentional or willful and wanton
330 misconduct of such person.
- 331 e) The AADB Compact Commission shall defend the executive director, its employees, and, subject to the
332 approval of the attorney general or other appropriate legal counsel of the member state represented by an
333 AADB Compact Commission representative, shall defend such AADB Compact Commission
334 representative in any civil action seeking to impose liability arising out of an actual or alleged act, error
335 or omission that occurred within the scope of AADB Compact Commission employment, duties or
336 responsibilities, or that the defendant had a reasonable basis for believing occurred within the scope of
337 AADB Compact Commission employment, duties or responsibilities, provided that the actual or alleged
338 act, error or omission did not result from intentional or willful and wanton misconduct on the part of
339 such person.
- 340 f) To the extent not covered by the state involved, member state or the AADB Compact Commission, the
341 representatives or employees of the AADB Compact Commission shall be held harmless in the amount
342 of a settlement or judgment, including attorney fees and costs, obtained against such persons arising out
343 of an actual or alleged act, error or omission that occurred within the scope of AADB Compact
344 Commission employment, duties or responsibilities, or that such persons had a reasonable basis for
345 believing occurred within the scope of AADB Compact Commission employment, duties or
346 responsibilities, provided that the actual or alleged act, error or omission did not result from intentional
347 or willful and wanton misconduct on the part of such persons.

348
349 Section 6. APPLICATION, ELIGIBILITY AND ISSUANCE OF
350 AADB COMPACT LICENSE PRIVILEGE TO A PRACTICE STATE.

- 351
352 a) A dentist or dental hygienist applying for compact license privileges shall meet the requirements of a
353 dentist as listed in Section (2)(S) of this compact or dental hygienist as listed in Section (2)(Q) of this
354 compact and hold a current valid license in a Member State under this compact.
- 355
356 b) Each dentist or dental hygienist shall designate a home state of licensure. The home state shall be
357 determined by:
358

- 359 1) The state of primary residence for the dentist or dental hygienist where 25% of their practice
360 within one-year occurs. An active-duty military member or their spouse may choose a home
361 state as designated with the military but are not required to meet the 25% practice within the
362 home state requirement; or
363
- 364 2) If no state qualifies under section 1, then the state where the dentist or dental hygienist filed the
365 previous year federal tax return.
366
- 367 c) A dentist or dental hygienist may redesignate a home state one time in a calendar year, if the
368 qualifications of a home state are met.
369
- 370 d) A dentist or dental hygienist seeking a compact license privilege shall apply to their home state for a
371 letter stating that they are eligible for compact license privileges.
372
- 373 e) The home state determines the eligibility and issues a letter of approval or denial for the compact
374 license privilege.
375
- 376 f) The letter is submitted to the proposed compact license state along with the AADB compact application
377 packet and authorization to seek access to the licensee's repository documents and any additional
378 information as may be required by the proposed compact license state along with the required fees.
379 Upon approval from the Home State, the compact license state shall issue a state compact license
380 privilege from the proposed application state to the applicant.
381
- 382 g) Appeals on determination of eligibility shall be made to the Member State where the applicant was
383 seeking privileges under a state compact license privilege and shall be subject to the law of that state.
384
- 385 h) A person holding a compact license privilege shall notify the Compact Commission within 10 business
386 days of any adverse action taken against a license held in a non-compact state.
387
- 388 i) A compact license privilege may be revoked, suspended or limited by the issuing State Dental Board if
389 at any time the licensee's home state license is revoked, suspended or limited.
390
- 391 j) The AADB Compact Commission is authorized to develop rules regarding the application and renewal
392 process including payment of any application fees, and the issuance of a compact license privilege.
393
- 394 k) Eligibility or ineligibility to receive a state compact license privilege shall not impact or prohibit an
395 individual from the ability to seek a state license through the regular process outside of the compact.
396
397

398 7. JURISDICTION OF COMPACT LICENSE PRIVILEGE HOLDERS 399

- 400 a) Each dentist or dental hygienist holding a compact license privilege is required to reference the
401 composite and Member State Dental Boards' statutes and rules to be aware of laws that apply to a
402 specific state in which they are practicing under a compact license privilege. Compact license scope
403 and practice requirements shall conform to the state jurisdiction in which the compact license
404 privilege holder is practicing.

- 405
406 b) Each dentist or dental hygienist holding a compact license privilege shall list a current address with
407 the AADB Compact Commission that shall serve as their official address of service.
408
409 c) A dentist or dental hygienist holding a compact license privilege may have an adverse action taken
410 against them by any;
411
412 1) Member State Dental Board_in which they are practicing with a compact license
413 privilege;
414 2) the compact licensee's home state; or
415 3) any state that is a compact member where the compact licensee has requested or received
416 a compact license privilege to practice.
417
418 d) Any state in which the compact licensee holds a compact license privilege may investigate an
419 allegation of a violation of the statutes and rules of dentistry or dental hygiene in any other state
420 where the compact licensee holds a compact license privilege.
421

422 Section 8. FEES AND MILITARY WAIVER

- 423 a) The AADB Compact Commission is authorized to develop rules regarding fees for compact
424 licensees' use of the repository and other provisions as determined by the AADB Compact
425 Commission.
426
427 b) A Member State Dental Board issuing a compact license privilege authorizing practice in their state
428 may impose a fee for a compact license privilege to be issued or renewed.
429
430 c) No compact fee shall be required of each active-duty military member and/or their spouse up to one
431 (1) year after separation. Each participating state issuing a compact license privilege may waive fees
432 for active-duty military and/or their spouse as required by each individual state statute.
433
434 d) Active-duty military may transfer military training records to the repository without a fee.
435

436 Section 9. JOINT INVESTIGATIONS AND DISCIPLINARY ACTIONS

- 437 a) Each state shall name a point of contact for joint investigations between compact Member State
438 Dental Boards.
439
440 b) In addition to the authority granted to a Member State Dental Board by the state law of their
441 jurisdiction, Member State Dental Boards may participate with other Member State Dental Boards in
442 joint investigations of licensees that fall subject to this compact.
443
444 c) Member State Dental Boards may share investigative, litigation or other materials in furtherance of
445 any joint or individual investigation arising with a licensee who holds a compact license privilege
446 within their jurisdiction.
447

- 448 d) A subpoena issued by a Member State or Member State Dental Board shall be enforceable in other
449 Member States as allowed by law.
- 450
- 451 e) If a licensee has a disciplinary action taken by any Member State Dental Board against a licensee
452 under the compact, they shall automatically be subject to discipline by other Member State Dental
453 Boards.
- 454
- 455 f) If a licensee has an action taken against their home state license including being revoked,
456 surrendered or relinquished in lieu of discipline or suspended, then automatically all other compact
457 license privileges shall be placed in the same status. The home state shall notify the commission and
458 the commission shall issue a notice to all Member State Dental Boards that the licensee holding a
459 compact license privilege shall suspend the compact license privilege.
- 460
- 461 g) If discipline is taken against a licensee in a AADB Compact Member State, the Member State Board
462 shall notify the commission and the home state of the licensee. The home state may deem the action
463 conclusive as a matter of law and fact decided and
- 464
- 465 1) Impose the same or lesser sanction consistent with the home state practice act; or
- 466
- 467 2) Pursue separate actions against the licensee under its practice act regardless of the sanctions
468 pursued by the compact Member State Dental Board.
- 469

470 Section 10. NON-MEMBER STATES, ENTITIES OR OTHER INSTITUTIONS' REQUEST FOR
471 INFORMATION FROM THE REPOSITORY AND/OR ACCESS TO THE AADB CLEARINGHOUSE

- 472 a) Insurance companies and entities verifying documents for the purpose of licenses extended to a provider
473 may seek information from the AADB CLEARINGHOUSE for public record documents;
- 474
- 475 b) A dentist or dental hygienist, as defined by the bylaws and rules, may submit a request to the AADB
476 Compact Commission to allow any hiring employer, entity or insurance company to access documents
477 from the repository for the purposes of credentialing, licensing or other privileges;
- 478
- 479 c) The Commission shall set a fee schedule for these services in the bylaws and rules.
- 480

481 Section 11. RULEMAKING FUNCTIONS OF THE AADB COMPACT COMMISSION

- 482 a) The AADB Compact Commission shall promulgate reasonable rules in order to effectively and
483 efficiently achieve the purposes of the Compact. Notwithstanding the foregoing, in the event the
484 Commission exercises its rulemaking authority in a manner that is beyond the scope of the purposes of
485 the Compact, or the powers granted hereunder, then such an action by the AADB Compact
486 Commission may be determined to be invalid and have no force or effect.
- 487 b) Rules deemed appropriate for the operations of the AADB Compact Commission shall be made
488 pursuant to a rulemaking process that substantially conforms to the Model State Administrative
489 Procedure Act of 2010, and subsequent amendments thereto.
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494 Section 12. OVERSIGHT OF AADB DENTAL AND DENTAL HYGIENE COMPACT

- 495 a) The executive, legislative and judicial branches of state government in each Member State Dental
496 Board shall enforce the Compact and shall take all actions necessary and appropriate to effectuate the
497 Compact's purposes and intent to allow for expedited licensure for the purpose of mobility. The
498 provisions of the Compact and the rules promulgated hereunder shall have standing as statutory law but
499 shall not override existing state authority to regulate the practice of dentistry and dental hygiene.
- 500 b) All courts may take judicial notice of the Compact and the rules in any judicial or administrative
501 proceeding in a Member State pertaining to the subject matter of the Compact which may affect the
502 powers, responsibilities or actions of the AADB Compact Commission.
- 503 c) The AADB Compact Commission shall be entitled to receive all service of process in any such
504 proceeding and shall have standing to intervene in the proceeding for all purposes. Failure to provide
505 service of process to the AADB Compact Commission shall render a judgment or order void as to the
506 AADB Compact Commission, the Compact or promulgated rules.

507
508 Section 13. ENFORCEMENT AND DEFAULT PROCEDURES

- 509 a) The AADB Compact Commission, in the reasonable exercise of its discretion, shall enforce the
510 provisions and rules of the Compact.
- 511 b) The grounds for default include, but are not limited to, failure of a Member State to perform such
512 obligations or responsibilities imposed upon it by the Compact, or the rules and bylaws of the AADB
513 Compact Commission promulgated under the Compact.
- 514 c) If the AADB Compact Commission determines that a Member State has defaulted in the performance
515 of its obligations or responsibilities under the Compact, or the bylaws or promulgated rules, the AADB
516 Compact Commission shall:
- 517 a) provide written notice to the defaulting state and other Member States of the nature of the
518 default, the means of curing the default and any action taken by the AADB Compact
519 Commission. The AADB Compact Commission shall specify the conditions by which the
520 defaulting state must cure its default; and
- 521 b) provide remedial training and specific technical assistance regarding the default.
- 522 d) If the defaulting state fails to cure the default, the defaulting state shall be terminated from the Compact
523 upon an affirmative vote of a majority of the Commissioners and all rights, privileges and benefits
524 conferred by the Compact shall terminate on the effective date of termination. A cure of the default
525 does not relieve the offending state of obligations or liabilities incurred during the period of the default.
- 526 e) Termination of membership in the Compact shall be imposed only after all other means of securing
527 compliance have been exhausted. Notice of intent to terminate shall be given by the AADB Compact
528 Commission to the Governor, the majority and minority leaders of the defaulting state's legislature and
529 each of the Member States.

- 530 f) The AADB Compact Commission shall establish rules and procedures to address licenses and compact
531 license privilege holders that are materially impacted by the termination of a Member State or the
532 withdrawal of a Member State.
- 533 g) The AADB Compact Commission shall not bear any costs relating to any state that has been found to
534 be in default or which has been terminated from the Compact, unless otherwise mutually agreed upon
535 in writing between the AADB Compact Commission and the defaulting state.
- 536 h) The defaulting state may appeal the action of the AADB Compact Commission by petitioning the
537 federal district where the AADB Compact Commission has its principal offices. The prevailing party
538 shall be awarded all costs of such litigation, including reasonable attorney fees.
- 539 i) The AADB Compact Commission shall not bear any costs relating to any state that has been found to
540 be in default or which has been terminated from the Compact, unless otherwise mutually agreed upon
541 in writing between the AADB Compact Commission and the defaulting state.
- 542 j) The remedies herein shall not be the exclusive remedies of the AADB Compact Commission. The
543 AADB Compact Commission may avail itself of any other remedies available under state law or the
544 regulation of a profession.
- 545

546 Section 14. DISPUTE RESOLUTION

- 547 a) The AADB Compact Commission shall attempt, upon the request of a Member State Dental Board, to
548 resolve disputes which are subject to the Compact and which may arise among Member State Dental
549 Boards.
- 550 b) The AADB Compact Commission shall promulgate rules providing for both mediation and binding
551 dispute resolution, as appropriate.
- 552

553 Section 15. MEMBER STATES, EFFECTIVE DATE AND AMENDMENT

- 554 a) Any state is eligible to become a Member State of the Compact.
- 555 b) The Compact shall become effective and binding upon legislative enactment of the Compact into law by
556 no less than five (5) states. Thereafter, it shall become effective and binding on a state upon enactment
557 of the Compact into law by that state.
- 558 c) The governors of non-member states, or their designees, shall be invited to participate in the activities of
559 the AADB Compact Commission on a nonvoting basis prior to adoption of the Compact by all states.
- 560 d) The AADB Compact Commission may propose amendments to the Compact for enactment by the
561 Member States. No amendment shall become effective and binding upon the AADB Compact
562 Commission and the Member States unless and until it is enacted into law by unanimous consent of the
563 Member States.
- 564

565 Section 16. WITHDRAWAL

- 566 a) Once effective, the Compact shall continue in force and remain binding upon each and every Member
567 State; provided, that a Member State may withdraw from the Compact after giving appropriate notice
568 by specifically repealing the statute which enacted the Compact into law.

- 569 b) Withdrawal from the Compact shall be by the enactment of a statute repealing the same. The
570 individual's compact license privilege shall remain in effect for six (6) months from the date of the
571 Member State Dental Board withdrawal.
- 572 c) The withdrawing state shall immediately notify the chairperson of the AADB Compact Commission in
573 writing upon the introduction of legislation repealing the Compact in the withdrawing state.
- 574 d) The AADB Compact Commission shall notify the other Member States of the withdrawing state's
575 intent to withdraw within sixty (60) days of its receipt of notice provided under subsection (c) of this
576 section.
- 577 e) Reinstatement following withdrawal of a Member State shall occur upon the withdrawing state
578 reenacting the Compact or upon such later date as determined by the AADB Compact Commission.
- 579 f) The AADB Compact Commission is authorized to develop rules to address the impact of the
580 withdrawal of a Member State on licenses granted in other Member States to dentists and dental
581 hygienists who designated the withdrawing Member State as the state of principal license.

582
583 Section 17. DISSOLUTION

- 584 a) The Compact shall dissolve effective upon the date of the withdrawal or default of the Member State
585 which reduces the membership in the Compact to one (1) Member State.
- 586 b) Upon the dissolution of the Compact, the Compact becomes null and void and shall be of no further
587 force or effect, and the business and affairs of the AADB Compact Commission shall be concluded
588 and surplus funds shall be distributed in accordance with the bylaws.

589
590 Section 18. SEVERABILITY AND CONSTRUCTION

- 591 a) The provisions of the Compact shall be severable, and if any phrase, clause, sentence or provision is
592 deemed unenforceable, the remaining provisions of the Compact shall be enforceable.
- 593 b) The provisions of the Compact shall be liberally construed to effectuate its purposes.

594
595 Section 19. BINDING EFFECT OF COMPACT AND OTHER LAWS

- 596 a) Nothing herein prevents the enforcement of any other law of a Member State that is not inconsistent
597 with the Compact.
- 598 b) All lawful actions of the AADB Compact Commission, including all rules and bylaws promulgated
599 by the Commission, are binding upon the Member States.
- 600 c) All agreements between the AADB Compact Commission and the Member States are binding in
601 accordance with their terms.
- 602 d) In the event any provision of the Compact exceeds the constitutional limits imposed on the
603 legislature of any Member State, such provision shall be ineffective to the extent of the conflict with
604 the constitutional provision in question in that Member State.

605
606 Section 20. RULES OF ORDER

607 The most current edition of the *American Institute of Parliamentarians Standard Code of Parliamentary*
608 *Procedure* governs all meetings of the AADB Compact Commission, including its committees, in those
609 situations not otherwise covered in the Bylaws.