

**HOUSE . . . . . No. 233**

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**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 adoption of the accompanying bill:

An Act allowing regulation and licensing of denturists.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	<i>1/9/2013</i>
<i>Christine E. Canavan</i>	<i>10th Plymouth</i>	<i>1/30/2013</i>

**HOUSE . . . . . No. 233**

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 233) of Louis L. Kafka and Christine E. Canavan for legislation to provide for the regulation and licensing of denturists. Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1889 OF 2011-2012.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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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,  
2 is 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  
5 phrases shall have the following meanings.

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

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

8 3. Practice of Denturistry. "Practice of Denturistry" 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  
13 view to designing, making, producing, reproducing, constructing, finishing, supplying, altering

14 or repairing a complete or partial upper or lower prosthetic denture, or any combination, to be  
15 fitted to an arch or arches;

16 C. The fitting of a complete and partial upper or lower prosthetic denture, or both, to an  
17 arch or 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  
20 defined by the board.

## 21 SECTION 263A. Rules

22 1. Rules required within one year. The board shall adopt rules necessary to implement  
23 this subchapter. Rules adopted may pertain, but are not limited to, continuing education and  
24 record 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  
27 denturists to engage in providing the public with complete dentures, denture relines and denture  
28 repairs who 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 Dentistry  
33 Education.

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

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

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

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

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

50 H. All limited scope dentist licenses will expire on January 1, 2012.

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

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

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

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

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

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

65 SECTION 263B. Examinations

66 1. Authority. The board is authorized to appoint a qualified subcommittee or entity to  
67 prepare and give written and clinical examinations in dentistry for the purpose of licensing  
68 dentists.

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

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

77 1C. Examination exemptions: Dentists licensed in other states in the U.S. or Canada or  
78 who have passed the National Board of Medical Dentistry examination are exempt from having  
79 to take the written examination in subsection 1-A; dentists who have passed the National

80 Board of Medical Dentistry examination are exempted from having to take written examination  
81 in sub-section 1-B.

82 2. Eligibility for limited scope dentist examination (Part 1): Eligibility for taking the  
83 examination pursuant to subsection 1 is determined as follows:

84 A. A person is eligible to take the limited scope dentistry examination (Part 1) that  
85 includes providing complete dentures to the public if that person:

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

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

91 (3) Enrolls in and continues to be an active student and maintains a passing grade in a  
92 dentist curriculum that is approved by the American Dentist Society Council of Dentistry  
93 Education.

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

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

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

105 2A. Eligibility for full scope dentist examination (Part 2): Eligibility for taking the  
106 examination pursuant to subsection 1 is determined as follows:

107 A. A person is eligible to take the full scope dentistry examination (Part 2) that includes  
108 providing partial dentures to the public if that person:

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

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

112 denture laboratory technician or has successfully earned a diploma from a reputable two year  
113 dental laboratory educational program.

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

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

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

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

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

#### 131 SECTION 263C Licenses; endorsement

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

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

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

142 After the requirements for a license renewal, including any necessary continuing  
143 education, have been met, a renewal card of the denturist's license must be issued, which the  
144 denturist shall place beside or attach to the denturist's initial license. Denturists who have not  
145 paid as provided as of January 1 must be reinstated upon payment of fee, to be determined by the

146 board, of not more than \$200 if paid by February 1. A license to practice is automatically  
147 suspended on February 1. A license to practice is automatically suspended on February 1 and  
148 may be reinstated, if approved by the board, on payment of a fee to be determined by the board  
149 of not more than \$400.

150 4. Endorsement. The board, at its discretion, without examination, may issue a license to  
151 an applicant to practice as a denturist who furnishes proof satisfactory to the board that the  
152 denturist has been licensed to practice and who has actively practiced for a period of five years in  
153 another state or Canadian province after full compliance with the requirements of its dental laws,  
154 if the licensure requirements are, in all essentials, at least equivalent to those of this state. The  
155 board may require letters of reference about the denturist. Applicants for licensure by  
156 endorsement who meet the requirements of this section must be interviewed in person by the  
157 board, or members of the board, prior to being issued a license. Every license so given must state  
158 upon its face that it was granted on the basis of endorsement. The fee for the license may not  
159 exceed \$400.

160 4-A. Duplicate license. A licensee must be issued a duplicate by the board for fee of \$70  
161 upon the attestation of loss of the original.

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

#### 172 SECTION 263D. Continuing education

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

#### 178 SECTION 263E. Persons and practices not affected

179 Nothing in this subchapter may be construed to prohibit a duly qualified dental surgeon,  
180 dental laboratory or dental hygienist from performing work or services performed by a denturist

181 licensed under this subchapter to the extent those persons are authorized to perform the same  
182 services under existing state law.

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