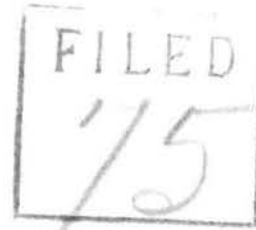


DENTAL BOARD: Application and fee for reinstatement of certificate of registration.

February 21, 1936.

2-21



Missouri Dental Board
Jefferson City, Missouri

Attention of Doctor R. R. Rhoades, Secretary.

Dear Doctor Rhoades:

You have requested an opinion of this office on the following matter:

"What our Board wants is a definite procedure to follow in reinstating a certificate of registration after it has been revoked for non payment of the annual one dollar license fee."

I regret that we have been unable to get this opinion to you sooner and am glad to herewith give our views in respect to the matter presented.

A LICENSEE, WHOSE CERTIFICATE OF REGISTRATION IS ONCE REVOKED, MAY OBTAIN REINSTATEMENT UPON MAKING APPLICATION ACCOMPANIED BY FEE OF TWENTY-FIVE DOLLARS.

Section 13566 Revised Statutes of Missouri 1929, sets out the reasons for which a certificate of registration or a license may be revoked. Paragraph eight thereof provides in part as follows:

"In case any registered dentist should fail for the space of one year after the 30th day of November in any year to procure from said dental board a license as provided by this chapter, such failure shall be ground upon which said dental board may revoke and annul the certificate of registration theretofore issued to such delinquent person."

By virtue of the foregoing provision it is specifically made a ground for revocation of the certificate of registration for any dentist to fail to pay the annual renewal fee of One Dollar and continue such failure for a period of one year following the 30th of November of any given year. Of course, this contemplates that the same procedure shall be followed for the revocation of such a certificate as is required to be following to revoke the certificate of registration or the license for any other cause, to-wit, after due notice and hearing. A preceding section requires the filing of the certificate of registration with the Clerk of the County Court in the County wherein the licensee is practicing. This Section further provides:

"If a certificate of registration is once forfeited for failure to comply with this chapter, then the person therein named may obtain a new certificate of registration only upon his or her making application therefor and by paying to said dental board a fee of twenty-five dollars (\$25.00): Provided, the applicant is entitled at the time of receiving such renewed certificate of registration to receive and hold the same: Provided further, however, that if a certificate of registration be revoked a second time, the person therein named shall not be entitled to receive a renewal certificate of registration at any time thereafter: * * * **

In the event the licensee is a first offender he may make an application for reinstatement of his certificate and obtain a reinstatement of the same by paying the additional fee of Twenty-five dollars. The form of such application, in the event reinstatement is sought because of revocation of certificate for failure to pay the annual license fee, is not set forth in the statutes. It would appear that such information should be contained in that application as would warrant the board in reissuing the certificate of registration. The application should of course contain sufficient information to enable the board to identify the applicant as one having been previously registered in this state, and such information as would enable the Secretary

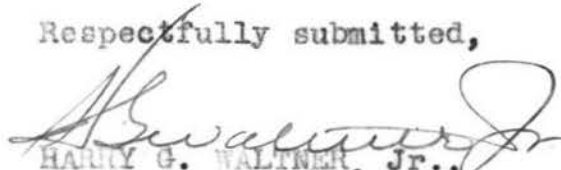
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to identify the applicant from the records in the possession of the board. It would seem appropriate that the applicant make some representation as to his future conduct in respect to the prompt payment of the renewal fee. It might be well for the Board to adopt a uniform application to be used in such cases or to have the same prepared. In the event you should desire this office to examine any such proposed form we shall be glad to do so.

CONCLUSION.

It is therefore the opinion of this office that the Board may entertain application for reinstatement of a certificate of registration revoked for cause of failure to pay the annual license fee and that such application should be accompanied by the payment of a Twenty-five Dollar reinstatement fee.

Respectfully submitted,



HARRY G. WALTHER, Jr.,
Assistant Attorney General

APPROVED:

JOHN W. HOFFMAN, Jr.,
(Acting) Attorney General

HGW:MM