

HOUSE No. 01889

The Commonwealth of Massachusetts

PRESENTED BY:

Louis L. Kafka

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 allowing regulation and licensing of denturists.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>George Ross</i>	<i>2nd Bristol</i>
<i>Christine E. Canavan</i>	<i>10th Plymouth</i>

HOUSE No. 01889

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 1889) of Canavan and others for legislation to provide for the regulation and licensing of denturists Joint Committee on Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act allowing 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 SECTION 1. Chapter 112 of the General Laws, as appearing in the 2008 Official Edition, is
2 hereby amended by adding the following sections:

3 SECTION 263. Definitions

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

6 1. Board. "Board" means the Board of Denturity.

7 2. Denturist. "Denturist" means a person engaged in the practice of Denturity.

8 3. Practice of Denturity. "Practice of Denturity" means:

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

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

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

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

21 SECTION 263A. Rules

22 1. Rules required within one year. The board shall adopt rules necessary to implement this
23 subchapter. Rules adopted may pertain, but are not limited to, continuing education and record
24 retention requirements, and the specification of procedures incidental to the practice of
25 dentistry.

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

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

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

33 C. Has completed one post secondary course in head and neck anatomy and physiology, one post
34 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 secondary course in principles of dental radiology, and one post secondary course in ethics
38 and jurisprudence.

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

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

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

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

49 H. All limited scope denturist licenses will expire on January 1, 2012.

50 3. Full scope denturist license. The board shall issue a license to denturists to engage in
51 providing the public with any of the services included in section 263 - A, B, C and D who
52 demonstrate to the satisfaction of the board:

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

55 B. Who graduates and holds a degree from a denturist program that is approved by the American
56 Denturist Society Council of Denturistry Education.

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

59 D. Produces satisfactory documented verification of having served a minimum of six months
60 performing clinical prosthetic duties under the general supervision of a licensed/certified
61 denturist or a licensed dentist.

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

64 SECTION 263B. Examinations

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

67 1A. Examination Part I content: A limited scope denturist examination must consist of a written
68 examination concerning, but not limited to, dental materials, denture technology, United States
69 Department of Health and Human Services Centers for Disease Control guidelines, physiology
70 and head and neck anatomy, oral pathology, radiology, ethics and jurisprudence.

71 1B. Examination Part 2 content: A full scope denturist examination must consist of a written
72 portion covering dental radiology, partial denture design, clinical partial denture evaluation and
73 procedures, and related subject matter pertaining to denturistry and the practice of clinical partial
74 denture delivery.

75 1C. Examination exemptions: Denturists licensed in other states in the U.S. or Canada or who
76 have passed the National Board of Medical Denturistry examination are exempt from having to
77 take the written examination in subsection 1-A; denturists who have passed the National Board
78 of Medical Denturistry examination are exempted from having to take written examination in sub-
79 section 1-B.

80 2. Eligibility for limited scope denturist examination (Part 1): Eligibility for taking the
81 examination pursuant to subsection 1 is determined as follows:

82 A. A person is eligible to take the limited scope denturistry examination (Part 1) that includes
83 providing complete dentures to the public if that person:

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

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

89 (3) Enrolls in and continues to be an active student and maintains a passing grade in a denturist
90 curriculum that is approved by the American Denturist Society Council of Denturistry Education.

91 (4) Has completed one post secondary course in head and neck anatomy and physiology, one
92 post secondary course in oral pathology, one post secondary course in United States Center for
93 Disease Control guidelines for disinfection sterilization, one post secondary course in clinical
94 removable prosthodontics, one post secondary course in temporomandibular joint disorders, one
95 post secondary course in principles of radiology, and one post secondary course in ethics and
96 jurisprudence.

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

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

102 2A. Eligibility for full scope denturist examination (Part 2): Eligibility for taking the examination
103 pursuant to subsection 1 is determined as follows:

104 A. A person is eligible to take the full scope denturist examination (Part 2) that includes
105 providing partial dentures to the public if that person:

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

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

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

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

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

118 3. Application for examination; fee. An eligible person desiring to take an examination in order
119 to become licensed as a limited scope denturist or a full scope denturist shall make a written
120 application to the board to take either examination. An application fee, to be determined by the
121 board, not to exceed \$1200, must accompany the application. In addition, an examination fee to
122 be determined by the board may not exceed the actual cost of the examination. The application
123 fee includes the fee for the initial license and is nonrefundable.

124 4. Additional examinations; fees. An applicant failing to pass an examination is entitled to a
125 reexamination upon payment of the examination fee set by the board. If an applicant has failed
126 three examinations, the board may require the applicant to complete additional educational
127 requirements prior to reexamination.

128 SECTION 263C Licenses; endorsement

129 1. Authority. The board has the authority to issue licenses to qualified persons to practice
130 denturistry pursuant to this sub chapter.

131 2. License issued. The board shall issue a license for the practice in this state to each person who
132 has passed an examination under Section 263B. This license authorizes the licensee to practice as
133 a denturist in the state until the expiration date that appears on the license.

134 3. Renewal; renewal fee. After a license has been issued under subsection 2, and on or before
135 January 1 of odd-numbered years, a denturist must pay to the board a license renewal fee of not
136 more than \$400 to be determined by the board in order to renew the license and to con to be
137 authorized to practice as a denturist in the state or 1/2 the biennial licensure fee if application is
138 made in an even-numbered year.

139 After the requirements for a license renewal, including any necessary continuing education, have
140 been met, a renewal card of the denturist's license must be issued, which the denturist shall place
141 beside or attach to the denturist's initial license. Denturists who have not paid as provided as of
142 January 1 must be reinstated upon payment of fee, to be determined by the board, of not more
143 than \$200 if paid by February 1. A license to practice is automatically suspended on February 1.
144 A license to practice is automatically suspended on February 1 and may be reinstated, if
145 approved by the board, on payment of a fee to be determined by the board of not more than
146 \$400.

147 4. Endorsement. The board, at its discretion, without examination, may issue a license to an
148 applicant to practice as a denturist who furnishes proof satisfactory to the board that the denturist
149 has been licensed to practice and who has actively practiced for a period of five years in another
150 state or Canadian province after full compliance with the requirements of its dental laws, if the
151 licensure requirements are, in all essentials, at least equivalent to those of this state. The board
152 may require letters of reference about the denturist. Applicants for licensure by endorsement who

153 meet the requirements of this section must be interviewed in person by the board, or members of
154 the board, prior to being issued a license. Every license so given must state upon its face that it
155 was granted on the basis of endorsement. The fee for the license may not exceed \$400.

156 4-A. Duplicate license. A licensee must be issued a duplicate by the board for fee of \$70 upon
157 the attestation of loss of the original.

158 5. Mental or physical examination. For the purposes of this subsection, by the application for and
159 acceptance of the license, a licensed dentist is deemed to have given consent to a mental or
160 physical examination when directed by the board. The board may direct the examination
161 whenever it determines a dentist may be suffering from a mental illness that may be interfering
162 with the competent practice of Dentistry or from the use of intoxicants or drugs to the extent
163 that they are preventing the dentist from practicing Dentistry competently and with safety to
164 the patients. A dentist examined pursuant to an order of the board does not have the privilege
165 to prevent the testimony of the examining individual. Failure to comply with an order of the
166 board to submit to a mental or physical exam requires the Administrative Court to immediately
167 order the license suspended until the dentist submits to the examination.

168 SECTION 263D. Continuing education

169 As a condition of a license renewal, a dentist shall submit evidence of successful completion of
170 36 hours of continuing education consisting of board-approved courses completed within the 3
171 years preceding the application for renewal. The board shall proportionally reduce the continuing
172 education hours required for dentists who have been licensed for less than a 3-year period upon
173 the date of renewal.

174 SECTION 263E. Persons and practices not affected

175 Nothing in this subchapter may be construed to prohibit a duly qualified dental surgeon, dental
176 laboratory or dental hygienist from performing work or services performed by a denturist
177 licensed under this subchapter to the extent those persons are authorized to perform the same
178 services under existing state law.

179 Nothing in this subchapter may be construed to prevent students of a dental college, university or
180 school of dental hygiene from practicing dental hygiene under the supervision of their
181 instructors.