

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1878

H. P. 1690

House of Representatives, June 10, 1977

Reported by a Minority from the Committee on Health and Institutional Services and printed under Joint Rules No. 2.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

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, last 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.
3. Practice of denture technology. "Practice of denture technology" means only:
 - 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 complete upper or com-

plete lower prosthetic denture, or both, to be fitted to an edentulous arch or arches;

B. The fitting of any complete upper or lower prosthetic denture, or both, to an edentulous arch or arches, including the making, producing, reproducing, constructing, finishing, supplying, altering and repairing of such dentures; and

C. Other procedures incidental to the procedures specified in paragraphs A and B, as defined by the board.

§ 1100-C. Rules and regulations

1. Rules and regulations required. Not later than 90 days after the effective date of this subchapter, the board shall adopt rules and regulations relating to the licensing of denturists.

2. Contents. These rules and regulations shall pertain, but need not be limited, to the following:

A. The administrative procedures relating to the issuance, refusal to issue, suspension and revocation of licenses;

B. The procedures and requirements relating to the issuance of temporary denturist licenses;

C. The methods by which denturists are required to practice denture technology;

D. The establishment of educational requirements for the purpose of eligibility for licensing;

E. The establishment of equivalency training and experience standards for the purpose of eligibility for licensing; and

F. The specification of other procedures incidental to the practice of denture technology, which may be delegated to a denturist.

3. Public hearing on rules and regulations. Prior to adopting any rule pursuant to this subchapter, the board shall hold a public hearing. Notice of the public hearing shall be published once within 14 to 30 days before the hearing in the state paper and in other newspapers or journals of general circulation adequate to provide reasonable notice to the public affected thereby.

4. Rules and regulations repealed or amended. Rules adopted pursuant to this section may be repealed or amended at any time by the board, after like notice and hearing of the portion amended.

§ 1100-D. Examinations

1. Authority. The board is authorized to prepare and give examinations in the area of denture technology for the purpose of licensing denturists. All examinations prepared and given under this subchapter may be prepared and given by the full board or by a subcommittee of the board appointed by the board.

2. Eligibility for examination. A person shall be eligible to take the examination pursuant to subsection 1 who:

A. Is 18 years of age or older;

B. Is a high school graduate; and

C. Has successfully completed a minimum of 2 years of training in denture technology and related areas, as approved by the board, or has demonstrated equivalent training and experience, as determined by the board.

3. Application for examination; fee. Any eligible person desiring to take the examination in order to become licensed as a denturist shall make a written application to the board to take the examination. This application shall be accompanied by an examination fee of \$25.

4. Additional examinations; fee. 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 additional examination after the first additional examination shall be \$25.

5. Timing of examination. The applicant for an examination in denture technology shall present himself for examination at the first regular meeting of the board after the application is filed.

§ 1100-E. Licenses; registration; reciprocity

1. Authority. The board shall have the authority to issue licenses to qualified persons to practice denture technology pursuant to this subchapter.

2. License issued. The board shall issue a license for the practice in this State to each person who has passed the examination under section 1100-D, or who has met the equivalency training and experience standards established by the board. This license shall authorize the licensee to practice as a denturist in the State for the year in which it is issued.

3. Registration. After a license has been issued under subsection 2 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, in order to renew the license and to continue to be authorized to practice as a denturist in the State.

A registration card for that year shall then be issued, which card shall be placed beside or attached to the license. Failure to be properly registered on January 1st of each year shall result in automatic suspension of the license to practice as a denturist. Reinstatement of the license may be made by payment of \$10 to the secretary of the board.

4. 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 about the denturist. 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-F. Practice of denture technology

Any denturist who has been licensed and who has registered pursuant to this subchapter may, on an independent basis, engage in the practice of denture technology. The board shall adopt no rule or regulation that has the effect of requiring a duly licensed and registered denturist to practice under the supervision of a dentist.

No denturist shall take impressions and bite registration for the purpose of or with a view to the making or producing of an individual's first prosthetic device, until that individual presents to the denturist a certificate from a dental surgeon or medical doctor. The certificate shall certify that the individual's mouth is free from infection, sores and other medical problems. The certificate shall have been signed by the dental surgeon or medical doctor not more than 30 days prior to the day on which the denturist takes the impressions or bite registration of the individual.

§ 1100-G. 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 performing 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-H. Liability

A denturist practicing denture technology under this subchapter shall be deemed legally liable for his activities related to this practice.

§ 1100-I. Legislative review

The board shall make a report to the Joint Standing Committee on Health and Institutional Services of the Legislature on or before April 1, 1978. This report shall consist of a description of the board's progress in the implementation of this subchapter, including whatever information may be requested by the committee.

STATEMENT OF FACT

The purpose of this new draft is to establish denture technology as a new dental auxiliary profession. Denturists are licensed by the Board of Dental Examiners, but are allowed to practice on their own.

The Board of Dental Examiners is required to adopt rules and regulations relating to the licensing of denturists not later than 90 days after the effective date of the Act. The board is required to make a progress report to the Joint Standing Committee on Health and Institutional Services not later than April 1, 1978.

Under this new draft denturists are permitted to make and fit complete dentures, but not partial dentures.