

**3100.1350 EMERITUS ACTIVE.****Subpart 1. Licensure application requirements.**

A. A person licensed to practice dentistry, dental therapy, dental hygiene, or dental assisting in Minnesota who retires from active practice may apply for an emeritus active license by providing the board:

- (1) a completed application;
- (2) a form of current government-issued identification; and
- (3) the application fee in Minnesota Statutes, section 150A.091, subdivision 20.

B. A person applying under this subpart must not currently be subject to any disciplinary action resulting in suspension, revocation, disqualification, condition, or restriction of the person's license.

**Subp. 2. Right to practice.** An emeritus active license allows the applicant to engage in:

- A. pro bono or volunteer dental practice;
- B. paid practice not to exceed 500 hours per calendar year for the exclusive purpose of providing licensing supervision to meet the board's requirements; and
- C. paid consulting services not to exceed 500 hours per calendar year.

**Subp. 3. Renewal and prohibition on reinstatement.**

A. An emeritus active license is renewed biennially and continues on with the licensee's same renewal cycle according to Minnesota Statutes, section 150A.06, subdivision 11. If the licensee fails to renew an emeritus active license by the deadline, the board shall send a notice to the licensee. The notice must state the amount of the renewal and late fees. The licensee must renew the emeritus active license within 30 days of the expiration date of the license or the board shall administratively terminate the license and the right to practice. The board must not consider an administrative termination of a license as a disciplinary action against the licensee.

B. If an emeritus active license is terminated, the licensee cannot seek reinstatement of that license or of the licensee's prior license in dentistry, dental therapy, dental hygiene, or dental assisting.

**Subp. 4. Professional development.** For each biennial professional development cycle, the licensee must comply with the professional development requirements including a portfolio audit described in parts 3100.5100 to 3100.5300, with the following modifications:

A. For each biennial cycle, instead of the requirements under part 3100.5100, subpart 2, the required number of hours of fundamental and elective activities is 25 hours for a dentist and dental therapist and 13 hours for a dental hygienist and licensed dental assistant, delineated as follows:

(1) of the 25 hours for a dentist and dental therapist, at least 15 hours must be fundamental activities and no more than ten hours can be elective activities; and

(2) of the 13 hours for a dental hygienist and licensed dental assistant, at least seven hours must be fundamental activities and no more than six hours can be elective activities.

B. Fundamental activities for each biennial cycle must include an infection control course.

**Subp. 5. Anesthesia, sedation, and nitrous oxide.**

A. If an emeritus active licensee was licensed immediately prior to obtaining emeritus active licensure to administer a pharmacological agent for the purpose of general anesthesia, deep sedation, or moderate sedation, the emeritus active licensee may continue to administer such treatment in compliance with the applicable requirements of part 3100.3600. If the emeritus active licensee was not licensed to administer such treatment immediately prior to obtaining emeritus active licensure, an emeritus active licensee must not administer general anesthesia, deep sedation, or moderate sedation.

B. An emeritus active licensee may administer nitrous oxide inhalation analgesia under part 3100.3600, subpart 12.

**Statutory Authority:** *MS s 150A.04; 150A.06*

**History:** *46 SR 908; 48 SR 1089*

**Published Electronically:** *July 24, 2024*