HOUSE DOCKET, NO. 539 FILED ON: 1/13/2015

HOUSE . . . . . No. 209

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:
Louis L. Kafka	*8th Norfolk*

HOUSE DOCKET, NO. 539 FILED ON: 1/13/2015

HOUSE . . . . . No. 209

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 209) of Louis L. Kafka for legislation to provide for the regulation and licensure of denturists. Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *233* OF 2013-2014.]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

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:

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

SECTION 263. Definitions

As used in this section, 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. “Denturist” means a person engaged in the practice of Denturitry.

3. Practice of Denturitry. “Practice of Denturitry” 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 disfunction 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 denturitry.

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 Denturitry
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 denturitry 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 denturist.

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

51 3. Full scope denturist license. The board shall issue a license to denturists 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 denturist program that is approved by the
57 American Denturist Society Council of Denturitry 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 denturist or a licensed dentist.

63 F. Has successfully passed the full scope denturist 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 denturitry for the purpose of licensing
68 denturists.

69 1A. Examination Part I content: A limited scope denturst 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 denturist 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 denturitry and the practice of
76 clinical partial denture delivery.

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

82 2. Eligibility for limited scope denturist 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 denturitry 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 denturist curriculum that is approved by the American Denturist Society Council of Denturitry
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 denturist 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 denturist 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 denturitry 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 Denturitry 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 denturitry 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 Denturitry or from the use of intoxicants or drugs to
167 the extent that they are preventing the denturist from practicing Denturitry 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.