

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 861*
Health Care Committee Substitute Adopted 6/11/01
Finance Committee Substitute Adopted 8/14/01
Fourth Edition Engrossed 8/21/01

Short Title: License by Credentials/Dentistry.

(Public)

Sponsors:

Referred to:

April 4, 2001

A BILL TO BE ENTITLED

1 AN ACT TO INCREASE THE NUMBER OF QUALIFIED DENTAL
2 PRACTITIONERS IN THE STATE BY AUTHORIZING THE BOARD OF
3 DENTAL EXAMINERS TO LICENSE BY CREDENTIALS PERSONS WHO
4 ARE LICENSED TO PRACTICE DENTISTRY OR DENTAL HYGIENE IN
5 OTHER STATES AND WHO OTHERWISE MEET STATE REQUIREMENTS
6 FOR LICENSE BY CREDENTIALS, TO LICENSE BY EXAMINATION
7 PERSONS WHO HAVE PRACTICED AS DENTAL HYGIENISTS IN THE
8 UNITED STATES MILITARY AND WHO OTHERWISE MEET STATE
9 REQUIREMENTS FOR LICENSURE BY EXAMINATION, TO ISSUE A
10 LIMITED VOLUNTEER DENTAL LICENSE, TO ISSUE AN INSTRUCTOR'S
11 LICENSE, AND TO IMPOSE APPLICATION AND RENEWAL FEES FOR
12 LICENSURE AUTHORIZED UNDER THIS ACT, AND BY AUTHORIZING
13 STUDIES PERTAINING TO CLASS ENROLLMENT AT THE UNC SCHOOL
14 OF DENTISTRY AND TO THE FEASIBILITY OF ESTABLISHING AN
15 ADDITIONAL DENTAL SCHOOL.
16

17 The General Assembly of North Carolina enacts:

18 **SECTION 1.** Article 14 of Chapter 130A of the General Statutes is amended
19 by adding the following new section to read:

20 "**§ 130A-367. Dental providers for problem access areas.**

21 The State's dental public health program shall encourage the expansion of current
22 educational and training programs for dentists, dental hygienists, and dental assistants
23 targeted to serve citizens' unmet needs, particularly in the rural and low-income areas
24 that have traditionally had problems in accessing dental care. The program shall also
25 promote and encourage the recruitment of in-State and out-of-state private sector dental
26 personnel to work in these dental health professional shortage areas."

27 **SECTION 2.** G.S. 90-36 reads as rewritten:

1 **"§ 90-36. Licensing practitioners of other states.**

2 ~~The North Carolina State Board of Dental Examiners may, in its discretion, issue a~~
3 ~~license to practice dentistry in this State without an examination other than clinical to a~~
4 ~~legal and ethical practitioner of dentistry who moves into North Carolina from another~~
5 ~~state or territory of the United States, whose standard of requirements is equal to that of~~
6 ~~the State of North Carolina and in which such applicant has conducted a legal and~~
7 ~~ethical practice of dentistry for at least five years, next preceding his or her removal and~~
8 ~~who has not, during his period of practice, been found guilty by the state regulatory~~
9 ~~agency charged with the responsibility therefor of the violation of the ethics of his~~
10 ~~profession, nor found guilty by a court of competent jurisdiction of the violation of the~~
11 ~~laws of the state which issued license to him or of the criminal laws of the United~~
12 ~~States, nor whose license to practice dentistry has been revoked or suspended by a duly~~
13 ~~constituted authority.~~

14 ~~Application for license to be issued under the provisions of this section shall be~~
15 ~~accompanied by a certificate from the dental board or like board of the state from which~~
16 ~~said applicant removed, certifying that the applicant is the legal holder of a license to~~
17 ~~practice dentistry in that state, and for a period of five years immediately preceding the~~
18 ~~application has engaged in the practice of dentistry; is of good moral character and that~~
19 ~~during the period of his practice no charges have been filed with said board against the~~
20 ~~applicant for the violation of the laws of the state or of the United States, or for the~~
21 ~~violation of the ethics of the profession of dentistry.~~

22 ~~Application for a license under this section shall be made to the North Carolina State~~
23 ~~Board of Dental Examiners within the six months of the date of the issuance of the~~
24 ~~certificate hereinbefore required, and said certificate shall be accompanied by the~~
25 ~~diploma or other evidence of the graduation from a reputable, recognized and approved~~
26 ~~dental college, school or dental department of a college or university.~~

27 ~~Any license issued upon the application of any dentist from any other state or~~
28 ~~territory shall be subject to all of the provisions of this Article with reference to the~~
29 ~~license issued by the North Carolina State Board of Dental Examiners upon examination~~
30 ~~of applicants and the rights and privileges to practice the profession of dentistry under~~
31 ~~any license so issued shall be subject to the same duties, obligations, restrictions and the~~
32 ~~conditions as imposed by this Article on dentists originally examined by the North~~
33 ~~Carolina State Board of Dental Examiners.~~

34 (a) The North Carolina State Board of Dental Examiners may issue a license by
35 credentials to an applicant who has been licensed to practice dentistry in any state or
36 territory of the United States if the applicant produces satisfactory evidence to the Board
37 that the applicant has the required education, training, and qualifications, is in good
38 standing with the licensing jurisdiction, has passed satisfactory examinations of
39 proficiency in the knowledge and practice of dentistry as determined by the Board, and
40 meets all other requirements of this section and rules adopted by the Board. The Board
41 may conduct examinations and interviews to test the qualifications of the applicant and
42 may require additional information that would affect the applicant's ability to render

1 competent dental care. The Board may, in its discretion, refuse to issue a license by
2 credentials to an applicant who the Board determines is unfit to practice dentistry.

3 (b) The applicant for licensure by credentials shall be of good moral character
4 and shall have graduated from and have a DDS or DMD degree from a program of
5 dentistry in a school or college accredited by the Commission on Dental Accreditation
6 of the American Dental Association and approved by the Board.

7 (c) The applicant must meet all of the following conditions:

8 (1) Has been actively practicing dentistry, as defined in G.S. 90-29(b)(1)
9 through (b)(9), for a minimum of five years immediately preceding the
10 date of application.

11 (2) Has not been the subject of final or pending disciplinary action in the
12 military, in any state or territory in which the applicant is or has ever
13 been licensed to practice dentistry, or in any state or territory in which
14 the applicant has held any other professional license.

15 (3) Presents evidence that the applicant has no felony convictions and that
16 the applicant has no other criminal convictions that would affect the
17 applicant's ability to render competent dental care.

18 (4) Has not failed an examination conducted by the North Carolina State
19 Board of Dental Examiners.

20 (d) The applicant for licensure by credentials shall submit an application to the
21 North Carolina State Board of Dental Examiners, the form of which shall be determined
22 by the Board, pay the fee required by G.S. 90-39, successfully complete examinations in
23 Jurisprudence and Sterilization and Infection Control, and meet the criteria or
24 requirements established by the Board.

25 (e) The holder of a license issued under this section shall establish a practice
26 location and actively practice dentistry, as defined in G.S. 90-29(b)(1) through (b)(9), in
27 North Carolina within one year from the date the license is issued. The license issued
28 under this section shall be void upon a finding by the Board that the licensee fails to
29 limit the licensee's practice to North Carolina or that the licensee no longer actively
30 practices dentistry in North Carolina.

31 (f) The Board may adopt temporary rules in accordance with G.S. 150B-21.1(a8)
32 to implement this section."

33 **SECTION 3.** Article 16 of Chapter 90 of the General Statutes is amended by
34 adding a new section to read:

35 **"§ 90-224.1. Licensure by credentials.**

36 (a) The Board may issue a license by credentials to an applicant who has been
37 licensed to practice dental hygiene in any state or territory of the United States if the
38 applicant produces satisfactory evidence to the Board that the applicant has the required
39 education, training, and qualifications; is in good standing with the licensing
40 jurisdiction; has passed the National Board Dental Hygiene Examination administered
41 by the Joint Commission on National Dental Examinations; has passed satisfactory
42 examinations of proficiency in the knowledge and practice of dental hygiene as

1 determined by the Board; and meets all other requirements of this section and rules
2 adopted by the Board. The Board may, in its discretion, refuse to issue a license by
3 credentials to an applicant who the Board determines is unfit to practice dental hygiene.

4 (b) The applicant for licensure shall be of good moral character, have graduated
5 from an accredited high school or hold a high school equivalency certificate duly issued
6 by a governmental agency or authorized unit, and have satisfactorily completed dental
7 hygiene education and training, as required by a United States state- or territory-
8 controlled program, which has been approved by the Board.

9 (c) The applicant must meet all of the following conditions:

10 (1) Has been actively practicing dental hygiene, as defined in G.S. 90-221,
11 under the supervision of a licensed dentist for a minimum of two years
12 immediately preceding the date of application.

13 (2) Has no history of disciplinary action or pending disciplinary action in
14 the military or in any state or territory in which the applicant is or has
15 ever been licensed.

16 (3) Has no felony convictions and has no other criminal convictions that
17 would affect the applicant's ability to render competent dental hygiene
18 care.

19 (4) Has not failed a licensure examination administered by the North
20 Carolina State Board of Dental Examiners.

21 (d) The applicant for licensure by credentials shall submit an application, the
22 form of which shall be determined by the Board, pay the fee required by G.S. 90-232,
23 successfully complete examinations in Jurisprudence and Sterilization and Infection
24 Control, and meet other criteria or requirements established by the Board, which may
25 include an examination or interview before the Board or its authorized agents.

26 (e) This section shall not be construed to include licensure by reciprocity, which
27 is prohibited.

28 (f) The Board may adopt temporary rules in accordance with G.S. 150B-21.1(a8)
29 to implement this section."

30 **SECTION 4.** G.S. 90-224 reads as rewritten:

31 "**§ 90-224. Licensure by ~~Examination~~ examination.**

32 (a) The applicant for licensure by examination ~~must~~ shall meet all of the
33 following conditions:

34 (1) ~~be~~ Be ~~of good moral character, character;~~

35 (2) ~~have~~ Be a graduated from graduate of an accredited high school or
36 hold a high school equivalency certificate duly issued by a
37 governmental agency or unit authorized to issue the ~~same, and~~
38 certificate.

39 (3) ~~be~~ Be either a graduate of a program of dental hygiene in a school or
40 college approved by the ~~Board.~~ Board, or have satisfactorily completed
41 the dental hygiene education and training prescribed by the United
42 States military service and have practiced dental hygiene in the

1 military service for a minimum of five years and be in good standing
2 with the military service as a dental hygienist.

3 (4) Has passed the National Board Dental Hygiene Examination
4 administered by the Joint Commission on National Dental
5 Examinations.

6 (b) ~~The Board shall have the authority to~~ may establish in its ~~rules and~~
7 ~~regulations:~~ rules:

- 8 (1) The form of application;
9 (2) The time and place of examination;
10 (3) The type of examination;
11 (4) The qualifications for passing the examination.

12 (c) All examinations administered by the Board under this section shall be
13 substantially equivalent in content."

14 **SECTION 5.** Article 2 of Chapter 90 of the General Statutes is amended by
15 adding a new section to read:

16 "**§ 90-37.1. Limited volunteer dental license.**

17 (a) The North Carolina State Board of Dental Examiners may issue to an
18 applicant a 'Limited Volunteer Dental License' to practice dentistry only in nonprofit
19 health care facilities serving low-income populations in the State. Holders of a limited
20 volunteer dental license may volunteer their professional services, without
21 compensation, only for the purpose of helping to meet the dental health needs of these
22 persons served by these facilities. The Board may issue a limited license to an applicant
23 under this section who:

- 24 (1) Has an out-of-state current or expired license, or an expired license in
25 this State, or is authorized to treat veterans or personnel enlisted in the
26 United States armed services; and
27 (2) Has actively practiced dentistry, as defined in G.S. 90-29(b)(1)
28 through (b)(9), within the past five years.

29 (b) The limited license may be issued to an applicant who produces satisfactory
30 evidence to the Board that the applicant has the required education, training, and
31 qualifications; is in good standing with the licensing jurisdiction; has passed satisfactory
32 examinations of proficiency in the knowledge and practice of dentistry as determined by
33 the Board; and meets all other requirements of this section and rules adopted by the
34 Board. The Board may conduct examinations and interviews to test the qualifications of
35 the applicant and may require additional information that would affect the applicant's
36 ability to render competent dental care. The Board may, in its discretion, refuse to issue
37 a 'limited volunteer dental license' to an applicant who the Board determines is unfit to
38 practice dentistry.

39 (c) The applicant shall be of good moral character and shall have graduated from
40 and have a DDS or DMD degree from a program of dentistry in a school or college
41 accredited by the Commission on Dental Accreditation of the American Dental
42 Association and approved by the Board.

1 (d) The applicant shall meet all of the following conditions:

2 (1) Show that the applicant has actively practiced dentistry, as defined in
3 G.S. 90-29(b)(1) through (b)(9), for a minimum of five years.

4 (2) Show that the applicant has not been the subject of final or pending
5 disciplinary action in any state in which the applicant has ever been
6 licensed to practice dentistry or in any state in which the applicant has
7 held any other professional license.

8 (3) Present evidence that the applicant has no felony convictions and that
9 the applicant has no other criminal convictions that would affect the
10 applicant's ability to render competent care.

11 (4) Present evidence that the applicant has no pending Veterans
12 Administration or military disciplinary actions or any history of such
13 disciplinary action.

14 (5) Show that the applicant has not failed an examination conducted by the
15 North Carolina State Board of Dental Examiners.

16 (e) The applicant shall submit an application, the form of which shall be
17 determined by the Board, pay the fee required under G.S. 90-39, and successfully
18 complete examinations in Jurisprudence and Sterilization and Infection Control. The
19 Board may charge and collect fees for license application and annual renewal as
20 required under G.S. 90-39, except that credentialing fees applicable under
21 G.S. 90-39(13) are waived for holders of a limited volunteer dental license.

22 (f) Holders of a limited volunteer dental license shall comply with the continuing
23 dental education requirements adopted by the Board including CPR training.

24 (g) The holder of a limited license under this section who practices dentistry
25 other than as authorized in this section shall be guilty of a Class 1 misdemeanor with
26 each day's violation constituting a separate offense. Upon proof of practice other than as
27 authorized in this section, the Board may suspend or revoke the limited license after
28 notice to the licensee. For violations of the dental practice act or rules adopted under the
29 act that are applicable to a limited license practice, the Board has the same authority to
30 investigate and impose sanctions on limited license holders as it has for those holding an
31 unlimited license.

32 (h) The Board shall maintain a nonexclusive list of nonprofit health care facilities
33 servicing the dental health needs of low-income populations in the State. Upon request,
34 the Board shall consider adding other facilities to the list.

35 (i) The Board may adopt rules in accordance with Chapter 150B of the General
36 Statutes to implement this section."

37 **SECTION 6.** G.S. 90-39 reads as rewritten:

38 "**§ 90-39. Fees.**

39 In order to provide the means of carrying out and enforcing the provisions of this
40 Article and the duties devolving upon the North Carolina State Board of Dental
41 Examiners, it is authorized to charge and collect fees established by its rules ~~and~~
42 ~~regulations~~-not exceeding the following:

- 1 (1) Each application for general dentistry examination..... \$500.00
- 2 (2) Each general dentistry license renewal, which fee shall be annually
- 3 fixed by the Board and not later than November 30 of each year it shall
- 4 give written notice of the amount of the renewal fee to each dentist
- 5 licensed to practice in this State by mailing such notice to the last
- 6 address of record with the board of each such dentist 140.00
- 7 (2a) Penalty for late renewal of any license or permit..... 50.00
- 8 (3) Each provisional license..... 150.00
- 9 (4) Each intern permit or renewal thereof..... 150.00
- 10 (5) Each certificate of license to a resident dentist desiring to change to
- 11 another state or territory 30.00
- 12 (6) Repealed by Session Laws 1995, (Reg. Sess., 1996), c. 584, s. 1.
- 13 (7) Each license to resume the practice issued to a dentist who has retired
- 14 from and returned to this State 300.00
- 15 (8) Each instructor's license or renewal thereof..... 140.00
- 16 (9) With each renewal of a dentistry license, an annual fee to help fund
- 17 special peer review organizations for impaired dentists 50.00
- 18 (10) Each duplicate of any license, permit, or certificate issued by the
- 19 Board 25.00
- 20 (11) Each office inspection for general anesthesia and parenteral sedation
- 21 permits..... 350.00
- 22 (12) Each general anesthesia and parenteral sedation permit application or
- 23 renewal of permit.....~~50.00~~50.00
- 24 (13) Each application for license by credentials..... 2000.00
- 25 (14) Each application for limited volunteer dental license..... 100.00
- 26 (15) Each limited volunteer dental license annual renewal25.00."

SECTION 7. G.S. 90-232 reads as rewritten:

"§ 90-232. Fees.

In order to provide the means of carrying out and enforcing the provisions of this Article and the duties devolving upon the North Carolina State Board of Dental Examiners, it is authorized to charge and collect fees established by its rules ~~and regulations~~ not exceeding the following:

- 33 (1) Each applicant for examination..... \$125.00
- 34 (2) Each renewal certificate, which fee shall be annually fixed by the
- 35 Board and not later than November 30 of each year it shall give written
- 36 notice of the amount of the renewal fee to each dental hygienist
- 37 licensed to practice in this State by mailing such notice to the last
- 38 address of record with the Board of each such dental hygienist .. 60.00
- 39 (3) Each restoration of license 60.00
- 40 (4) Each provisional license..... 60.00
- 41 (5) Each certificate of license to a resident dental hygienist desiring to
- 42 change to another state or territory..... 25.00

- 1 (6) Annual fee to be paid upon license renewal to assist in funding
- 2 programs for impaired dental hygienists 40.00- 40.00
- 3 (7) Each license by credentials..... 1000.00.

4 In no event may the annual fee imposed on dental hygienists to fund the impaired dental
5 hygienists program exceed the annual fee imposed on dentists to fund the impaired
6 dentist program. All fees shall be payable in advance to the Board and shall be disposed
7 of by the Board in the discharge of its duties under this Article."

8 **SECTION 8.** G.S. 90-29.5 reads as rewritten:

9 "**§ 90-29.5. Instructor's license.**

10 ~~The Board may issue an instructor's license to a person who is not otherwise licensed~~
11 ~~to practice dentistry in the State, but whom the Board finds to be qualified by~~
12 ~~professional training and experience and upon the same examination as that offered to~~
13 ~~licensed dentists in North Carolina plus an oral examination. An instructor's license will~~
14 ~~authorize him to teach and to practice dentistry in or on behalf of a dental school or~~
15 ~~college offering a doctoral degree in dentistry, operated and conducted in this State and~~
16 ~~approved by the North Carolina State Board of Dental Examiners, but only within the~~
17 ~~confines of the principal facility of the school or college and of any teaching hospital~~
18 ~~adjacent thereto. Application for an instructor's license shall be made in accordance with~~
19 ~~rules and regulations of the North Carolina State Board of Dental Examiners. A person~~
20 ~~holding an instructor's license shall have, within the scope of his authorized practice, all~~
21 ~~the duties and responsibilities of any dentist who has been licensed upon examination~~
22 ~~by the North Carolina State Board of Dental Examiners, and shall be subject to those~~
23 ~~various disciplinary measures and penalties set forth in G.S. 90-41 upon a determination~~
24 ~~by the Board that he has violated any of the terms or provisions of this Article. An~~
25 ~~instructor's license shall be subject to annual renewal by the North Carolina State Board~~
26 ~~of Dental Examiners, as provided in G.S. 90-31.~~

27 (a) The Board may issue an instructor's license to a person who is not otherwise
28 licensed to practice dentistry in this State if the person meets both of the following
29 conditions:

- 30 (1) Is licensed to practice dentistry anywhere in the United States or in any
- 31 country, territory, or other recognized jurisdiction.
- 32 (2) Has met or been approved under the credentialing standards of a dental
- 33 school or an academic medical center with which the person is to be
- 34 affiliated; such dental school or academic medical center shall be
- 35 accredited by the American Dental Association's Commission on
- 36 Accreditation or the Joint Commission on Accreditation of Health
- 37 Care Organizations.

38 (b) The holder of an instructor's license may teach and practice dentistry:

- 39 (1) In or on behalf of a dental school or college offering a doctoral degree
- 40 in dentistry operated and conducted in this State and approved by the
- 41 North Carolina State Board of Dental Examiners;
- 42 (2) In connection with an academic medical center; and

1 (3) At any teaching hospital adjacent to a dental school or an academic
2 medical center.

3 (c) Application for an instructor's license shall be made in accordance with the
4 rules of the North Carolina State Board of Dental Examiners. On or after January 1,
5 2002, all dentists previously practicing under G.S. 90-29(c)(3) shall be granted an
6 instructor's license upon application to the Board and payment of the required fee. The
7 holder of an instructor's license shall be subject to the provisions of this Article."

8 **SECTION 9.** G.S. 90-29(c)(3) reads as rewritten:

9 "(3) The teaching or practice of dentistry, in dental schools or colleges
10 operated and conducted in this State and approved by the North
11 Carolina State Board of Dental Examiners, by any person or persons
12 licensed to practice dentistry anywhere in the United States or in any
13 country, territory or other recognized ~~jurisdiction;~~jurisdiction until
14 December 31, 2001. On or after January 1, 2002, all dentists
15 previously practicing under G.S. 90-29(c)(3) shall be granted an
16 instructor's license upon application to the Board and payment of the
17 required fee."

18 **SECTION 10.** G.S. 90-41(f) reads as rewritten:

19 "(f) As used in this section the term "licensee" includes licensees, provisional
20 licensees and holders of intern permits, and the term "license" includes license,
21 provisional ~~license~~license, instructor's license, and intern permit."

22 **SECTION 11.** G.S. 90-29.4(1) reads as rewritten:

23 "(1) An intern permit shall be valid for no more than one year from the date
24 of issue thereof; provided, however, that the Board may, in its
25 discretion, renew such permit for not more than ~~three-five~~ additional
26 one-year periods; and, provided, further, that no person shall be
27 granted an intern permit or intern permits embracing or covering an
28 aggregate time span of more than ~~48~~ 72 calendar months;"

29 **SECTION 12.** G.S. 150B-21.1 is amended by adding a new subsection to
30 read:

31 "(a8) Notwithstanding the provisions of subsection (a) of this section, the North
32 Carolina State Board of Dental Examiners may adopt temporary rules to implement the
33 provisions of G.S. 90-36 and G.S. 90-224.1. After having the proposed temporary rules
34 published in the North Carolina Register and at least 30 days prior to adopting a
35 temporary rule pursuant to this subsection, the Board shall:

36 (1) Notify persons on its mailing list maintained pursuant to G.S. 21.2(d)
37 and any other interested parties of its intent to adopt a temporary rule.

38 (2) Accept oral and written comments on the proposed temporary rule.

39 (3) Hold at least one public hearing on the proposed temporary rule.

40 When the Board adopts a temporary rule pursuant to this subsection, the Board must
41 submit a reference to this subsection as the Board's statement of need to the Codifier of
42 Rules.

1 Notwithstanding any other provision of this Chapter, the Codifier of Rules shall
2 publish in the North Carolina Register a proposed temporary rule received from the
3 Board in accordance with this subsection."

4 **SECTION 13.(a)** The Board of Trustees of the University of North Carolina
5 at Chapel Hill shall study and develop procedures for increasing the University of North
6 Carolina School of Dentistry's entering class to 100 students. The report shall include a
7 timeline for increasing the number of students of the entering class of the University of
8 North Carolina to 100 and for the costs of expansion. In addition, the report shall
9 include an analysis of the impact of this expansion on improving access to dental care in
10 North Carolina.

11 **SECTION 13.(b)** Not later than May 1, 2002, the Board of Trustees of the
12 University of North Carolina at Chapel Hill shall report to the 2002 Regular Session of
13 the 2001 General Assembly with a complete proposal and a timeline for increasing the
14 number of students of the entering class of the University of North Carolina School of
15 Dentistry to 100 students.

16 **SECTION 14.(a)** The Board of Governors of The University of North
17 Carolina shall study the feasibility of establishing an additional State School of
18 Dentistry. The report shall include an analysis of the feasibility of establishing an
19 additional State School of Dentistry, including costs, possible locations for the new
20 facility, and a proposed timeline for implementation. In addition, the report shall
21 include an analysis of the impact of this expansion on improving access to dental care in
22 North Carolina.

23 **SECTION 14.(b)** Not later than May 1, 2002, the Board of Governors shall
24 report to the 2002 Regular Session of the 2001 General Assembly, with a feasibility
25 analysis of establishing a new State Dental School.

26 **SECTION 15.** If any section of this act is declared to be unconstitutional,
27 preempted, or otherwise invalid by the courts, except where a contrary intent is clearly
28 indicated by the text of the section, it shall not affect the validity of the act as a whole or
29 any part other than the section declared to be invalid, and any previous statutory law
30 replaced or modified by the section declared invalid shall be reinstated as if the previous
31 law had not been changed. If any part of a numbered section of this act is declared
32 invalid, the whole section shall fail.

33 **SECTION 16.** Sections 1 through 12 of this act become effective January 1,
34 2002. Sections 2, 3, 4, and 12 of this act expire June 30, 2003. The remainder of this act
35 is effective when it becomes law.