

1974 WL 27930 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 22, 1974

***1 Re: Dental College Instructors**

Joseph R. Beard, D.D.S.
President
South Carolina State Board of Dentistry
1406 Horth Fant Street
Anderson, S. C. 29621

Dear Dr. Beard:

You have inquired whether or not a dentist who is licensed to practice dentistry in another state but not in South Carolina may lawfully teach in a dental college in this State without first being licensed to practice dentistry in this State.

Section 56-636.11, S. C. Code of Laws, as amended, provides.

...

A dentist licensed in another state teaching in a dental college in South Carolina accredited by the Council on Dental Education of the American Dental Association shall be exempt from the licensure requirement unless he engages in the intramural or private practice of dentistry.

...

This statute expressly permits such a dentist, being unlicensed in South Carolina, to lawfully engage in teaching in a dental college so long as he only teaches, and so long as the dental college is accredited by the Council on Dental Education of the American Dental Association.

You have noted, however, that the Council on Dental Education has been reorganized and renamed the Commission on Accreditation. In the opinion of this office, the fact that the accreditation arm of the American Dental Association responsible for certifying dental colleges has been reorganized and renamed does not alter the intent of the Legislature regarding the applicability of Section 56-636.11 to dental college teachers. To hold otherwise is to sacrifice the substance of the law for mere form. Hence, in the opinion of this office, dentists licensed in other states but not licensed in South Carolina may continue to lawfully teach in accredited dental colleges in South Carolina, without having to become licensed by the State, so long as the college is formerly accredited by the American Dental Association.

Very truly yours,

John B. Grimball
Assistant Attorney General

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