

DENTISTS:
CONSTITUTIONAL LAW:

The provision of Section 332.131, RSMo 1969, which requires that candidates for licenses as dentists in the State of Missouri be citizens of the United States is unconstitutional.

OPINION NO. 566

November 25, 1970



Reuben R. Rhoades, D.D.S.
Secretary, Missouri Dental Board
415 Central Trust Building
Jefferson City, Missouri 65101

Dear Dr. Rhoades:

This opinion is in response to your question concerning the constitutionality of the citizenship requirement of Section 332.131, RSMo 1969. This section states:

"Any person who is at least twenty-one years of age, of good moral character and reputation, who is a graduate of and has a degree in dentistry from an accredited dental school, and who is a citizen of the United States of America may apply to the board for examination and registration as a dentist in Missouri."

As you know, we held in Opinion No. 276, dated May 22, 1970, to Graham, copy enclosed, that the United States citizenship requirement of the medical practice act is not constitutional. After a review of the statutes applicable to the practice of dentistry and of the reasons expressed in that opinion, we reach the conclusion that the provision of Section 332.131 which requires United States citizenship is likewise unconstitutional.

CONCLUSION

It is the opinion of this office that the provision of Section 332.131, RSMo 1969, which requires that candidates for licenses as dentists in the State of Missouri be citizens of the United States is unconstitutional.

Reuben R. Rhoades, D.D.S.

The foregoing opinion, which I hereby approve, was prepared by my Assistant, John C. Klaffenbach.

Yours very truly,

A handwritten signature in cursive script, appearing to read "John C. Danforth".

JOHN C. DANFORTH
Attorney General

Enclosure: Op. No. 276
5-22-70, Graham