

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 2325

H. P. 2255

House of Representatives, March 26, 1976

Reported by two members from Committee on Health and Institutional Services in Report "C" and printed under Joint Rules No. 18.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SIX

AN ACT to Provide for the Licensing of Denturists.

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

Sec. 1. 32 MRSA § 1100-A, 2nd sentence, as enacted by PL 1971, c. 159, § 4, is amended to read:

Dental auxiliaries shall include, but not be limited to, dental hygienists, dental assistants ~~and~~, dental laboratory technicians ~~and~~ denturists.

Sec. 2. 32 MRSA, c. 16, sub-c. VI, is enacted to read:

SUBCHAPTER VI

DENTURISTS

§ 1100-B. Definitions

As used in this subchapter, unless the context otherwise indicates, the following words and phrases shall have the following meanings.

1. Board. "Board" means the Board of Dental Examiners.
2. Denturist. "Denturist" means a person licensed under this subchapter to engage in the practice of denture technology under the supervision of a dentist.
3. Practice of denture technology. "Practice of denture technology" means:

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 any removable partial or complete upper or complete lower prosthetic denture, or both, to be fitted to an edentulous arch or arches or partially edentulous arch or arches; and

B. The fitting of any removable partial or complete upper or lower prosthetic denture, or both, to an edentulous arch or arches, or partially edentulous arch or arches, and includes the making, producing, reproducing, constructing, finishing, supplying, altering and repairing partial and complete upper and lower prosthetic dentures in respect of which a service is performed under this subchapter.

§ 1100-C. Regulations

The Board of Dental Examiners shall prepare rules and regulations relating to the licensing of denturists and present these regulations to the Legislature prior to January 15, 1977. No regulations or guidelines shall be finally adopted under this subchapter until they have been reported to and approved by the Legislature. These rules and regulations shall pertain, but not be limited, to the following:

1. Administrative procedures. The administrative procedures relating to the issuing of licenses;
2. Method and conditions. The methods and conditions under which a denturist may practice denture technology;
3. Temporary eligibility. The issuance of a temporary denturist license;
4. Equivalency training and experience. The establishment of equivalency training and experience standards for the purpose of eligibility for licensing; and
5. Continuing education requirements. The establishment of continuing education requirements for purposes of continued licensure.

§ 1100-D. Authority to give examinations and grant licenses

The Board of Dental Examiners is authorized to give examinations for the purpose of licensing denturists and to issue licenses to practice as a denturist under this subchapter.

§ 1100-E. Eligibility for examination

A person of good moral character, 18 years or over, who has successfully completed 2 years' training in a school of denture technology approved by the board or who has demonstrated equivalent training and experience, as provided under this subchapter, shall be eligible to apply for examination for purposes of licensing as a denturist.

§ 1100-F. Application and fee

Any eligible person desiring to become licensed as a denturist shall make written application to the Board of Dental Examiners to take the examination.

Such application shall be accompanied by an examination fee of \$25. Any applicant failing to pass the examination shall be entitled to one additional examination, for which the fee shall be \$10. The fee for each reexamination after the first shall be \$25. All examinations may be given by the full board or by a subcommittee of the board which it may appoint.

§ 1100-G. Licenses; annual fee

The board shall issue licenses to practice as denturists in this State to those who have passed the examination. This license shall be exhibited whenever requested by a member or authorized agent of the board. This license shall authorize the licensee to practice as a denturist in this State for the year in which it is issued. Thereafter, and on or before January 1st of each year, any denturist shall pay to the secretary of the board an annual registration fee of \$5. A registration card for that year will then be issued, which card is to be placed beside or attached to the license. Failure to be properly registered by January 1st of each year will result in automatic suspension of the license to practice as a denturist. Reinstatement may be made by payment of \$10 to the secretary of the board.

§ 1100-H. Reciprocity

The board may at its discretion, without examination, issue a license to any applicant to practice as a denturist who shall furnish proof satisfactory to the board that the denturist has been duly licensed to practice in another state or Canadian province after full compliance with the requirements of its dental laws, provided that the licensure requirements are in all essentials at least equivalent to those of this State. The board may require letters of reference as to ability and moral character. Every license so given shall state upon its face that it was granted on the basis of reciprocity. The fee for such certificate shall be \$25.

§ 1100-I. Use of former employers' lists; revocation or suspension of license

The Administrative Hearing Commissioner shall revoke or suspend the license of any registered and licensed denturist who is found guilty of using or attempting to use in any manner whatsoever any prophylactic lists, call lists, records, reprints or copies of same, or information gathered therefrom, of the names of patients whom he might have served in the office of a prior employer, unless such names appear upon the bona fide call or prophylactic lists of his present employer and were caused to so appear through the legitimate practice of dentistry as provided for in this subchapter. The Administrative Hearing Commissioner shall suspend or revoke the license of any licensed dentist who is found guilty of aiding or abetting or encouraging a denturist employed by him to make use of a so-called prophylactic call list, or the calling by telephone or by use of written letter transmitted through the mails to solicit patronage from patients formerly served in the office of any dentist formerly employing such denturist.

§ 1100-J. Persons and practices not affected

Nothing in this subchapter shall be construed to prohibit a duly qualified dental surgeon, dental laboratory technician or dental hygienist from perform-

ing work or services performed by a denturist licensed under this subchapter to the extent those persons are authorized to perform the same services under existing Maine law.

Nothing in this subchapter shall be construed to prevent students of a dental college, university or school of dental hygiene from practicing dental hygiene under the supervision of their instructors.

§ 1100-K. Limitation of licensing

No person shall be licensed by the board prior to July 1, 1977.

STATEMENT OF FACT

The purpose of this subchapter is to establish denturists as a new dental auxiliary profession to be practiced under the supervision of dentists.

The Board of Dental Examiners is required to prepare regulations relating to the licensing of denturists and present them to the Regular Session of the 108th Legislature for approval. No denturists will be licensed until at least July 1, 1977.

A denturist would practice under the supervision of a dentist and would make and fit partial and complete dentures.