

Draft Rule on Criminal Background Checks

To ensure public safety, many state licensing boards and commissions require license applicants to submit to a criminal background check. Similarly, the Dentist and Dental Hygienist Compact requires participating states to implement and use criminal background checks in making licensing decisions as a means of ensuring public safety.

1.0 Purpose:

Pursuant to Section 3.A.5, and Section 3.C, in order to join and to continue as a Participating State in the Compact, a State must fully implement a Criminal Background Check requirement, within a time frame established by Commission Rule, by receiving the results of a qualifying Criminal Background Check. A qualifying Criminal Background Check means the submission of fingerprints or other biometric-based information for a License applicant for the purpose of obtaining that applicant's criminal history record information, as defined in 28 C.F.R. § 20.3(d) from the Federal Bureau of Investigation and the State's criminal history record repository as defined in 28 C.F.R. § 20.3(f). When conducting a Criminal Background Check the State Licensing Authority shall: Consider that information in making a licensure decision; Maintain documentation of completion of the Criminal Background Check and background check information to the extent allowed by State and federal law; and Report to the Commission whether it has completed the Criminal Background Check and whether the individual was granted or denied a License.

1.1 Criminal Background Checks

Participating States must fully implement a Criminal Background Check requirement on new Dentist and Dental Hygienist license applicants within six years of the effective date of the enactment of the compact within their state. A Participating State cannot participate in the issuing of Compact Privileges for the state's Licensees until the state has completed the requirements to fully implement the Criminal Background Check requirement established

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in Section 3.C. of the Compact. However, a Remote State shall accept a Licensee with a Compact Privilege based on a license issued pursuant to a qualifying Criminal Background Check.

Licensees from Participating States whose Qualifying Licenses were not based on the consideration of information obtained in a Criminal Background Check may seek a Compact Privilege once their Participating State establishes a process for a review and consideration of a subsequent Criminal Background Check.

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1.2 Clinical Assessment

As set forth in Section 2-D, satisfaction of the Clinical Assessment requirement shall be interpreted to include pathways that provide licensure based on the successful completion of a psychomotor performance examination that involves hand skills, along with successful completion of an objective structured clinical examination.

Rationale:

By defining this way, it would include all current exam pathways for licensure.

ADEX- psychomotor and offers an OSCE component

CRDTS-SRTA- psychomotor and offers an OSCE component

DLOSCE- satisfies the OSCE component of the clinical assessment requirement

DDH Dentist and Dental Hygienist Compact

Dear _____,

The DDH Compact Commission respectfully requests support from _____ to advance the Compact's continued implementation. Your support will help deliver national license portability for dental professionals, strengthening the workforce, enabling providers to practice where they are needed most.

The DDH Compact will allow qualified dentists and dental hygienists to practice across state lines with a privilege to practice—improving access to care, supporting relocating professionals, aiding military families, and reducing barriers for providers.

To oversee this initiative, the DDH Compact Commission was established as an interstate governing body made up of representatives from each member state. The Commission is currently focused on building the compact's operational infrastructure. This includes developing the rules, regulations, and secure data system necessary to support license portability and information sharing across states—an essential tool for promoting public protection.

While the Commission will eventually be self-funded through compact privilege license fees, it currently requires start-up support to implement the compact. This support would be used for:

- Designing and procuring a national data system for verifying licenses and sharing disciplinary information.
- Supporting governance activities such as rulemaking, commission meetings, and legal review.
- Providing administrative services to launch and maintain compact operations.

These activities will cost an estimated **\$314,000 through June 2027**.

We are seeking funding partners who share an interest in strengthening the health workforce by accelerating the implementation of the compact. Please consider a contribution to help us expand access to dental services across the country.

If you are interested in learning more, we would be happy to provide additional details and explore opportunities for collaboration.

Sincerely,

DDH Commission Chair
Dr. Matt Bistan

DDH Commission Treasurer
Corey Schaal