

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 1329

6  
7 H.P. 996

House of Representatives, March 25, 1983

8 Speaker laid before the House and referred to the Committee on Health  
9 and Institutional Services. Sent up for concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Manning of Portland.

Cosponsors: Senator Bustin of Kennebec, Senator Gill of Cumberland  
and Representative Chonko of Topsham.

11  
12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-THREE  
16

17 AN ACT Relating to the Licensing of  
18 Dental Radiographers.  
19

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

22 Sec. 1. 32 MRSA §1081, sub-§2, ¶F, as enacted by  
23 PL 1967, c. 544, §80, is repealed:

24 Sec. 2. 32 MRSA c. 16, sub-c. VII is enacted to  
25 read:

26 SUBCHAPTER VII

27 DENTAL RADIOGRAPHERS

28 §1100-I. Definitions

29 As used in this subchapter, unless the context  
30 otherwise indicates, the following terms have the  
31 following meanings.

1           1. Dental radiography. "Dental radiography"  
2 means the use of ionizing radiation on the maxilla  
3 and mandible of human beings for diagnostic purposes.

4           2. Direct supervision. "Direct supervision"  
5 means supervision of a dental radiographer requiring  
6 that a dentist remain in the dental office while the  
7 radiographic procedures are being performed.

8           3. Licensed dental radiographer. "Licensed den-  
9 tal radiographer" means a person who practices dental  
10 radiography and holds a valid license issued by the  
11 board.

12 §1100-J. License required; exceptions

13           1. License required. On or before September 1,  
14 1984, it shall be unlawful for any person, not other-  
15 wise authorized by law, to practice dental  
16 radiography without having a current license issued  
17 by the board.

18           2. Medicine, osteopathy, dentistry. Nothing in  
19 the provisions of this subchapter may limit, enlarge  
20 or affect the practice of persons licensed to prac-  
21 tice medicine, osteopathy or dentistry in this State.

22           3. Exceptions. The requirement of a license  
23 shall not apply to:

24           A. Dental hygienists licensed pursuant to sub-  
25 chapter IV;

26           B. A resident physician or a student enrolled in  
27 and attending a school or college of medicine,  
28 osteopathy, dentistry or radiologic technology;  
29 or

30           C. Any person serving in the United States Armed  
31 Forces or public health service or employed by  
32 the Veterans' Administration or other federal  
33 agency from performing his official duties, pro-  
34 vided that the duties are limited to that service  
35 or employment.

36 §1100-K. Supervision required

1           1. Supervision. A licensed dental radiographer  
2 shall practice dental radiography only under the  
3 direct supervision of a dentist.

4           2. Prohibition. It is unlawful for a dentist to  
5 allow a licensed dental radiographer in his employ-  
6 ment to carry out radiographic procedures except  
7 under direct supervision.

8           §1100-L. Employment of dental radiographers

9           1. Dental radiographers; license. On or before  
10 September 1, 1984, it shall be unlawful for a dentist  
11 to allow a person to practice dental radiography in  
12 his employment or under his supervision who does not  
13 hold a license to practice dental radiography issued  
14 by the board or who is otherwise authorized by law to  
15 practice dental radiography.

16           §1100-M. Qualifications

17           1. Requirements. To qualify for a license to  
18 practice dental radiography, an applicant shall meet  
19 the following requirements:

20           A. Be at least 18 years of age;

21           B. Have a high school diploma or its equivalent,  
22 as determined by the Department of Educational  
23 and Cultural Services; and

24           C. Have successfully completed a course of study  
25 in dental radiologic technique approved by the  
26 board.

27           §1100-N. Application

28           To apply for a license to practice dental  
29 radiography, an applicant shall submit a written  
30 application with supporting documents to the board,  
31 on forms provided by the board, and shall pay an  
32 application fee which shall not exceed \$30.

33           §1100-O. Renewal

34           1. Term of license; renewal. All licenses to  
35 practice dental radiography issued by the board are

1 valid for 5 years from the date of issuance and may  
2 be renewed upon application to the board and payment  
3 of a renewal fee which shall not exceed \$50.

4 §1100-P. Rules

5 1. Rules. The board may make rules in accor-  
6 dance with Title 5, chapter 375, which are necessary  
7 for the implementation of this subchapter. The rules  
8 may include, but need not be limited to, licensure  
9 requirements, approved courses, application and  
10 renewal procedures and fees.

11 §1100-Q. Disciplinary action

12 1. Suspension; revocation; refusal to issue or  
13 renew license. The board may suspend or revoke a li-  
14 cence pursuant to Title 5, section 10004. In addi-  
15 tion, the board may refuse to issue or renew a li-  
16 cence or the Administrative Court may revoke, suspend  
17 or refuse to renew a license of a person issued under  
18 this subchapter for any of the following reasons:

19 A. The practice of fraud or deceit in obtaining  
20 a license under this subchapter or in connection  
21 with service rendered within the scope of the li-  
22 cence issued;

23 B. Habitual intemperance in the use of alcohol  
24 or the habitual use of narcotic or hypnotic or  
25 other drugs listed as controlled substances by  
26 the drug enforcement administration, which use  
27 has resulted in the licensed dental radiographer  
28 being unable to perform his duties or perform  
29 those duties in a manner which would endanger the  
30 health or safety of the patients to be served;

31 C. Incompetence in the practice of dental  
32 radiography. A licensed dental radiographer  
33 shall be deemed incompetent in the practice if he  
34 has:

35 (1) Engaged in conduct which evidenced a  
36 lack of ability or fitness to discharge the  
37 duty owed by him to a client or patient or  
38 the general public; or



1 exposure to ionizing radiation by ensuring that per-  
2 sons operating dental equipment emitting ionizing  
3 radiation have appropriate education, training and  
4 supervision.

5

2701031583