

# MAINE STATE LEGISLATURE

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NEW DRAFT

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EIGHTY - SEVENTH LEGISLATURE

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Legislative Document

No. 806

S. P. 641

In Senate, March 20, 1935.

Reported by Senator Blaisdell from Committee on Sea and Shore Fisheries and laid on table to be printed under Joint Rules.

ROYDEX V. BROWN, Secretary.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
THIRTY-FIVE

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AN ACT Relating to the Practice of Dentistry.

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

**Sec. 1. R. S., c. 21, § 28, amended.** Section 28 of chapter 21 of the revised statutes is hereby repealed and the following enacted in place thereof:

**'Sec. 28. Qualifications of applicant.** All persons applying for examination and a certificate to practice dentistry in this state, shall be 21 years of age, of good moral character, and shall be graduates of and have a diploma from a reputable dental college, school or dental department of a reputable university, rated as A or B by the Dental Educational Council of America, and should the Dental Educational Council of America cease to exist the board of dental examiners shall rate dental colleges, dental schools, or dental departments of a university.'

**Sec. 2. R. S., c. 21, § 29, amended.** Section 29 of chapter 21 of the revised statutes is hereby amended to read as follows:

**'Sec. 29. Application for examination; subjects included in examination; re-examination.** Not less than 10 days prior to the date upon which an examination is held, each applicant for certificate to practice dentistry shall

file an application for examination and pay to the secretary of this board a fee of ~~twenty dollars~~ **\$25** and present himself for examination at the 1st regular meeting of the board after such application is filed. Such fee shall not be refunded unless from sickness or other good cause appearing to the satisfaction of the board such applicant was prevented from attending and completing such examination. The examination shall be practical and theoretical. The theoretical examination may be written or oral, or both, at the option of said board, and shall include the subjects of anatomy, physiology, chemistry, histology, bacteriology, pathology, materia medica, therapeutics, anaesthetics, anaesthesia, operative dentistry, crown and bridge work, prosthetic dentistry, orthodontia, ~~and~~ oral hygiene, **and such other subjects as the board may deem necessary to meet changed conditions in dental education.** The board shall also require as part of the examination a demonstration of the candidate's skill in operative dentistry and mechanical dentistry. An applicant who fails to pass the first examination to the satisfaction of the board shall be entitled to one re-examination without charge, and the fee for any subsequent examination shall be \$10.'

**Sec. 3. R. S., c. 21, § 30, amended.** Section 30 of chapter 21 of the revised statutes is hereby amended to read as follows:

**'Sec. 30. Certificate; fee; registration cards.** Said board shall issue under its seal, to all persons who shall successfully pass said examination, its certificate of ability to practice dentistry in this state, signed by its president and secretary. Whoever engages in the practice of dentistry in this state shall keep his certificate in a conspicuous place in the operating room or rooms in which he practices. Said certificate shall be considered a license to practice dentistry in this state, except that it shall be unlawful for any person to practice dentistry in this state in any year after the year in which said certificate is issued to him unless he shall pay to the treasurer of the state board of dental examiners on or before January 1st of said year a fee of \$100 **except that residents of this state and all other persons now authorized to practice dentistry and maintains permanent dental offices, in the state of Maine, shall pay a fee of \$1** for which ~~he~~ they shall receive a registration card, which card shall be placed beside or attached to the certificate above mentioned. "A resident of this state" wherever used in this section shall mean one who has been a bona fide resident hereof and actually domiciled here for a period of 3 months.'

**Sec. 4. R. S., c. 21, § 31, amended.** Section 31 of the revised statutes is hereby amended to read as follows:

**'Sec. 31. Certificates may be issued to practitioners from other states.** The board may, at its discretion, without the examination as hereinbefore provided, issue its certificate to any applicant therefor who shall furnish proof, satisfactory to the board, that he has been duly licensed to practice dentistry in another state after full compliance with the requirements of its dental laws; provided, however, that if licensed to practice dentistry in said other state after the 1st day of January, 1913, his professional education shall not be less than is required in this state, and provided that such applicant shall have been at least 5 years in actual practice in the state in which said license was granted. **Provided further that the board may, at its discretion, recognize a certificate granted by the National Board of Dental Examiners in lieu of or subject to such examination as may be required.** Every certificate so given shall state upon its face the grounds upon which it is granted, and the applicant may be required to furnish his proof upon affidavit. The fee for such certificate shall be ~~twenty dollars~~ **\$50.'**

**Sec. 5. R. S., c. 21, § 34, amended.** Section 34 of chapter 21 of the revised statutes is hereby amended to read as follows:

**'Sec. 34. Board may revoke certificate obtained by fraud.** Said board may revoke a certificate obtained by fraud or misrepresentation, or if the person named therein uses intoxicants or drugs to such an extent as to render him unfit to practice dentistry, or is guilty of immoral or unprofessional conduct, or convicted of a felony, **or is afflicted with one or more of the specific infections, or is convicted in a court of competent jurisdiction of violating any of the provisions of this chapter.**

No registered dentist or dental hygienist shall include in any newspaper, radio, display sign or other advertisement any statement of a character tending to deceive or mislead the public, or any statement claiming professional superiority or the performance of professional services in a superior manner or the performance of painless operations of a dental or oral surgical nature, or advertising fixed prices for professional services or materials or the use of any drug, nostrum, patent or proprietary medicine of any unknown formula. or advertising to use any system of anesthetics without truly and accurately naming the same or to use any such system unless such system is in fact used, or shall advertise with signs or printed advertisements which contain the representation of a tooth, teeth, dental restoration of any kind or of whatsoever design or description or any portion of the human head or neck or photograph of any person.

Any person who violates any of the provisions of this paragraph shall

be deemed guilty of a misdemeanor and shall be punished by the payment of a fine of not more than \$200.'

**Sec. 6. R. S., c. 21, additional.** Chapter 21 of the revised statutes is hereby amended by adding thereto two new sections to be numbered 36a and 36b and to read as follows:

**'Sec. 36a.** The clerk of a court in which a registered dentist or dental hygienist is convicted under the preceding section shall forthwith certify such conviction to the board, and the board may, after a hearing, revoke or suspend the registration of the convicted registrant. The board may also revoke or suspend the registration of a dentist or dental hygienist for conviction in any court of the state of Maine of a crime involving moral turpitude.'

**'Sec. 36b. Affiliation with National Association of Dental Examiner.** The state dental board may affiliate with the National Association of Dental Examiners, as an active member, and pay regular annual dues to said association and may send a delegate to the meetings of the said National Association of Dental Examiners; such delegate shall receive the compensation provided for in section 53 of chapter 125.'

**Sec. 7. Constitutionality of act.** If any section, subsection, sentence, clause, or phrase of this act is, for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act.

**Sec. 8. Amendatory clause.** All acts or parts of acts inconsistent herewith, are hereby repealed, or amended to conform with the provisions contained herein.