

HOUSE No. 00103

The Commonwealth of Massachusetts

PRESENTED BY:

William N. Brownsberger

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to allow regulation and licensing of denturists.

PETITION OF:

NAME:

William N. Brownsberger

DISTRICT/ADDRESS:

24th Middlesex

HOUSE No. 00103

By Mr. William N. Brownsberger of Belmont, petition (accompanied by bill, House, No. 00103) of William N. Brownsberger for legislation to establish licensing requirements for denture care professionals. Joint Committee on Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to allow regulation and licensing of denturists.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SUBCHAPTER 1000 DENTURISTS

2 Section 100B. Definitions.

3 As used in this subchapter, unless the context otherwise indicates, the following words and
4 phrases shall have the following meanings.

5 1. Board. “Board” means the Board of Denturistry.

6 2. “Denturist” means a person engaged in the practice of Denturistry.

7 3. Practice of Denturistry. “Practice of Denturistry” means:

8 A. Recognizing oral conditions pertaining to denture care; referring patients for various
9 professional, medical, and dental services, examining, taking and evaluating radiographs and
10 evaluating and treating temporomandibular dysfunction relative to denture care.

11 B. The taking of denture impressions and bite registration for the purpose of or with die
12 view to designing, making, producing, reproducing, constructing, finishing, supplying, altering
13 or repairing a complete or partial upper or lower prosthetic denture, or any combination, to be
14 fitted to an arch or arches;

15 C. The fitting of a complete and partial upper or lower prothetic denture, or both, to an
16 arch or arches, including the designing, making, producing, constructing, finishing, supplying,
17 altering and repairing of dentures; and

18 D. The procedures incidental to the procedures specified in paragraphs A and B, as defined
19 by the board.

20 Section 100C. Rules.

21 1. Rules required within one year. The board shall adopt rules necessary to implement this
22 subchapter. Rules adopted may pertain, but are not limited to, continuing education and record
23 retention

24 requirements, and the specification of procedures incidental to the practice of denturistry.

25 2. Limited scope denturist license. The board shall issue a limited scope license to denturists to
26 engage in providing the public with complete dentures, denture relines and denture repairs who
27 demonstrate to the satisfaction of the board:

28 A. A minimum of 5 years in some combination of training and experience in dental
29 mechanics or technology or as a dental laboratory technician.

30 B. Enrolls in and continues to be an active student and maintains a passing grade in a
31 denturist curriculum that is approved by the American Denturist Society Council of Denturistry
32 Education.

33 C. Has completed one post secondary course in head and neck anatomy and physiology, one
34 post secondary course in oral pathology, one post secondary course in United States Center for
35 Disease Control guidelines for disinfection sterilization, one post secondary course in clinical
36 removable prosthodontics, one post secondary course in temporomandibular joint disorders, one
37 post
38 secondary course in principles of dental radiology, and one post secondary course in ethics and
39 jurisprudence.

40 D. Has successfully completed certification for Cardio Pulmonary Resuscitation equivalent to
41 the standards of the American Heart Association.

42 E. Produces satisfactory documented verification of having served a minimum of six months
43 performing clinical prosthetic duties under the general supervision of a licensed/certified
44 denturist
45 or a licensed dentist.

46 F. And has successfully passed the limited scope denturistry examination (Part 1) or a
47 comparable board approved written and practical examination.

48 G. Licensees of this section are prohibited from providing partial dentures and radiographs to
49 the public until successfully meeting the requirements for (Part 2) of the written and clinical
50 examination to become a full scope dentist.

51 H. All limited scope dentist licenses will expire on January 1,
52 2115.

53 3. Full scope dentist license. The board shall issue a license to dentists to engage in
54 providing the public with any of the services included in section 100 — A, B, C and D who
55 demonstrate
56 to the satisfaction of the board:

57 A. A minimum of 5 years, in some combination of training and experience in dental
58 mechanics or technology or as a dental laboratory technician.

59 B. Who graduates and holds a degree from a dentist program that is approved by the
60 American Dentist Society Council of Dentistry Education.

61 C. Has successfully completed certification for Cardio Pulmonary Resuscitation equivalent to
62 the standards of the American Heart Association.

63 D. Produces satisfactory documented verification of having served a minimum of six months
64 performing clinical prosthetic duties under the general supervision of a licensed/certified
65 dentist

66 or a licensed dentist.

67 F. Has successfully passed the full scope denturist examination (Part 2) or a comparable board
68 approved written and practical examination.

69 Section 100D. Examinations.

70 1. Authority. The board is authorized to appoint a qualified subcommittee or entity to prepare
71 and give written and clinical examinations in denturistry for the purpose of licensing denturists.

72 1-A. Examination Part I content: A limited scope denturist examination must consist of a written
73 examination concerning, but not limited to, dental materials, denture technology, United States
74 Department of Health and Human Services Centers for Disease Control guidelines, physiology
75 and head and neck anatomy, oral pathology, radiology, ethics and jurisprudence.

76 1-B. Examination Part 2 content: A full scope denturist examination must consist of a written
77 portion covering dental radiolog, partial denture design, clinical partial denture evaluation and
78 procedures,

79 and related subject matter pertaining to denturistry and the practice of clinical partial denture
80 delivery.

81 1-C. Examination exemptions: Denturists licensed in other states in the U.S. or Canada or who
82 have passed the National Board of Medical Denturistry examination are exempt from having
83 to take the written examination in subsection 1-A; denturists who have passed the National
84 Board of Medical Denturistry examination are exempted from having to take written examination
85 in subsection

86 1-B.

87 2. Eligibility for limited scope denturist examination (Part 1):

88 Eligibility for taking the examination pursuant to subsection 1 is determined as follows:

89 A. A person is eligible to take the limited scope denturistry examination (Part 1) that includes

90 providing complete dentures to the public if that person:

91 (1) Is a high school graduate or has obtained high school equivalency.

92 (2) Has completed and can demonstrate to the satisfaction of the board a minimum of 5 years in

93 some combination of training and experience in denture mechanics or technology or as a denture

94 laboratory technician or has successfully earned a diploma from a reputable two year dental

95 laboratory educational program.

96 (3) Enrolls in and continues to be an active student and maintains a passing grade in a denturist

97 curriculum that is approved by the American Denturist Society Council of Denturistry Education.

98 (4) Has completed one post secondary course in head and neck anatomy and physiology, one

99 post secondary course in oral pathology, one post secondary course in United States Center for

100 Disease Control guidelines for disinfection sterilization, one post secondary course in clinical

101 removable prosthodontics, one post secondary course in temporomandibular joint disorders, one

102 post

103 secondary course in principles of radiology, and one post secondary course in ethics and

104 jurisprudence.

105 (5) Produces satisfactory documented verification of having served a minimum of six months
106 performing clinical prosthetic duties under the general supervision of a licensed/certified
107 denturist
108 or a licensed dentist.

109 (6) Has successfully completed certification for Cardio Pulmonary Resuscitation equivalent to
110 the standards of the American Heart Association.

111 2-A. Eligibility for full scope denturist examination (Part 2):

112 Eligibility for taking the examination pursuant to subsection 1 is

113 determined as follows:

114 A. A person is eligible to take the full scope denturistry examination (Part 2) that includes
115 providing partial dentures to the public if that person:

116 (1) Is a high school graduate or has obtained high school equivalency.

117 (2) Has completed and can demonstrate to the satisfaction of the board a minimum of 5 years in
118 some combination of training and experience in denture mechanics or technology or as a denture
119 laboratory technician or has successfully earned a diploma from a reputable two year dental
120 laboratory educational program.

121 (3) Who graduates and holds a degree from a denturist program that is approved by the American
122 Denturist Society Council of Denturistry Education.

123 (4) Produces satisfactory documented verification of having served a minimum of six months
124 performing clinical prosthetic duties under the general supervision of a licensed /certified
125 denturist
126 or a licensed dentist.

127 (5) Has successfully completed certification for Cardio Pulmonary Resuscitation equivalent to
128 the standards of the American Heart Association.

129 3. Application for examination; fee. An eligible person desiring to take an examination in order
130 to become licensed as a limited scope denturist or a full scope denturist shall make a written
131 application

132 to the board to take either examination. An application fee, to be determined by the board, not to
133 exceed \$1200, must accompany the application. In addition, an examination fee to be determined
134 by the board may not exceed the actual cost of the examination. The application fee includes the
135 fee for the initial license and is nonrefundable.

136 4. Additional examinations; fees. An applicant failing to pass an examination is entitled to a
137 reexamination upon payment of the examination fee set by the board. If an applicant has failed
138 three

139 examinations, the board may require the applicant to complete additional educational
140 requirements prior to reexamination.

141 Section 100E Licenses; endorsement.

142 1. Authority. The board has the authority to issue licenses to qualified persons to practice
143 dentistry pursuant to this subchapter.

144 2. License issued. The board shall issue a license for the practice in this state to each person who
145 has passed an examination under section 100-D. This license authorizes the licensee to practice
146 as a dentist in the state until the expiration date that appears on the license.

147 3. Renewal; renewal fee. After a license has been issued under subsection 2, and on or before
148 January 1 of odd-numbered years, a dentist must pay to the board a license renewal fee of not
149 more

150 than \$400 to be determined by the board in order to renew the license and to continue to be
151 authorized to practice as a dentist in the state or 1/2 the biennial licensure fee if application is
152 made in an
153 even-numbered year.

154 After the requirements for a license renewal, including any necessary continuing education, have
155 been met, a renewal card of the dentist's license must be issued, which the dentist shall place
156 beside or attach to the dentist's initial license. Dentists who have not paid as provided as of
157 January 1 must be reinstated upon payment of fee, to be determined by the board, of not more
158 than

159 \$200 if paid by February 1. A license to practice is automatically suspended on February 1. A
160 license to practice is automatically suspended on February 1 and may be reinstated, if approved
161 by

162 the board, on payment of a fee to be determined by the board of not more than \$400.

163 4. Endorsement. The board, at its discretion, without examination, may issue a license to an
164 applicant to practice as a denturist who furnishes proof satisfactory to the board that the denturist
165 has

166 been licensed to practice and who has actively practiced for a period of five years in another state
167 or Canadian province after full compliance with the requirements of its dental laws, if the

168 licensure requirements are, in all essentials, at least equivalent to those of this state. The board
169 may require letters of reference about the denturist. Applicants for licensure by endorsement who
170 meet the requirements of this section must be interviewed in person by the board, or members of
171 the board, prior to being issued a license. Every license so given must state upon its face

172 that it was granted on the basis of endorsement. The fee for the license may not exceed \$400.

173 4-A. Duplicate license. A licensee must be issued a duplicate by the board for fee of \$70 upon
174 the attestation of loss of the original.

175 5. Mental or physical examination. For the purposes of this subsection, by the application for and
176 acceptance of the license, a licensed denturist is deemed to have given consent to a mental or

177 physical examination when directed by the board. The board may direct the examination
178 whenever it determines a denturist may be suffering from a mental illness that may be interfering

179 with the

180 competent practice of Denturitry or from the use of intoxicants or drugs to the extent that they
181 are preventing the denturist from practicing Denturitry competently and with safety to the
182 patients.

183 A denturist examined pursuant to an order of the board does not have the privilege to prevent the
184 testimony of the examining individual. Failure to comply with an order of the board to submit to
185 a

186 mental or physical exam requires the Administrative Court to immediately order the license
187 suspended until the denturist submits to the examination.

188 Section 100 — El. Continuing education.

189 As a condition of a license renewal, a denturist shall submit evidence of successful completion of
190 36 hours of continuing education consisting of board-approved courses completed within the
191 3 years preceding the application for renewal. The board shall proportionally reduce the
192 continuing education hours required for denturists who have been licensed for less than a 3-year
193 period
194 upon the date of renewal.

195 Section 100 — E Persons and practices not affected.

196 Nothing in this subchapter may be construed to prohibit a duly
197 qualified dental surgeon, dental laboratory or dental hygienist from performing work or services
198 performed by a denturist licensed under this subchapter to the extent those persons are

199 authorized to perform the same services under existing state law. Nothing in this subchapter may
200 be construed to prevent students of a dental college, university or school of dental hygiene
201 from practicing dental hygiene under the supervision of their instructors.