

## **SEC. 40.**

Section 1701.5 is added to the Business and Professions Code, to read:

### **1701.5.**

(a) Any dentist who as a sole proprietor, dentists who are organized as an association, partnership, or group, or a dental corporation that desires to practice under any name that would otherwise be in violation of Section 1701 may practice under this name if the dentist, association, partnership, group, or dental corporation obtains and maintains in current status a fictitious name permit issued by the board under this section.

(b) To obtain or renew a fictitious name permit, the dentist, association, partnership, group, or dental corporation shall apply to the board on an application form prescribed by the board and provide all of the following information:

(1) The names, license numbers, and contact information for each applicant engaging in practice under the fictitious name.

(2) The address of the place or establishment, or the portion thereof, where the applicant or applicants practice under the fictitious name.

(3) Evidence that the place or establishment, or the portion thereof, identified in paragraph (2) is owned or leased by the applicant or applicants, and the practice conducted at the place or establishment, or portion thereof, is wholly owned and entirely controlled by the applicant or applicants.

(4) The fictitious name under which the applicant or applicants propose to engage in dental practice that contains at least one of the following designations: "dental group," "dental practice," "dental office," or "dental corporation," as applicable pursuant to Section 1804, and is in conformity with Section 651 and subdivisions (i) and (l) of Section 1680.

(c) All applicants shall hold an active license that is not subject to any pending license enforcement action.

(d) Initial permit application and renewal fees shall be submitted to the board in accordance with Section 1724.5.

(e) A permit issued under this section by the board shall be issued for a two-year term.

(f) Any permit issued under this section may be revoked or suspended at any time that the board finds that any one of the requirements for original issuance of a permit is no longer being fulfilled by the holder to whom the permit was issued. Proceedings for revocation or suspension shall be governed by Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(g) A fictitious name permit issued to a dentist as the sole proprietor shall be suspended or revoked in the event the dentist's license to practice dentistry is suspended or revoked.

(h) In the event charges of unprofessional conduct are filed against a member of an association, or partnership, group, or dental corporation to whom a permit has been issued under this section, proceedings shall not be commenced for revocation or suspension of the permit issued under this section until final determination of the charges

of unprofessional conduct and unless the charges have resulted in revocation or suspension of the member's license, registration, or permit.

(i) Any departures of dentists engaged in practice under the fictitious name shall be reported by the departing dentist to the board within 30 days of such departure. If a departing dentist is the dentist whose family name was used in the fictitious name, the departing dentist shall be removed as a permitholder, as applicable, and the remaining permitholders shall apply to the board to change the fictitious name to remove only the family name of the departing dentist.

(j) If an additional dentist desires to engage in practice under the fictitious name, the fictitious name permit shall be canceled and a new fictitious name permit application shall be submitted to the board.