

**ACT NO. 54 OF 3 JUNE 1983 RELATING TO DENTAL HEALTH SERVICES**

**CHAPTER 1. GENERAL PROVISIONS**

§ 1-1 (The county authority's responsibility for dental health services)

The county authority shall ensure that sufficient dental health services, including specialist services, are available to all persons resident or temporarily resident in the county.

The county authority is responsible for the Public Dental Health Service.

The Public Dental Health Service comprises dental health services performed for the groups mentioned in § 1-3 either by dentists employed by the county authority or by dentists in private practice who have entered into an agreement with the county authority in accordance with § 4-1.

§ 1-2 (Objectives of the dental health services)

The county authority shall promote the dental health of the public, and through its services, see to the necessary prevention and treatment of dental problems. It shall provide information about and stimulate interest in what can be done by individuals themselves and the general public to promote dental health.

§ 1-3 (Scope of the Public Dental Health Service)

The Public Dental Health Service shall organize preventive dental measures for the entire population. It shall offer and provide dental services on a regular basis to:

- a) children from birth up to and including the year they reach the age of 18.
- b) mentally retarded persons in and outside institutions.

- c) groups of elderly, chronically ill and disabled persons who are in institutions or receive home-nursing care.
- d) young people from the age of 18 up to and including the year they reach the age of 20.
- e) other groups as prescribed in an approved plan, cf. § 1-4.

In addition to performing the tasks given priority, the Public Dental Health Service may perform services for paying, adult clients in accordance with the plan adopted for the county.

The groups (a-e) are listed in order of priority. If there are not sufficient resources to provide services to all the groups, this order of priority shall be followed. Preventive measures shall take precedence over treatment.

§ 1-4 (Planning)

The county authority is responsible for planning and coordinating the Public Dental Health Service and private dental practice.

The county authority shall prepare a dental health plan for the entire population of the county. The preparation of the plan shall be coordinated with the county plan in accordance with the Building and Planning Act. The dental health plan shall be adopted by the County Council and be approved by the Ministry of Health and Social Affairs.

§ 1-5 (Coordinating dental health services and municipal activities)

The county authority may establish a special body in each individual dental health service district (cf. § 3-1) for the purpose of coordinating dental health services and municipal activities.

## CHAPTER 2. RIGHT TO DENTAL HEALTH ASSISTANCE

### § 2-1 (Right to dental health assistance)

Everyone mentioned in § 1-3 is entitled to necessary dental help in the county in which he resides or is temporarily sojourning.

The Public Dental Health Service shall give persons seeking or in need of dental health assistance the information needed to secure their rights, and ensure that unnecessary expense, loss, wasted time or inconvenience are not incurred.

The provisions of the Public Administration Act do not apply to decisions taken pursuant to this section.

### § 2-2 (Payment for dental treatment through the Public Dental Health Service)

Persons who receive treatment through the Public Dental Health Service shall pay for treatment when so required by regulations or an approved plan.

Payment shall not be demanded from clients as mentioned in § 1-3 a, b and c, except for orthodontic treatment.

Charges for services may be stipulated as a user fee or payment according to specified rates.

The Ministry shall stipulate user fees and rates.

### § 2-3 (Appeals)

Anyone not receiving assistance as provided in this Act and an approved plan may appeal to the County Executive Board or a special board for dental services, cf. § 3-2. If the appeal is rejected or decided against the appellant, a further appeal may be lodged with the Directorate of Health.

In any case the time limit for appeals is four weeks from the date on which the appellant had occasion for complaint. An appeal received after the time limit has expired may nevertheless be dealt with if it is deemed reasonable that it should be heard.

CHAPTER 3. ORGANIZATION, MANAGEMENT, ADMINISTRATION

§ 3-1 (Organization and management)

The County Council decides the organizational structure and management of the Public Dental Health Service in accordance with the statutory provisions and an approved health plan.

Each county shall be divided into dental health service districts which may comprise one municipality, several municipalities or parts of one or several municipalities.

§ 3-2 (Steering committees, committees, boards)

The County Council may appoint a steering committee, committees or boards to deal with particular fields and/or questions relating to the local dental health service.

The provisions pertaining to committees of Act no. 1 of 16 June 1961 relating to county municipalities apply correspondingly.

§ 3-3 (Personnel)

The county authority shall appoint a county dental officer.

In each dental health service district the county authority shall appoint a district dental officer who shall be responsible for implementing public dental health activities in the district as well as for the administration of all dental health activities.

The county authority shall appoint other personnel in the

Public Dental Health Service in accordance with an approved plan.

As regards dental health personnel, the Ministry may issue specific regulations concerning qualification requirements, the announcement of vacancies and selection procedures.

§ 3-4 (Duties of the county dental officer)

The county dental officer shall assist the county authority in the planning and coordinating of all dental health services in the county.

The county dental officer shall be the senior executive and administrative head of the Public Dental Health Service and shall ensure that an approved plan and the provisions of this Act are complied with.

§ 3-5 (Clinics)

There shall be at least one dental clinic in each district and the district dental officer(s) shall serve as administrator(s) of the clinic.

Only a public dental office may use the designation dental clinic.

The Directorate of Health may stipulate requirements which shall apply to dental clinics.

CHAPTER 4. THE RELATIONSHIP BETWEEN THE COUNTY AUTHORITIES AND PRIVATE DENTAL SERVICES

§ 4-1 (Private dental practice)

If patients' expenses for dental care are to be met in whole or in part by the county, cf. § 5-1, second paragraph, a dentist in private practice who provides such care shall enter into a

written agreement with the county in which the dentist concerned has his office or main practice.

An agreement as mentioned in this section cannot be transferred.

The county dental officer shall supervise such activities.

§ 4-2 (Entering into agreements with dentists in private practice)

If a county authority desires to enter into an agreement with a dentist in private practice regarding the treatment of the priority groups as mentioned in § 1-3, litrae a-e, it shall advertise for applicants. The agreement shall be entered into with the applicant possessing the best professional qualifications.

The Ministry may issue specific regulations relating to private practice in the Public Dental Health Service, the announcement of vacant practices, selection procedures and the terms and conditions of agreements.

## CHAPTER 5. ON EXPENDITURES

§ 5-1 (County responsibility for expenditures)

The county authority shall cover the costs of the Public Dental Health Service.

Patients' costs for treatment by dentists in private practice carried on by agreement with the county authority shall in whole or in part be covered by the county authority in the same way as if the patient had been treated by a dentist employed by the county authority.

The county authority shall cover transportation expenses in accordance with an approved plan for patients mentioned in § 1-3

who seek dental assistance from the Public Dental Health Service.

§ 5-2 (State subsidy)

The State shall grant an annual appropriation to cover part of the county authorities' expenses in connection with dental health services.

The appropriations shall be distributed to the county authorities according to rules issued by the King.

CHAPTER 6. MISCELLANEOUS PROVISIONS

§ 6-1 (Education and practical training)

Every county authority is obliged to contribute to the education and practical training of dental personnel, including further education and refresher courses.

The county authority shall ensure that all dental personnel employed by the county receive the required further education and refresher courses.

Dental personnel in the Public Dental Health Service are obliged to participate in the further education and refresher courses which are prescribed and which are necessary in order to maintain qualifications.

§ 6-2 (Supervision and guidance by the Directorate of Health)

The Directorate of Health shall ensure that the county authorities promote the objectives of the dental health services in a responsible and appropriate way, and shall ensure that the laws and regulations which apply to dental health services are known and observed.

Notwithstanding the obligation of secrecy, the Directorate of

Health may request such information concerning the county dental health services and its patients as is necessary in order to maintain an overview of the services and to control and supervise them. The Directorate may also inspect and examine records, notes, etc.

The Directorate of Health may direct the county dental officer to carry out these supervisory tasks on behalf of the Directorate of Health.

The Directorate of Health may present information obtained to experts for their opinion.

§ 6-3 (Inter-county cooperation)

Counties may enter into agreements on cooperation as regards the duties assigned them in pursuance of this Act.

§ 6-4 (Obligation of secrecy)

All persons attached to a county dental health service as members of a board, committee or administration, or as health personnel or in some other capacity, are obliged to observe professional secrecy and to prevent others from obtaining information confided to them or to which they are party, concerning people's physical condition, state of health or other personal matters.

The same applies to persons without such attachment to whom confidential information is confided, or who have been given access to information concerning which the dental health services are obliged to observe the obligation of secrecy.

It is the duty of the county authority and the competent leaders of the dental health services to ensure that everyone subject to the obligation of secrecy becomes acquainted with it.

The obligation of secrecy does not apply where otherwise provided by statutory provisions.



§ 6-5 (Implementation and supplementation)

The Ministry may issue specific regulations relating to the implementation and supplementation of this Act.

§ 6-6 (Svalbard)

To the extent determined by the King, this Act applies to Svalbard. The King may stipulate amendments to the Act as dictated by local circumstances.

§ 6-7 (Oslo)

Provisions stipulated in this Act for county municipalities shall also apply to the urban county of Oslo.

Chapter 7. Transitional provisions

§ 7-1 (Private practice)

A dentist who has had an agreement with a municipality or county relating to the treatment of the groups mentioned in § 1-3, litrae a-d, during the period prior to the entry into force of this Act is entitled to enter into an agreement with the county as mentioned in § 4-1.

Those wishing to avail themselves of the right to enter into an agreement in accordance with the first paragraph shall notify the county authority to this effect within three months after the entry into force of this Act.

§ 7-2 (Dental health personnel in the public sector)

All personnel (dentists, dental hygienists, clinical assistants and others) who at the time of entry into force of this Act are permanently employed in a public post which is taken

over by the Public Dental Health Service (in the counties) have the right to be appointed to comparable posts on the same terms and conditions in the county in which the person concerned carries on the major part of his practice.

A person employed as county dental officer up to and including 1 January 1984 has the right to be appointed the county authority's county dental officer.

A person desiring to be appointed to a county post shall without undue delay notify the county authority to this effect.

The county authority is obliged to acquaint each person concerned with his rights pursuant to this section.

#### § 7-3 (Appeals)

A person who believes that he has the right to enter into an agreement with the county authority pursuant to § 7-1 or to employment by the Public Dental Health Service pursuant to § 7-2, may appeal to the Ministry if he does not conclude such an agreement or appointment or considers the terms and conditions to be unreasonable. After the county authority has been given the opportunity to make a statement, the Ministry decides, with binding effect on the county, whether or not the appellant is entitled to employment or agreement, and may stipulate the terms and conditions governing such employment or agreement.

#### § 7-4 (Earlier regulations, rules, etc.)

Regulations, rules, directives and the like issued with authority in earlier Acts which are repealed or amended when the present Act enters into force shall continue to apply insofar as they do not conflict with the provisions of this Act or with regulations, rules, directives, etc. issued in pursuance of this Act.

§ 7-5 (Transitional financial schemes)

The King shall issue specific rules regarding transitional schemes.

CHAPTER 8. ENTRY INTO FORCE

§ 8-1 (Anticipated entry into force)

After this Act has been passed, but before its entry into force, the Ministry may issue regulations, directives or orders which shall enter into force at the same time as the Act.

The Ministry may also decide that the county authorities shall appoint a steering committee, committee or board for dental health services, appoint dental personnel and organize the administration of dental health services so that the Public Dental Health Service is prepared to function upon the entry into force of this Act.

§ 8-2 (Entry into force)

1. This Act enters into force on 1 January 1984.  
The King may direct that certain provisions shall enter into force at a later date than the rest of the Act.
2. From the same date, the following Acts are repealed:
  - a) Act no. 10 of 28 June 1949 relating to the Public Dental Service.
  - b) Act no. 24 of 13 June 1969 relating to the Basic School, 38, Subsection 1, litra i.
3. From the same date an amendment to Act no. 24 of 13 June 1969 relating to the Basic School § 11 shall take effect.

The second and third paragraphs shall read:

As regards dental health care, the provisions of the Act relating to Dental Health Services shall apply.

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