

Dentistry—Reciprocity—Board of Dental Examiners.

The board of dental examiners has no authority to establish reciprocal relations with other states. The other states must do so by legislation, if at all.

Dr. T. P. Regan,
Secretary Montana State Board,
of Dental Examiners,
Helena, Montana.

September 10, 1927.

My dear Doctor Regan:

Your letter was received regarding the admission of dentists to practice in this state who have been admitted in other states. You state that the Montana State Board of Dental Examiners has no reciprocity with the dental examining boards of any other states and that you desire to enter into reciprocal relations with certain states, and you desire to know whether you can do so under our present law.

The applicable statute is section 3108, R. C. M. 1921, which provides as follows:

“Any dentist who has been in legal practice for five years or more in any state in the United States, which has an exchange certificate law with that of Montana, and is a reputable dentist of good moral character, and who is desirous of making a change of residence into another state, may apply to the examining board of the state in which he resides for a new certificate, which shall attest his moral character and professional attainments, and said certificate, if granted, may be deposited with the examining board of the state of Montana, and said board in exchange therefor (may) grant him a license to practice dentistry in the state of Montana. A fee of fifty dollars will be charged for each exchange certificate, and proceeds therefrom to be paid into the treasury of the state dental board of Montana.”

Under this section there is no action necessary on the part of the board of dental examiners of either state regarding the establishment of reciprocal relations. Whether or not reciprocal relations have been established is a matter of law. It is only the legislatures of the different states that have the right to establish reciprocal relations. The section above quoted, you will note, permits any dentist who has been in practice for five years or more in any state “which has an exchange

certificate law with that of Montana" and possessing certain other qualifications to be admitted in this state. This section simply means this: that if the law in any other state permits a dentist from Montana to be admitted in such other state, then dentists from that state shall be admitted in this state upon meeting the other requirements named in section 3108. If any state in the Union does not permit dentists authorized to practice in Montana to be admitted to practice in such other state, then you have no authority to admit dentists from that state to practice in this state.

Very truly yours,

L. A. FOOT,
Attorney General.