

BUSINESS AND COMMERCE CODE

TITLE 5. REGULATION OF BUSINESSES AND SERVICES

SUBTITLE A. GENERAL PRACTICES

CHAPTER 73. REGISTRATION OF DENTAL SUPPORT ORGANIZATIONS

Sec. 73.001. DEFINITIONS. In this chapter:

(1) "Business support services" means business, management, consulting, or administrative services, facilities, or staff provided for a dentist, including:

- (A) office space, furnishings, and equipment;
- (B) staff employed by the dental support organization;
- (C) regulatory compliance;
- (D) inventory or supplies, including dental equipment and supplies;
- (E) information systems;
- (F) marketing and advertising;
- (G) financial services;
- (H) accounting, bookkeeping, or monitoring or payment of accounts receivable;
- (I) payroll or benefits administration;
- (J) billing and collection for services and products;
- (K) reporting and payment of federal or state taxes;
- (L) administration of interest expense or indebtedness incurred to finance the operation of a business; or
- (M) insurance services.

(2) "Dental support organization" means an entity that, under an agreement, provides two or more business support services to a dentist.

(3) "Dentist" means an individual licensed to practice dentistry in this state.

Added by Acts 2015, 84th Leg., R.S., Ch. 603 (S.B. 519), Sec. 1, eff. September 1, 2015.

Sec. 73.002. REGISTRATION REQUIRED. (a) A dental support

organization shall annually register with the secretary of state.

(b) A dental support organization's registration under this section is considered registration of any subsidiary, contractor, or affiliate of the dental support organization through or with which the dental support organization provides business support services.

Added by Acts 2015, 84th Leg., R.S., Ch. 603 (S.B. 519), Sec. 1, eff. September 1, 2015.

Sec. 73.003. EXEMPTIONS. This chapter does not require registration by:

- (1) an accountant providing only accounting services;
- (2) an attorney providing only legal counsel;
- (3) an insurance company or insurance agent providing only insurance policies to a business; and
- (4) entities providing only investment and financial advisory services.

Added by Acts 2015, 84th Leg., R.S., Ch. 603 (S.B. 519), Sec. 1, eff. September 1, 2015.

Sec. 73.004. CONTENTS OF REGISTRATION; FEE. (a) The registration required by Section 73.002 must include:

- (1) the name and business address of the dental support organization;
- (2) the name and business address of each dentist in this state with which the dental support organization has entered into an agreement to provide two or more business support services;
- (3) the name of each dentist who owns 10 percent or more of the dental support organization;
- (4) the name of each person who is not a dentist and owns 10 percent or more of the dental support organization; and
- (5) a list of all business support services provided to each dentist.

(b) A registration and each corrected registration must be accompanied by a fee set by the secretary of state in an amount necessary to recover the costs of administering this chapter.

(c) A registration or corrected registration is not

effective until the dental support organization pays the fee required by this section.

Added by Acts 2015, 84th Leg., R.S., Ch. 603 (S.B. 519), Sec. 1, eff. September 1, 2015.

Sec. 73.005. TIMING OF REGISTRATION; CORRECTION REQUIRED.

(a) Except as provided by Subsection (b), the registration required by Section 73.002 must be filed with the secretary of state not later than January 31 of each year for which the registration is effective.

(b) A dental support organization that initially meets the requirement for registration under Section 73.002 after January 31 shall file the registration required by that section not later than the 90th day after the date an agreement to provide business support services is executed.

(c) A dental support organization shall file a corrected registration each quarter as necessary.

Added by Acts 2015, 84th Leg., R.S., Ch. 603 (S.B. 519), Sec. 1, eff. September 1, 2015.

Sec. 73.006. FAILURE TO FILE REGISTRATION OR CORRECTION.

(a) A person who fails to file a registration or a corrected registration as required by this chapter is liable to the state for a civil penalty in an amount not to exceed \$1,000.

(b) Each day a violation continues or occurs is a separate violation for the purpose of imposing the civil penalty.

(c) The attorney general shall file suit to collect the civil penalty provided by this section. The suit may be filed in Travis County or any county where the dental support organization provides business support services.

Added by Acts 2015, 84th Leg., R.S., Ch. 603 (S.B. 519), Sec. 1, eff. September 1, 2015.

Sec. 73.007. INTERAGENCY MEMORANDUM. The secretary of state and the State Board of Dental Examiners shall enter into an interagency memorandum to share the information collected by the secretary of state under this chapter with the board.

Added by Acts 2015, 84th Leg., R.S., Ch. 603 (S.B. [519](#)), Sec. 1, eff. September 1, 2015.

Sec. 73.008. APPLICABILITY. This chapter does not limit nonclinical business support services that may be provided to a dentist by a dental support organization.

Added by Acts 2015, 84th Leg., R.S., Ch. 603 (S.B. [519](#)), Sec. 1, eff. September 1, 2015.