

MAINE STATE LEGISLATURE

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JOHN ELIAS BALDACCI
GOVERNOR

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BOARD OF DENTAL EXAMINERS
143 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0143

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February 10, 2010

Senator Elizabeth Schneider, Chair
Representative Nancy Smith, Chair
Joint Standing Committee on Business,
Research and Economic Development
100 State House Station
Augusta, ME 04333-0100

Re: *Public Law, Chapter 227 (LD 710), An Act to Allow Denturists To Practice to the Level of Their Educational Training*

Dear Senator Schneider, Representative Smith and Members of the Committee:

Pursuant to Public Law, Chapter 227 (LD 710), *An Act to Allow Denturists to Practice to the Level of Their Educational Training*, a copy of which is enclosed, the Maine Board of Dental Examiners is in the process of adopting rules regarding the upgraded curriculum for licensed denturists to be able to provide partial dentures.

The Board has been actively addressing the rule changes needed to ensure that consumers are being treated to the Standard of Care within the dental profession. Through this rulemaking process, the Board is also seeking to ensure that denturist licensees are appropriately trained to provide partial denture services, and that all documentation is in place in order to proceed with this new, expanded scope of practice.

The Board officially adopted a Certificate of Oral Condition at its meeting on September 18, 2009, a copy of which is enclosed. In addition, it has proposed rules to require a completed Certificate of Oral Condition be obtained prior to commencing clinical procedures related to *all* removable partial dentures. The Board also voted on what the required upgrade curriculum would be for licensed denturists to be able to make, produce, reproduce, construct, finish, supply, alter or repair a partial denture for their patients.

As required by the Maine Administrative Procedures Act, the Board made public its proposed rules on or about November 10, 2009, with a comment deadline of December 18, 2009. The Board has since received at least five requests for a hearing, which the Board now must hold.

The Board is moving forward and will hold a hearing on February 19, 2010 to accept any written and/or verbal comments concerning the proposed rule changes. The Board is in hopes that unless there is a need for substantial changes to this recommendation, the proposed rules will be



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Letter to BRED Committee

Re: LD 710

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adopted at the Board's March 19, 2010 meeting. Although the process has required more time than anticipated in Public Law, Chapter 227 (LD 710), the Board wishes to assure the Committee that all efforts are being made to accomplish the law's intent as quickly as possible.

We will provide a final report to the BRED Committee following the Board's final adoption of the proposed Rules. If the Committee has questions, or if I can be of assistance, do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip W. Higgins, Jr., DMD". The signature is fluid and cursive, with the initials "P.W.H." being particularly prominent.

Philip W. Higgins, Jr., DMD
Board Vice President

Enclosures

cc: Anne Head, Commissioner
Department of Professional & Financial Regulation

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Allow Qualified, Licensed Denturists To Practice to the Level of Their Educational Training

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 32 MRSA §1100-B, sub-§1-A is enacted to read:

1-A. Denture. "Denture" means any removable full or partial upper or lower prosthetic dental appliance to be worn in the human mouth to replace any missing natural teeth.

Sec. 2. 32 MRSA §1100-B, sub-§3, ¶A, as amended by PL 1993, c. 600, Pt. A, §88, is further amended to read:

A. The taking of denture impressions and bite registration for the purpose of or with a view to the making, producing, reproducing, construction, finishing, supplying, altering or repairing of a complete upper or complete lower prosthetic denture, ~~or both~~ to be fitted to an edentulous or partially edentulous arch or arches;

Sec. 3. 32 MRSA §1100-B, sub-§3, ¶B, as amended by PL 1993, c. 600, Pt. A, §88, is further amended to read:

B. The fitting of a ~~complete upper or lower prosthetic denture, or both,~~ to an edentulous or partially edentulous arch or arches, including the making, producing, reproducing, constructing, finishing, supplying, altering and repairing of dentures, without performing alteration to natural or reconstructed tooth structure. Upon the receipt of a written statement of oral condition or oral health certificate as determined by the board by a licensed dentist, a denturist may complete clinical procedures related to the fabrication of a removable tooth-borne partial denture, including cast frameworks; and

Sec. 4. 32 MRSA §1100-D, sub-§2-A, ¶B, as enacted by PL 1995, c. 590, §6, is amended to read:

B. A person is eligible to take the examination if that person:

(1) Is a high school graduate or has obtained high school equivalency; and

(2) Has a diploma from a board-approved denturism postsecondary institution or, until September 30, 2009, has completed an equivalent denturist educational program approved by the board.

Sec. 5. 32 MRSA §1100-E, sub-§2, as amended by PL 1995, c. 590, §7, is further amended to read:

2. License issued. The board shall issue a license for the practice in this State to each person who has passed an examination under section 1100-D. This license authorizes the licensee to practice as a dentist in the State until the expiration date that appears on the license. Beginning October 1, 2009, the board shall require, in addition to passage of the examination, all applicants for licensure to have a diploma and be graduates of a board-approved denturism postsecondary institution. Denturists licensed in this State prior to October 1, 2009 that do not have a diploma from a board-approved denturism postsecondary institution shall successfully complete an upgraded curriculum approved by the board before a license may be issued or renewed.

Sec. 6. Board of Dental Examiners to adopt rules; deadline for completion of upgraded curriculum. The Board of Dental Examiners shall adopt rules, which are routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, no later than January 1, 2010 regarding the upgraded curriculum described in Title 32, section 1100-E, subsection 2. Denturists licensed in this State prior to October 1, 2009 that do not have a diploma from a board-approved denturism postsecondary institution shall successfully complete the upgraded curriculum no later than 2 years after the Board of Dental Examiners adopts rules pursuant to this section.

Effective September 12, 2009

Certificate of Oral Condition

(32 M.R.S.A. § 1100-B(3)(B))

Patient Name: _____ Patient Date of Birth: ___/___/___ Today's Date: ___/___/___

NOTE: FOR THIS CERTIFICATE TO BE VALID, TREATMENT MUST COMMENCE WITHIN 90 DAYS OF THE DATE OF EXAMINATION.

Each condition identified below must be satisfactory for the fabrication of a Cast Metal Removable Partial Denture for the patient identified above.
Please mark the appropriate blank:

Periodontal Status	____(Sat)____(Unsat)	No Caries or Lesions	____(Sat)____(Unsat)	Occlusion	____(Sat)____(Unsat)
Existing Restorations	____(Sat)____(Unsat)	Endodontic Pathology	____(Sat)____(Unsat)	Oral Pathology	____(Sat)____(Unsat)
Prepared Rest Seats & Guide Planes	____(Sat)____(Unsat)	Radiographic Images	____(Sat)____(Unsat)	____ (Copies attached)	_____

This Certificate of Oral Condition represents a collaborative effort between the involved licensed Dentist(s) and Denturist(s). The collaborative effort should include providing the patient with: a recommended treatment plan; a recommended periodontal recall plan; and a recommended office location for periodontal care.

Recommended Periodontal Recall Plan: _____ Months

Recommended Dental Office responsible for Recall (include location please):

Dentists Please Note: You may attach current Periodontal Charting from your patient record in lieu of filling out the back of this form manually

Dentist Name(s): _____

Denturist Name(s): _____

License #(s): _____

License #(s): _____

See reverse for chart: Identified Periodontal Charting and Rest Seats and Guide Planes

