

# Senate Bill 738

Sponsored by Senator MONNES ANDERSON

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Oregon Health Authority to approve one or more pilot projects relating to dental health. Allows person not licensed to practice dentistry or dental hygiene to practice dentistry or dental hygiene in approved pilot project.

Changes title of limited access permit dental hygienist to community health dental hygienist. Modifies requirements for permit and scope of practice of permit holder. Makes changes operative on January 1, 2012.

Requires insurance policy covering dental health that provides coverage for services performed by dentist to cover services when performed by community health dental hygienist.

Directs Oregon Health Authority to compile data relating to community health dental hygienists.

Directs Oregon Board of Dentistry to establish pilot project for training and certifying community dental health coordinators. Sunsets pilot project January 2, 2018.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

Relating to dental health; creating new provisions; amending ORS 679.010, 679.020, 679.025, 680.150, 680.200 and 680.205; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

## DENTAL PILOT PROJECTS

**SECTION 1. (1) The Oregon Health Authority shall approve one or more five-year pilot projects designed to expand the roles of dental professionals, teach new skills to dental professionals and develop new categories of dental professionals.**

**(2) The authority shall adopt rules:**

**(a) Establishing an application process and requirements for the pilot project or projects; and**

**(b) Requiring an approved pilot project to report to the authority on the progress of the project.**

**(3) Notwithstanding ORS 679.020 and 680.020, a person may practice dentistry or dental hygiene without a license under the general supervision of a dentist as part of a pilot project approved by the authority under subsection (1) of this section and in accordance with rules adopted by the authority.**

## COMMUNITY HEALTH DENTAL HYGIENISTS

**SECTION 2.** ORS 679.010 is amended to read:

679.010. As used in this chapter and ORS 680.010 to 680.205, unless the context requires otherwise:

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1        *[(1) "Board" means the Oregon Board of Dentistry.]*

2        (1) **"Community health dental hygienist" means a dental hygienist who performs dental**  
3 **hygiene services in accordance with ORS 680.205 as authorized by a community health dental**  
4 **hygienist permit issued by the Oregon Board of Dentistry under ORS 680.200.**

5        (2) "Dental assistant" means a person who, under the supervision of a dentist, renders assistance  
6 to a dentist, dental hygienist, dental technician or another dental assistant or renders assistance  
7 under the supervision of a dental hygienist providing dental hygiene.

8        (3) "Dental hygiene" means that portion of dentistry that includes the rendering of educational,  
9 preventive and therapeutic dental services and diagnosis and treatment planning for such services.  
10 "Dental hygiene" includes, but is not limited to, scaling, root planing, curettage, the application of  
11 sealants and fluoride and any related intraoral or extraoral procedure required in the performance  
12 of such services.

13        (4) "Dental hygienist" means a person who, under the supervision of a dentist, practices dental  
14 hygiene.

15        (5) "Dental technician" means that person who, at the authorization of a dentist, makes, pro-  
16 vides, repairs or alters oral prosthetic appliances and other artificial materials and devices which  
17 are returned to a dentist and inserted into the human oral cavity or which come in contact with its  
18 adjacent structures and tissues.

19        (6) "Dentist" means a person who may perform any intraoral or extraoral procedure required  
20 in the practice of dentistry.

21        (7) "Dentistry" means the healing art which is concerned with the examination, diagnosis,  
22 treatment planning, treatment, care and prevention of conditions within the human oral cavity and  
23 maxillofacial region and conditions of adjacent or related tissues and structures. The practice of  
24 dentistry includes but is not limited to the cutting, altering, repairing, removing, replacing or repo-  
25 sitioning of hard or soft tissues and other acts or procedures as determined by the board and in-  
26 cluded in the curricula of dental schools accredited by the Commission on Dental Accreditation of  
27 the American Dental Association, post-graduate training programs or continuing education courses.

28        (8) "Direct supervision" means supervision requiring that a dentist diagnose the condition to be  
29 treated, that a dentist authorize the procedure to be performed, and that a dentist remain in the  
30 dental treatment room while the procedures are performed.

31        (9) "General supervision" means supervision requiring that a dentist authorize the procedures,  
32 but not requiring that a dentist be present when the authorized procedures are performed. The  
33 authorized procedures may also be performed at a place other than the usual place of practice of  
34 the dentist.

35        (10) "Indirect supervision" means supervision requiring that a dentist authorize the procedures  
36 and that a dentist be on the premises while the procedures are performed.

37        *[(11) "Limited access permit dental hygienist" means a dental hygienist who renders dental hygiene*  
38 *services in accordance with ORS 680.205 as authorized by a limited access permit issued by the board*  
39 *pursuant to ORS 680.200.]*

40        *[(12) "State" means any state or territory of the United States and the District of Columbia.]*

41        **SECTION 3.** ORS 679.020 is amended to read:

42        679.020. (1) A person may not practice dentistry without a license.

43        (2) Only a person licensed as a dentist by the Oregon Board of Dentistry may own, operate,  
44 conduct or maintain a dental practice, office or clinic in this state.

45        (3) The restrictions of subsection (2) of this section, as they relate to owning and operating a

1 dental office or clinic, do not apply to a dental office or clinic owned or operated by any of the  
2 following:

3 (a) A labor organization as defined in ORS 243.650 and 663.005 (6), or to any nonprofit organ-  
4 ization formed by or on behalf of such labor organization for the purpose of providing dental ser-  
5 vices. Such labor organization must have had an active existence for at least three years, have a  
6 constitution and bylaws, and be maintained in good faith for purposes other than providing dental  
7 services.

8 (b) The School of Dentistry of the Oregon Health and Science University.

9 (c) Institutions of higher education listed in ORS 352.002.

10 (d) Local governments.

11 (e) Institutions or programs accredited by the Commission on Dental Accreditation of the  
12 American Dental Association to provide education and training.

13 (f) Nonprofit corporations organized under Oregon law to provide dental services to rural areas  
14 and medically underserved populations of migrant, rural community or homeless individuals under  
15 42 U.S.C. 254b or 254c or health centers qualified under 42 U.S.C. 1396d(1)(2)(B) operating in com-  
16 pliance with other applicable state and federal law.

17 (g) Nonprofit charitable corporations as described in section 501(c)(3) of the Internal Revenue  
18 Code and determined by the Oregon Board of Dentistry as providing dental services by volunteer  
19 licensed dentists to populations with limited access to dental care at no charge or a substantially  
20 reduced charge.

21 (4) For the purpose of owning or operating a dental office or clinic, an entity described in sub-  
22 section (3) of this section must:

23 (a) Name an actively licensed dentist as its dental director, who shall be subject to the pro-  
24 visions of ORS 679.140 in the capacity as dental director. The dental director, or an actively licensed  
25 dentist designated by the director, shall have responsibility for the clinical practice of dentistry,  
26 which includes, but is not limited to:

27 (A) Diagnosis of conditions within the human oral cavity and its adjacent tissues and structures.

28 (B) Prescribing drugs that are administered to patients in the practice of dentistry.

29 (C) The treatment plan of any dental patient.

30 (D) Overall quality of patient care that is rendered or performed in the practice of dentistry.

31 (E) Supervision of dental hygienists, dental assistants or other personnel involved in direct pa-  
32 tient care and the authorization for procedures performed by them in accordance with the standards  
33 of supervision established by statute or by the rules of the board.

34 (F) Other specific services within the scope of clinical dental practice.

35 (G) Retention of patient dental records as required by statute or by rule of the board.

36 (H) Ensuring that each patient receiving services from the dental office or clinic has a dentist  
37 of record.

38 (b) Maintain current records of the names of licensed dentists who supervise the clinical activ-  
39 ities of dental hygienists, dental assistants or other personnel involved in direct patient care utilized  
40 by the entity. The records must be available to the board upon written request.

41 (5) Subsections (1) and (2) of this section do not apply to a *[limited access permit]* **community**  
42 **health** dental hygienist *[who renders services authorized by a limited access permit issued by the*  
43 *board pursuant to ORS 680.200]*.

44 (6) Nothing in this chapter precludes a person or entity not licensed by the board from:

45 (a) Ownership or leasehold of any tangible or intangible assets used in a dental office or clinic.

1 These assets include real property, furnishings, equipment and inventory but do not include dental  
2 records of patients related to clinical care.

3 (b) Employing or contracting for the services of personnel other than licensed dentists.

4 (c) Management of the business aspects of a dental office or clinic that do not include the clin-  
5 ical practice of dentistry.

6 (7) If all of the ownership interests of a dentist or dentists in a dental office or clinic are held  
7 by an administrator, executor, personal representative, guardian, conservator or receiver of the es-  
8 tate of a former shareholder, member or partner, the administrator, executor, personal represen-  
9 tative, guardian, conservator or receiver may retain the ownership interest for a period of 12 months  
10 following the creation of the ownership interest. The board shall extend the ownership period for  
11 an additional 12 months upon 30 days' notice and may grant additional extensions upon reasonable  
12 request.

13 **SECTION 4.** ORS 679.025 is amended to read:

14 679.025. (1) *[It shall be unlawful for any]* **A** person *[not otherwise authorized by law to]* **may not**  
15 practice dentistry or purport to be a dentist without a valid license to practice dentistry issued by  
16 the Oregon Board of Dentistry.

17 (2) The requirements of this section *[shall]* **do** not apply to:

18 (a) Dentists licensed in another state making a clinical presentation sponsored by a bona fide  
19 dental society or association or an accredited dental educational institution approved by the board.

20 (b) Bona fide full-time students of dentistry who, during the period of their enrollment and as a  
21 part of the course of study in an Oregon accredited dental education program, engage in clinical  
22 studies on the premises of such institution or in a clinical setting located off the premises of the  
23 institution if the facility, the instructional staff and the course of study to be pursued at the off-  
24 premises location meet minimum requirements prescribed by the rules of the board and the clinical  
25 study is performed under the direct supervision of a member of the faculty.

26 (c) Bona fide full-time students of dentistry who, during the period of their enrollment and as a  
27 part of the course of study in a dental education program located outside of Oregon that is accred-  
28 ited by the Commission on Dental Accreditation of the American Dental Association or its successor  
29 agency, engage in community-based or clinical studies as an elective or required rotation in a clin-  
30 ical setting located in Oregon if the community-based or clinical studies meet minimum requirements  
31 prescribed by the rules of the board and are performed under the direct supervision of a member  
32 of the faculty of the Oregon Health and Science University School of Dentistry.

33 (d) Candidates who are preparing for a licensure examination to practice dentistry and whose  
34 application has been accepted by the board or its agent, if such clinical preparation is conducted in  
35 a clinic located on premises approved for that purpose by the board and if the procedures are lim-  
36 ited to examination only. This exception shall exist for a period not to exceed two weeks imme-  
37 diately prior to a regularly scheduled licensure examination.

38 (e) Dentists practicing in the discharge of official duties as employees of the United States  
39 Government and any of its agencies.

40 (f) Instructors of dentistry, whether full- or part-time, while exclusively engaged in teaching ac-  
41 tivities and while employed in accredited dental educational institutions.

42 (g) Dentists employed by public health agencies who are not engaged in the direct delivery of  
43 clinical dental services to patients.

44 (h) Persons licensed to practice medicine in the State of Oregon in the regular discharge of their  
45 duties.

1 (i) Persons qualified to perform services relating to general anesthesia or sedation under the  
2 direct supervision of a licensed dentist.

3 (j) Persons practicing dentistry upon themselves as the patient.

4 (k) Dental hygienists, dental assistants or dental technicians performing services under the  
5 supervision of a licensed dentist in accordance with the rules adopted by the board.

6 (L) A person licensed as a denturist under ORS 680.500 to 680.565 engaged in the practice of  
7 denture technology.

8 (m) A *[limited access permit]* **community health** dental hygienist *[who renders services author-*  
9 *ized by a limited access permit issued by the board pursuant to ORS 680.200].*

10 **SECTION 5.** ORS 680.150 is amended to read:

11 680.150. (1) Any dentist may employ a dental hygienist who may engage in the practice of dental  
12 hygiene in the office of such dentist under the general supervision of a dentist.

13 (2) Any public institution, health care facility or health maintenance organizations, as those  
14 terms are defined in ORS 442.015, may employ a dental hygienist who may engage in the practice  
15 of dental hygiene under the general supervision of a dentist.

16 (3) A dental hygienist under the general supervision of a dentist may engage in the practice of  
17 dental hygiene in any place where limited access patients are located.

18 (4) The Oregon Board of Dentistry may adopt rules specifying other locations where dental  
19 hygienists may work and shall specify in its rules the degree of supervision a dentist must exercise  
20 over the procedures the hygienist performs.

21 (5) Notwithstanding ORS 679.010 (4), supervision by a dentist is not required when a dental  
22 hygienist determines the need for and appropriateness of sealants or fluoride, and applies sealants  
23 or fluoride *[at the locations and for persons described in ORS 680.205 (1) and (2).]* **to:**

24 **(a) Patients or residents of the following facilities or programs who, due to age, infirmity**  
25 **or disability, are unable to receive regular dental hygiene treatment:**

26 **(A) Nursing homes as defined in ORS 678.710;**

27 **(B) Adult foster homes as defined in ORS 443.705;**

28 **(C) Residential care facilities as defined in ORS 443.400;**

29 **(D) Adult congregate living facilities as defined in ORS 441.525;**

30 **(E) Mental health residential programs administered by the Oregon Health Authority;**

31 **(F) Facilities for mentally ill persons, as those terms are defined in ORS 426.005;**

32 **(G) Facilities for persons with mental retardation, as those terms are defined in ORS**  
33 **427.005;**

34 **(H) Local correctional facilities and juvenile detention facilities as those terms are de-**  
35 **defined in ORS 169.005, regional correctional facilities as defined in ORS 169.620, youth cor-**  
36 **rection facilities as defined in ORS 420.005, youth care centers as defined in ORS 420.855, and**  
37 **Department of Corrections institutions as defined in ORS 421.005; or**

38 **(I) Public and nonprofit community health clinics.**

39 **(b) Adults who are homebound.**

40 **(c) Students or enrollees of nursery schools and day care programs and their siblings**  
41 **under 18 years of age, Job Corps and other similar employment training facilities, primary**  
42 **and secondary schools, including private schools and public charter schools, and persons**  
43 **entitled to benefits under the Women, Infants and Children Program.**

44 **(d) Patients in hospitals, medical clinics, medical offices or offices operated or staffed by**  
45 **nurse practitioners, physician assistants or midwives.**

1       **(e) Other populations that the board determines are underserved or lack access to dental**  
 2 **hygiene services.**

3       **SECTION 6.** ORS 680.200 is amended to read:

4       680.200. (1) Upon application accompanied by the fee established by the Oregon Board of  
 5 Dentistry, the board shall grant a permit to practice as a *[limited access permit]* **community health**  
 6 dental hygienist to *[any]* **an** applicant who:

7       (a) Holds a valid, unrestricted Oregon dental hygiene license;

8       (b) Presents proof of current professional liability insurance coverage;

9       (c) Presents documentation satisfactory to the board of successful completion of an emergency  
 10 life support course for health professionals, including cardiopulmonary resuscitation, from an agency  
 11 or educational institution approved by the board; *[and]*

12       (d) Presents documentation satisfactory to the board that the *[person]* **applicant** has:

13       (A)(i) Completed 2,500 hours of supervised dental hygiene practice; and

14       (ii) Completed 40 hours of courses in a formal, post-secondary educational program accredited  
 15 by the Commission on Dental Accreditation of the American Dental Association or its successor  
 16 agency and approved by the board; or

17       *[(B) Completed a course of study approved by the board that includes at least 500 hours of dental*  
 18 *hygiene practice on patients described in ORS 680.205 while under the direct supervision of a member*  
 19 *of the faculty of a dental program or dental hygiene program accredited by the Commission on Dental*  
 20 *Accreditation of the American Dental Association or its successor agency. Practice hours from before*  
 21 *and after graduation from the dental hygiene program may be combined to meet the requirement of this*  
 22 *subparagraph.]*

23       **(B) Completed an internship approved by the board with a dental hygienist serving lim-**  
 24 **ited access patients; and**

25       **(e) Enters into a practice agreement approved by the board with a dentist licensed under**  
 26 **ORS chapter 679.**

27       **(2) The practice agreement required by subsection (1)(e) of this section must:**

28       **(a) Include information required by the board by rule.**

29       **(b) Set forth the agreed-upon scope of the dental hygienist's practice with regard to:**

30       **(A) Local anesthetic;**

31       **(B) Temporary restorations;**

32       **(C) Prescription of prophylactic antibiotics and other specified drugs;**

33       **(D) Radiographs; and**

34       **(E) Overall dental risk assessment and referral.**

35       *[(2)]* **(3) [All permits] A permit** issued pursuant to subsection (1) of this section *[expire]* **expires**  
 36 two years following the date of issuance unless renewed on or before that date by:

37       (a) Payment of the renewal fee as set by the board;

38       (b) Submission to the board of satisfactory evidence of completion of at least 36 hours of con-  
 39 tinuing education; *[and]*

40       (c) Presentation to the board of proof of professional liability insurance coverage; **and**

41       **(d) Completion of a survey developed by the board that measures the success of the**  
 42 **community health dental hygienist program.**

43       *[(3)]* **(4)** The board may refuse to issue or renew a *[limited access]* **community health dental**  
 44 **hygienist** permit or may suspend or revoke the permit of a *[limited access permit]* **community**  
 45 **health** dental hygienist who has been convicted of an offense or been disciplined by a dental li-

1 censing body in a manner that bears, in the judgment of the board, a demonstrable relationship to  
 2 the ability of the applicant to practice [*limited access permit*] **community health** dental hygiene in  
 3 accordance with the provisions of this chapter or ORS chapter 679, or who has falsified an appli-  
 4 cation for permit, or any person for any cause described under ORS 679.140 or 679.170.

5 **SECTION 7.** ORS 680.205 is amended to read:

6 680.205. (1) A [*dental hygienist issued a permit to act as a limited access permit*] **community**  
 7 **health** dental hygienist [*under ORS 680.200 shall be authorized to render*] **may perform** all services  
 8 within the scope of practice of dental hygiene, as defined in ORS 679.010, without the supervision  
 9 of a dentist and as authorized by the [*limited access*] **community health dental hygienist** permit.  
 10 [*to:*]

11 [*(a) Patients or residents of the following facilities or programs who, due to age, infirmity or dis-*  
 12 *ability, are unable to receive regular dental hygiene treatment:*]

13 [(A) *Nursing homes as defined in ORS 678.710;*]

14 [(B) *Adult foster homes as defined in ORS 443.705;*]

15 [(C) *Residential care facilities as defined in ORS 443.400;*]

16 [(D) *Adult congregate living facilities as defined in ORS 441.525;*]

17 [(E) *Mental health residential programs administered by the Oregon Health Authority;*]

18 [(F) *Facilities for mentally ill persons, as those terms are defined in ORS 426.005;*]

19 [(G) *Facilities for persons with mental retardation, as those terms are defined in ORS 427.005;*]

20 [(H) *Local correctional facilities and juvenile detention facilities as those terms are defined in ORS*  
 21 *169.005, regional correctional facilities as defined in ORS 169.620, youth correction facilities as defined*  
 22 *in ORS 420.005, youth care centers as defined in ORS 420.855, and Department of Corrections insti-*  
 23 *tutions as defined in ORS 421.005; or]*

24 [(I) *Public and nonprofit community health clinics.*]

25 [(b) *Adults who are homebound.*]

26 [(c) *Students or enrollees of nursery schools and day care programs and their siblings under 18*  
 27 *years of age, Job Corps and other similar employment training facilities, primary and secondary*  
 28 *schools, including private schools and public charter schools, and persons entitled to benefits under the*  
 29 *Women, Infants and Children Program.*]

30 [(d) *Patients in hospitals, medical clinics, medical offices or offices operated or staffed by nurse*  
 31 *practitioners, physician assistants or midwives.*]

32 [(2) *The Oregon Board of Dentistry may authorize the provision of dental hygiene services by a*  
 33 *limited access permit dental hygienist at locations or to populations that are underserved or lack access*  
 34 *to dental hygiene services.*]

35 [(3)] (2) At least once each calendar year, a [*dental hygienist issued a permit to act as a limited*  
 36 *access permit*] **community health** dental hygienist shall refer each patient or resident to a dentist  
 37 who is available to treat the patient or resident.

38 (3) **A community health dental hygienist may perform the following services under the**  
 39 **general supervision of a dentist licensed under ORS chapter 679 and in accordance with a**  
 40 **practice agreement approved by the board under ORS 680.200:**

41 (a) **Administering local anesthesia;**

42 (b) **Administering temporary restorations;**

43 (c) **Prescribing prophylactic antibiotics and other drugs specified in the practice agree-**  
 44 **ment;**

45 (d) **Administering radiographs; and**

**(e) Overall dental risk assessment and referral.**

(4) This section does not authorize a [*limited access permit*] **community health** dental hygienist [to administer local anesthesia or temporary restorations except under the general supervision of a dentist licensed under ORS chapter 679, or] to administer nitrous oxide except under the indirect supervision of a dentist licensed under ORS chapter 679.

(5) A [*limited access permit*] **community health** dental hygienist may assess the need for and appropriateness of sealants, apply sealants and write prescriptions for all applications of fluoride in which fluoride is applied or supplied to patients.

(6) A [*person granted a limited access permit under ORS 680.200 shall*] **community health dental hygienist must** also procure all other permits or certificates required by the board under ORS 679.250.

**SECTION 8.** (1) The Oregon Board of Dentistry shall issue a **community health dental hygienist permit under ORS 680.200 to each person holding a limited access permit under ORS 680.200 as in effect immediately before the effective date of this 2011 Act.**

(2) A person holding a limited access permit issued under ORS 680.200 as in effect immediately before the effective date of this 2011 Act:

(a) Is not required to meet the requirements of ORS 680.200 (1)(d)(B) or (e) in order to receive a community health dental hygienist permit under ORS 680.200.

(b) Must enter into a practice agreement approved by the board under ORS 680.200 (1)(e) to perform the services listed in ORS 680.205 (3) under the general supervision of a dentist.

**SECTION 9.** Section 10 of this 2011 Act is added to and made a part of the Insurance Code.

**SECTION 10.** (1) If a policy of insurance covering dental health provides for coverage for services performed by a dentist licensed under ORS chapter 679, the policy must also cover the services when they are performed by a community health dental hygienist as defined in ORS 679.010.

(2) The provisions of ORS 743A.001 do not apply to this section.

**SECTION 11.** (1) The Oregon Health Authority shall compile data on the use of community health dental hygienists, as defined in ORS 679.010, in this state.

(2) The authority shall adopt rules requiring health insurers to report to the authority on the reimbursement of services provided by community health dental hygienists.

**COMMUNITY DENTAL HEALTH COORDINATOR PILOT PROJECT**

**SECTION 12.** (1) The Oregon Board of Dentistry shall establish a pilot project for training and certifying community dental health coordinators to educate the community on dental health.

(2) The project must require community dental health coordinators to complete 18 months of training, including an internship.

(3) The board shall report to an interim legislative committee relating to dental health on the pilot project on or before October 1, 2016.

**SECTION 13.** Section 12 of this 2011 Act is repealed on January 2, 2018.

**APPLICABILITY**



1         **SECTION 14.** The amendments to ORS 680.200 by section 6 of this 2011 Act apply to ap-  
2         plications for community health dental hygienist permits submitted on or after January 1,  
3         2012.

4  
5                                 **OPERATIVE DATE**  
6

7         **SECTION 15.** (1) Sections 8 to 11 of this 2011 Act and the amendments to ORS 679.010,  
8         679.020, 679.025, 680.150, 680.200 and 680.205 by sections 2 to 7 of this 2011 Act become opera-  
9         tive on January 1, 2012.

10         (2) The Oregon Board of Dentistry may take any action before the operative date speci-  
11         fied in subsection (1) of this section to enable the board to exercise, on and after the opera-  
12         tive date specified in subsection (1) of this section, all of the duties, functions and powers  
13         conferred on the board by sections 8 to 11 of this 2011 Act and the amendments to ORS  
14         679.010, 679.020, 679.025, 680.150, 680.200 and 680.205 by sections 2 to 7 of this 2011 Act.

15  
16                                 **UNIT CAPTIONS**  
17

18         **SECTION 16.** The unit captions used in this 2011 Act are provided only for the conven-  
19         ience of the reader and do not become part of the statutory law of this state or express any  
20         legislative intent in the enactment of this 2011 Act.

21  
22                                 **EMERGENCY CLAUSE**  
23

24         **SECTION 17.** This 2011 Act being necessary for the immediate preservation of the public  
25         peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect  
26         on its passage.  
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