

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 947

S.P. 342

In Senate, March 21, 1995

An Act to Amend the Laws Pertaining to the Regulation of Denturists.

Reference to the Committee on Business and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator MICHAUD of Penobscot.
Cosponsored by Representative: HICHBORN of LaGrange.

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

4 **Sec. 1. 5 MRSA §12004-A, sub-§9-C is enacted to read:**

6 9-C. Board of legislative 32 MRSA §1066
Denturists per diem
secretary-
8 treasurer,
10 as determined
by board

12 **Sec. 2. 32 MRSA c. 16, sub-c. I-A is enacted to read:**

14 **SUBCHAPTER I-A**

16 **BOARD OF DENTURISTS**

18 **§1065. Membership; appointment; compensation**

20 The Board of Denturists, established by Title 5, section
22 12004-A, subsection 9-C, and in this chapter referred to as the
"board," consists of 5 members, appointed by the Governor as
24 follows: 3 denturists, one dentist or dental surgeon and one
representative of the public.

26 The members of the board are entitled to compensation
28 according to the provisions of Title 5, chapter 379. Expenses of
the board members must be certified by the secretary-treasurer of
the board.

30 **§1066. Elections; quorum; reports; records; secretary-treasurer;**
32 **expenses**

34 At its annual meeting, the board shall elect from among its
36 members a president, a vice-president and a secretary-treasurer.
Three members constitute a quorum. At a time and place to be
38 fixed by the board, the board shall hold at least one regular
meeting each year and special meetings as necessary. The board
40 may make rules, not contrary to law, necessary for the
performance of its duties. On or before August 1st annually, the
42 board shall make a report of its proceedings to the Commissioner
of Professional and Financial Regulation. The
44 secretary-treasurer of the board shall keep records of all
proceedings of the board and is the custodian of these records.
46 Records that constitute and are recognized as the official
records of the board must be open for public inspection at
reasonable times.

48 The secretary-treasurer of the board shall collect all fees,
50 charges and assessments payable to the board and account for and
pay them according to law. The secretary-treasurer is entitled
52 to necessary expenses incurred in the discharge of official

2 duties, including clerical and stenographic assistance, printing
3 and postage. The allowance for expenses must be certified by the
4 president of the board.

6 **§1067. Rulemaking**

8 The board may adopt rules in accordance with the Maine
9 Administrative Procedure Act that are necessary for the
10 implementation of this chapter. The rules may include, but are
11 not limited to, requirements for licensure, interviews for
12 licensing and renewal, continuing education, inactive licensure
13 status and fees for providing a list of addresses of licensed
14 professionals upon request.

16 **§1068. Liaison**

18 On or before August 1st of each year, the board shall submit
19 to the Commissioner of Professional and Financial Regulation, for
20 the preceding fiscal year ending June 30th, its annual report of
21 its operations and financial position, with comments and
22 recommendations the board considers essential.

24 The commissioner shall act as a liaison between the board
25 and the Governor.

26 **Sec. 3. 32 MRSA §1100-A**, as amended by PL 1993, c. 600, Pt.
27 A, §87, is further amended to read:

30 **§1100-A. Definition**

32 Duties of dental auxiliaries other than dental hygienists
33 must be defined and governed by the rules of the Board of Dental
34 Examiners. Dental auxiliaries include, but are not limited to,
35 dental hygienists, dental assistants, and dental laboratory
36 technicians ~~and-denturists~~.

38 **Sec. 4. 32 MRSA §1100-B, sub-§1**, as enacted by PL 1977, c.
39 484, §2, is amended to read:

40 **1. Board.** "Board" means the Board of Dental ~~Examiners~~
41 Denturists.

44 **Sec. 5. 32 MRSA §1100-B, sub-§2**, as amended by PL 1981, c.
45 440, §16, is further amended to read:

46 **2. Denturist.** "Denturist" means a person licensed under
47 this subchapter to engage in the practice of denture technology
48 ~~under the supervision of a dentist of record.~~

2 **Sec. 6. 32 MRSA §1100-C, sub-§2, ¶F**, as enacted by PL 1977, c.
484, §2, is amended to read:

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

8 **Sec. 7. 32 MRSA §1100-E, sub-§5, ¶B**, as repealed and replaced
10 by PL 1983, c. 378, §18, is repealed.

12 **Sec. 8. 32 MRSA §1100-G**, as amended by PL 1993, c. 600, Pt.
14 A, §91, is repealed.

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STATEMENT OF FACT

18 This bill establishes the Board of Denturists as the
20 regulatory board that has jurisdiction over the licensing of
denturists. The bill also eliminates language requiring that
22 denturists practice under the supervision of a licensed dentist
on the same premises and eliminates language establishing the
liability of the supervising dentist for a denturist's actions.