

# MAINE STATE LEGISLATURE

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DATE: May 15, 2001

(Filing No. S-204)

**BUSINESS AND ECONOMIC DEVELOPMENT**

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**STATE OF MAINE  
SENATE  
120TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 520, L.D. 1639, Bill, "An Act to Improve the Licensing and Regulation of Denturists"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 13 MRSA §705, as amended by PL 1997, c. 313, §1, is further amended to read:

**§705. Corporate organization**

An individual or group of individuals duly licensed or otherwise legally authorized to render the same professional service within this State may organize and become a shareholder or shareholders of a professional corporation under the corporation laws for the sole and specific purpose of rendering the same and specific professional service. Notwithstanding any other provisions of law, for the purposes of this chapter, osteopathic physicians licensed under Title 32, chapter 36 and physicians and surgeons licensed under Title 32, chapter 48 are considered to render the same professional service. Notwithstanding any other provision of law, for the purposes of this chapter, optometrists licensed under Title 32, chapter 34-A and ophthalmologists licensed under Title 32, chapter 36 or 48 may organize and become the sole shareholders of the same professional corporation under the corporation laws for the sole and specific purpose of rendering their respective professional

2 services that are considered to be complementary to one another.  
3 Notwithstanding any other provision of law, for the purposes of  
4 this chapter, a denturist licensed under Title 32, chapter 16 may  
5 organize with a dentist who is licensed under Title 32, chapter  
6 16 and may become a shareholder of a dental practice incorporated  
7 under the corporation laws. At no time may a denturist or  
8 denturists in sum have an equal or greater ownership interest in  
9 a dental practice than the dentist or dentists have in that  
10 practice.

11 **Sec. 2. 32 MRSA §1081, sub-§3, ¶¶A and C, as amended by PL**  
12 **1993, c. 600, Pt. A, §63, are further amended to read:**

13 A. Employs dentists or dental hygienists, denturists or  
14 other dental auxiliaries in the operation of a dental  
15 office;

16 C. Retains the ownership or control of dental equipment or  
17 material or a dental office and makes the same available in  
18 any manner for the use by dentists or dental hygienists or  
19 other agents, except that nothing in this subsection applies  
20 to bona fide sales of dental equipment or material secured  
21 by a chattel mortgage or retain title agreement. A person  
22 licensed to practice dentistry may not enter into  
23 arrangements with a person who is not licensed to practice  
24 dentistry, with the exception of licensed denturists  
25 pursuant to the provisions of Title 13, section 705.

26 **Sec. 3. 32 MRSA §1100-D, sub-§2-A, ¶A, as enacted by PL 1995,**  
27 **c. 590, §6, is repealed.**

28 **Sec. 4. 32 MRSA §1100-E, sub-§5, ¶B-1, as enacted by PL 1995,**  
29 **c. 590, §7, is repealed.'**

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35 **SUMMARY**

36 This amendment strikes and replaces the original bill. The  
37 amendment authorizes denturists to become shareholders in dental  
38 practices providing that at no time denturists have an equal or  
39 greater ownership interest in a dental practice than the dentists  
40 have in that practice. Finally, the amendment eliminates the  
41 requirement that denturists obtain oral health certification from  
42 a dentist prior to practicing denturism on a person.  
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