

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)



123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1194

S.P. 382

March 7, 2007

**An Act Concerning the Practice of a Deceased or Incapacitated
Dentist**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BROMLEY of Cumberland.

Cosponsored by Senator: HOBBS of York, Representative: DILL of Cape Elizabeth.

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

2 **Sec. 1. 13 MRSA §732, sub-§5** is enacted to read:

3 **5. Legal guardian or personal representative of deceased or incapacitated**
4 **dentist.** For the purposes of this chapter, the legal guardian or personal representative of
5 **a dentist licensed under Title 32, chapter 16 may contract with another dentist to continue**
6 **the operations of the practice of the deceased or incapacitated dentist for a period of up to**
7 **24 months after the death or incapacitation of the dentist or until the practice is sold,**
8 **whichever occurs first.** For purposes of this subsection, "personal representative" has the
9 **same meaning as in Title 18-A, section 1-201, subsection 30.**

10 **Sec. 2. 32 MRSA §1081, sub-§3, ¶C**, as corrected by RR 2001, c. 2, Pt. C, §6
11 and affected by §7, is amended to read:

12 C. Retains the ownership or control of dental equipment or material or a dental
13 office and makes the same available in any manner for the use by dentists or dental
14 hygienists or other agents, except that nothing in this subsection applies to bona fide
15 sales of dental equipment or material secured by a chattel mortgage or retain title
16 agreement. A person licensed to practice dentistry may not enter into arrangements
17 with a person who is not licensed to practice dentistry, with the exception of licensed
18 denturists, or the legal guardian or personal representative of a deceased or
19 incapacitated dentist, pursuant to the provisions of Title 13, section 732.

20 **SUMMARY**

21 This bill permits the legal guardian or personal representative of a deceased or
22 incapacitated dentist to contract with another dentist to continue the operations of the
23 practice of the deceased or incapacitated dentist for a period of up to 24 months after the
24 death or incapacitation of the dentist or until the practice is sold, whichever occurs first.