HOUSE DOCKET, NO. 164 FILED ON: 1/11/2011

HOUSE . . . . . No. 103

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:

An Act to allow regulation and licensing of denturists.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
William N. Brownsberger	
	☐ *[District]*
	☐

HOUSE DOCKET, NO. 164 FILED ON: 1/11/2011

HOUSE . . . . . No. 103

By Mr. Brownsberger of Belmont, a petition (accompanied by bill, House, No. 103) of William N. Brownsberger for legislation to establish licensing requirements for denture care professionals. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

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:

SUBCHAPTER 1000 DENTURISTS

Section 100B. Definitions.

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

1. Board. "Board" means the Board of Denturitry.

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

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

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

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

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

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

20 Section 100C. Rules.

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

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

25 2. Limited scope denturist license. The board shall issue a limited scope license to
26 denturists to engage in providing the public with complete dentures, denture relines and denture
27 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
30 mechanics or 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
32 denturist curriculum that is approved by the American Denturist Society Council of Denturitry
33 Education.

34 C. Has completed one post secondary course in head and neck anatomy and
35 physiology, one post secondary course in oral pathology, one post secondary course in United
36 States Center for

37 Disease Control guidelines for disinfection sterilization, one post secondary course in
38 clinical removable prosthodontics, one post secondary course in temporomandibular joint
39 disorders, one post

40 secondary course in principles of dental radiology, and one post secondary course in
41 ethics and jurisprudence.

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

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

47 or a licensed dentist.

48 F. And has successfully passed the limited scope denturitry examination (Part 1) or a
49 comparable board approved written and practical examination.

50 G. Licensees of this section are prohibited from providing partial dentures and
51 radiographs to the public until successfully meeting the requirements for (Part 2) of the written
52 and clinical

53 examination to become a full scope denturist.

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

55 2115.

56 3. Full scope denturist license. The board shall issue a license to denturists to engage in
57 providing the public with any of the services included in section 100 — A, B, C and D who
58 demonstrate

59 to the satisfaction of the board:

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

62 B. Who graduates and holds a degree from a denturist program that is approved by the
63 American Denturist Society Council of Denturitry Education.

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

66 D. Produces satisfactory documented verification of having served a minimum of six
67 months performing clinical prosthetic duties under the general supervision of a licensed/certified
68 denturist

69 or a licensed dentist.

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

72 Section 100D. Examinations.

73 1. Authority. The board is authorized to appoint a qualified subcommittee or entity to
74 prepare and give written and clinical examinations in denturitry for the purpose of licensing
75 denturists.

76 1-A. Examination Part I content: A limited scope denturist examination must consist of a
77 written examination concerning, but not limited to, dental materials, denture technology, United
78 States

79 Department of Health and Human Services Centers for Disease Control guidelines,
80 physiology and head and neck anatomy, oral pathology, radiology, ethics and jurisprudence.

81 1-B. Examination Part 2 content: A full scope denturist examination must consist of a
82 written portion covering dental radiolog, partial denture design, clinical partial denture
83 evaluation and procedures,

84 and related subject matter pertaining to denturitry and the practice of clinical partial
85 denture delivery.

86 1-C. Examination exemptions: Denturists licensed in other states in the U.S. or Canada or
87 who have passed the National Board of Medical Denturitry examination are exempt from having

88 to take the written examination in subsection 1-A; denturists who have passed the
89 National Board of Medical Denturitry examination are exempted from having to take written
90 examination in subsection

91 1-B.

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

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

94 A. A person is eligible to take the limited scope denturitry examination (Part 1) that
95 includes providing complete dentures to the public if that person:

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

97 (2) Has completed and can demonstrate to the satisfaction of the board a minimum of 5
98 years in some combination of training and experience in denture mechanics or technology or as a
99 denture

100 laboratory technician or has successfully earned a diploma from a reputable two year
101 dental laboratory educational program.

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

105 (4) Has completed one post secondary course in head and neck anatomy and physiology,
106 one post secondary course in oral pathology, one post secondary course in United States Center
107 for

108 Disease Control guidelines for disinfection sterilization, one post secondary course in
109 clinical removable prosthodontics, one post secondary course in temporomandibular joint
110 disorders, one post

111 secondary course in principles of radiology, and one post secondary course in ethics and
112 jurisprudence.

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

116 or a licensed dentist.

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

119 2-A. Eligibility for full scope denturist examination (Part 2):

120 Eligibility for taking the examination pursuant to subsection 1 is

121 determined as follows:

122 A. A person is eligible to take the full scope denturitry examination (Part 2) that includes
123 providing partial dentures to the public if that person:

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

125 (2) Has completed and can demonstrate to the satisfaction of the board a minimum of 5
126 years in some combination of training and experience in denture mechanics or technology or as a
127 denture

128 laboratory technician or has successfully earned a diploma from a reputable two year
129 dental laboratory educational program.

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

132 (4) Produces satisfactory documented verification of having served a minimum of six
133 months performing clinical prosthetic duties under the general supervision of a licensed /certified
134 denturist

135 or a licensed dentist.

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

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

141 to the board to take either examination. An application fee, to be determined by the
142 board, not to exceed $1200, must accompany the application. In addition, an examination fee to
143 be determined

144 by the board may not exceed the actual cost of the examination. The application fee
145 includes the fee for the initial license and is nonrefundable.

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

149 examinations, the board may require the applicant to complete additional educational
150 requirements prior to reexamination.

151 Section 100E Licenses; endorsement.

152 1. Authority. The board has the authority to issue licenses to qualified persons to practice
153 denturitry pursuant to this subchapter.

154 2. License issued. The board shall issue a license for the practice in this state to each
155 person who has passed an examination under section 100-D. This license authorizes the licensee
156 to practice

157 as a denturist in the state until the expiration date that appears on the license.

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

161 than $400 to be determined by the board in order to renew the license and to continue to
162 be authorized to practice as a denturist in the state or 1/2 the biennial licensure fee if application
163 is made in an

164 even-numbered year.

165 After the requirements for a license renewal, including any necessary continuing
166 education, have been met, a renewal card of the denturist's license must be issued, which the
167 denturist shall place

168 beside or attach to the denturist's initial license. Denturists who have not paid as provided
169 as of January 1 must be reinstated upon payment of fee, to be determined by the board, of not
170 more than

171 $200 if paid by February 1. A license to practice is automatically suspended on February
172 1. A license to practice is automatically suspended on February 1 and may be reinstated, if
173 approved by

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

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

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

181 licensure requirements are, in all essentials, at least equivalent to those of this state. The
182 board may require letters of reference about the denturist. Applicants for licensure by
183 endorsement who

184 meet the requirements of this section must be interviewed in person by the board, or
185 members of the board, prior to being issued a license. Every license so given must state upon its
186 face

187 that it was granted on the basis of endorsement. The fee for the license may not exceed
188 $400.

189 4-A. Duplicate license. A licensee must be issued a duplicate by the board for fee of $70
190 upon the attestation of loss of the original.

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

194 physical examination when directed by the board. The board may direct the examination
195 whenever it determines a denturist may be suffering from a mental illness that may be interfering
196 with the

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

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

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

205 Section 100 — El. Continuing education.

206 As a condition of a license renewal, a denturist shall submit evidence of successful
207 completion of 36 hours of continuing education consisting of board-approved courses completed
208 within the

209 3 years preceding the application for renewal. The board shall proportionally reduce the
210 continuing education hours required for denturists who have been licensed for less than a 3-year
211 period

212 upon the date of renewal.

213 Section 100 — E Persons and practices not affected.

214 Nothing in this subchapter may be construed to prohibit a duly

215 qualified dental surgeon, dental laboratory or dental hygienist from performing work or
216 services performed by a denturist licensed under this subchapter to the extent those persons are

217 authorized to perform the same services under existing state law. Nothing in this
218 subchapter may be construed to prevent students of a dental college, university or school of
219 dental hygiene

220 from practicing dental hygiene under the supervision of their instructors.