

3100.6200 CONDUCT UNBECOMING A LICENSEE.

"Conduct unbecoming a person licensed to practice dentistry, dental therapy, dental hygiene, or dental assisting, or conduct contrary to the best interests of the public," as used in Minnesota Statutes, section 150A.08, subdivision 1, clause (6), includes a dentist, dental therapist, dental hygienist, licensed dental assistant, or applicant:

- A. engaging in personal conduct that brings discredit to the profession of dentistry;
- B. demonstrating gross ignorance or incompetence in the practice of dentistry or repeated performance of dental treatment that falls below accepted standards;
- C. making inappropriate sexual remarks or advances toward a patient or colleague;
- D. billing patients for unnecessary services or services not rendered or inaccurately documenting services;
- E. failing to communicate an accurate treatment plan and financial information;
- F. performing services as a dental therapist, dental hygienist, or licensed dental assistant not authorized by the dentist under this chapter or Minnesota Statutes, chapter 150A;
- G. accepting or offering rebates, split fees, or commissions for services rendered to a patient from or to any person other than a partner, employee, employer, associate in a dental professional firm, or professional subcontractor or consultant authorized to practice in dentistry;
- H. falsifying records relating to payment for services rendered, participation in a CDE course; or other records with respect to licensure, CDE, and the practice of dentistry;
- I. committing fraud upon patients, third-party payers, or others relating to the practice of dentistry;
- J. failing to cooperate with the board, its agents, or those working on behalf of the board required by part 3100.6350;
- K. failing to maintain adequate safety and sanitary conditions for a dental office specified in part 3100.6300; and
- L. failing to provide access to and transfer of medical and dental records prescribed by Minnesota Statutes, sections 144.291 to 144.298.

Statutory Authority: *MS s 150A.04; 150A.06; 150A.08; 150A.10; 150A.11; 214.06; 319A.18*

History: *10 SR 1613; 14 SR 1214; 16 SR 2314; L 2007 c 147 art 10 s 15; 35 SR 459; 36 SR 738; 46 SR 908*

Published Electronically: *March 17, 2022*