

HOUSE BILL NO. 413

INTRODUCED BY CONNELLY, HAGER

IN THE HOUSE

JANUARY 28, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON HUMAN SERVICES & AGING.

FIRST READING.

FEBRUARY 6, 1991 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 8, 1991 PRINTING REPORT.

FEBRUARY 11, 1991 SECOND READING, DO PASS AS AMENDED.

FEBRUARY 12, 1991 ENGROSSING REPORT.

FEBRUARY 13, 1991 THIRD READING, PASSED.
AYES, 97; NOES, 3.

TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 14, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON PUBLIC HEALTH, WELFARE, & SAFETY.

FIRST READING.

MARCH 9, 1991 COMMITTEE RECOMMEND BILL BE
CONCURRED IN AS AMENDED. REPORT
ADOPTED.

MARCH 13, 1991 SECOND READING, CONCURRED IN.

MARCH 14, 1991 THIRD READING, CONCURRED IN.
AYES, 48; NOES, 0.

RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

MARCH 14, 1991 RECEIVED FROM SENATE.

MARCH 16, 1991 ON MOTION, CONSIDERATION PASSED

MARCH 18, 1991 ON MOTION, CONSIDERATION PASSED

MARCH 19, 1991

SECOND READING, AMENDMENTS
CONCURRED IN.

MARCH 20, 1991

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 413
 2 INTRODUCED BY Counally Hager
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE INTERNSHIP
 5 PERIOD FOR DENTURISTS TO 1 YEAR; AMENDING THE PROCEDURE FOR
 6 APPROVING CONTINUING EDUCATION REQUIREMENTS; PROHIBITING A
 7 DENTURIST FROM TREATING ANY ABNORMALITY BY SURGERY;
 8 REQUIRING A PATIENT WHO REFUSES TO SEE A DENTIST TO SIGN A
 9 WAIVER BEFORE A DENTURIST MAY PROVIDE A PARTIAL DENTURE; AND
 10 AMENDING SECTIONS 37-29-303, 37-29-306, 37-29-402, AND
 11 37-29-403, MCA."

12
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 **Section 1.** Section 37-29-303, MCA, is amended to read:
 15 "37-29-303. Application for license. Upon application
 16 and payment of the appropriate fee, the board shall issue a
 17 license to practice denturistry to any applicant who meets
 18 one of the following criteria and scores a passing grade on
 19 the examination for licensure:

20 (1) (a) Applications for persons engaged in the
 21 practice of denturistry on December 1, 1984, must be filed
 22 prior to April 1, 1985, and must include the following:

23 (i) three signed affidavits by persons other than
 24 family members that the applicant has been employed in
 25 denture technology for at least 5 years prior to

1 application, is able to demonstrate competency in intraoral
 2 procedures, and has been a resident of the state of Montana
 3 for at least 6 months prior to April 1, 1985; and

4 (ii) documentation that the applicant has successfully
 5 completed courses approved by the board in head and oral
 6 anatomy and physiology, oral pathology, partial denture
 7 construction and design, clinical dental technology,
 8 radiology, dental laboratory technology, asepsis, clinical
 9 jurisprudence, medical emergencies, and cardiopulmonary
 10 resuscitation.

11 (b) Subsection (1)(a) must be applied retroactively to
 12 permit qualification of license applicants initially
 13 qualified and applying prior to the appointment and
 14 qualification of the original board under this chapter and
 15 section 27 of I.M. No. 97.

16 (2) Applications filed on or after April 1, 1985, must
 17 include:

18 (a) documentation that the applicant has completed
 19 formal training of not less than 2 years at an educational
 20 institution accredited by a national or regional accrediting
 21 agency recognized by the Montana state board of regents, the
 22 curriculum of which includes courses in head and oral
 23 anatomy and physiology, oral pathology, microbiology,
 24 partial denture construction and design, clinical dental
 25 technology, radiology, dental laboratory technology,



1 asepsis, clinical jurisprudence, and medical emergencies,
2 including cardiopulmonary resuscitation; and

3 (b) documentation that the applicant:

4 (i) has completed ~~2--years~~ 1 year of internship under
5 the direct supervision of a licensed denturist; or

6 (ii) has 3 years of experience as a denturist under
7 licensure in another state or Canada.

8 (3) A denturist who has been lawfully licensed or
9 certified by initial licensing provisions in any state or
10 territory that maintains a standard of denturistry which is
11 equal to that of Montana must submit a certificate from the
12 examining body of the state or territory in which he is
13 certified or licensed, attesting to 5 years' practice under
14 the certificate of license. However, no applicant may be
15 licensed under the provisions of this subsection unless the
16 state or territory in which he is licensed or certified
17 extends a like privilege to denturists licensed by the state
18 of Montana to practice denturistry. The board may enter into
19 reciprocal relations with those states or territories whose
20 laws are compatible with this chapter."

21 **Section 2.** Section 37-29-306, MCA, is amended to read:

22 "37-29-306. Licensing. (1) After March 1, 1985, a
23 denturist license is valid for a period of 1 year. A renewal
24 license must be issued upon payment of the renewal fee and
25 the submission of proof of the completion of not less than

1 12 hours of continuing education, which may include programs
2 sponsored by an educational institution, state denturist
3 licensing board, or a recognized denturist organization.
4 Subject matter must be pertinent to denturistry as enumerated
5 in 37-29-305(3). ~~Requests--for--approval---of---continuing~~
6 ~~education--programs--must--be--made--to--the--board;--providing~~
7 ~~sufficient--outline--of--the--program--on--which--the--board--may~~
8 ~~base--its--determination~~ Approval of acceptable hours of
9 continuing education must be made by the board or a
10 recognized denturist organization, or both. Hours pertain to
11 clock hours actually attended by the licensee. In addition,
12 the denturist shall submit proof that he holds a current
13 cardiopulmonary resuscitation card. A license issued
14 effective as of a date other than March 1 will be valid
15 until midnight February 28 next following the date it was
16 issued. The license shall bear on its face the address where
17 the licensee's denturist services will be performed.

18 (2) Applications must be submitted on forms approved by
19 the board and furnished by the department. Each application
20 must include all other documentations necessary to establish
21 that the applicant meets the requirements for licensure and
22 is eligible to take the licensure examination. Applications
23 must be accompanied by the appropriate fees.

24 (3) After April 1, 1985, the board may by rule alter
25 future renewal dates for licenses under this chapter."

1 **Section 3.** Section 37-29-402, MCA, is amended to read:

2 **"37-29-402. Prohibitions.** No licensed denturist may:

- 3 (1) extract or attempt to extract teeth;
- 4 (2) initially insert immediate dentures in the mouth of
5 the intended wearer;
- 6 (3) diagnose or surgically treat any abnormalities;
- 7 (4) recommend any prescription drug for any oral or
8 medical disease; or
- 9 (5) construct or fit orthodontic appliances."

10 **Section 4.** Section 37-29-403, MCA, is amended to read:

11 **"37-29-403. Procedure for making and fitting partial**
12 **denture.** (1) Prior to making and fitting a partial denture,
13 a denturist shall:

- 14 (a) formulate a study model of the intended denture;
- 15 (b) refer the patient to a dentist, together with the
16 model for tooth cleaning, mouth preparation, and x-rays, as
17 needed; and
- 18 (c) make the partial denture and fit it to the existing
19 teeth after the dentist has completed the procedures listed
20 in subsection (1)(b) and in accordance with the dentist's
21 recommendations;
- 22 (d) if a patient refuses to see a dentist as provided
23 for in subsection (1)(b), require the patient to sign a
24 waiver before the denturist may proceed with making and
25 fitting a partial denture.

1 (2) A denturist may not cut, surgically remove, or
2 surgically reduce any tissue or teeth in the process of
3 fitting a partial denture.

4 (3) A denturist who makes or fits a partial denture in
5 a manner not consistent with this section is subject to the
6 sanctions provided in 37-29-311."

-End-

APPROVED BY COMM. ON
HUMAN SERVICES AND AGING

HOUSE BILL NO. 413

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A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE INTERNSHIP PERIOD FOR DENTURISTS TO 1 YEAR; AMENDING THE PROCEDURE FOR APPROVING CONTINUING EDUCATION REQUIREMENTS; ~~PROHIBITING~~ AUTHORIZING A DENTURIST ~~FROM--TREATING-ANY-ABNORMALITY-BY~~ SURGERY; REQUIRING A PATIENT WHO REFUSES TO SEE A DENTIST TO SIGN A WAIVER BEFORE A DENTURIST MAY PROVIDE A PARTIAL DENTURE; AND AMENDING SECTIONS 37-29-303, 37-29-306, 37-29-402, AND 37-29-403, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-29-303, MCA, is amended to read:

"37-29-303. Application for license. Upon application and payment of the appropriate fee, the board shall issue a license to practice dentistry to any applicant who meets one of the following criteria and scores a passing grade on the examination for licensure:

(1) (a) Applications for persons engaged in the practice of dentistry on December 1, 1984, must be filed prior to April 1, 1985, and must include the following:

(i) three signed affidavits by persons other than family members that the applicant has been employed in denture technology for at least 5 years prior to

application, is able to demonstrate competency in intraoral procedures, and has been a resident of the state of Montana for at least 6 months prior to April 1, 1985; and

(ii) documentation that the applicant has successfully completed courses approved by the board in head and oral anatomy and physiology, oral pathology, partial denture construction and design, clinical dental technology, radiology, dental laboratory technology, asepsis, clinical jurisprudence, medical emergencies, and cardiopulmonary resuscitation.

(b) Subsection (1)(a) must be applied retroactively to permit qualification of license applicants initially qualified and applying prior to the appointment and qualification of the original board under this chapter and section 27 of I.M. No. 97.

(2) Applications filed on or after April 1, 1985, must include:

(a) documentation that the applicant has completed formal training of not less than 2 years at an educational institution accredited by a national or regional accrediting agency recognized by the Montana state board of regents, the curriculum of which includes courses in head and oral anatomy and physiology, oral pathology, microbiology, partial denture construction and design, clinical dental technology, radiology, dental laboratory technology,

SECOND READING

1 asepsis, clinical jurisprudence, and medical emergencies,
2 including cardiopulmonary resuscitation; and

3 (b) documentation that the applicant:

4 (i) has completed ~~2-years~~ 1 year of internship under
5 the direct supervision of a licensed denturist; or

6 (ii) has 3 years of experience as a denturist under
7 licensure in another state or Canada.

8 (3) A denturist who has been lawfully licensed or
9 certified by initial licensing provisions in any state or
10 territory that maintains a standard of denturistry which is
11 equal to that of Montana must submit a certificate from the
12 examining body of the state or territory in which he is
13 certified or licensed, attesting to 5 years' practice under
14 the certificate of license. However, no applicant may be
15 licensed under the provisions of this subsection unless the
16 state or territory in which he is licensed or certified
17 extends a like privilege to denturists licensed by the state
18 of Montana to practice denturistry. The board may enter into
19 reciprocal relations with those states or territories whose
20 laws are compatible with this chapter."

21 **Section 2.** Section 37-29-306, MCA, is amended to read:

22 "**37-29-306. Licensing.** (1) After March 1, 1985, a
23 denturist license is valid for a period of 1 year. A renewal
24 license must be issued upon payment of the renewal fee and
25 the submission of proof of the completion of not less than

1 12 hours of continuing education, which may include programs
2 sponsored by an educational institution, state denturist
3 licensing board, or a recognized denturist organization.
4 Subject matter must be pertinent to denturistry as enumerated
5 in 37-29-305(3). ~~Requests--for--approval--of--continuing~~
6 ~~education--programs--must--be--made--to--the--board,--providing~~
7 ~~sufficient--outline--of--the--program--on--which--the--board--may~~
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10 recognized AND MAY ALSO BE MADE BY A BOARD-RECOGNIZED
11 denturist organization, or both. Hours pertain to clock
12 hours actually attended by the licensee. In addition, the
13 denturist shall submit proof that he holds a current
14 cardiopulmonary resuscitation card. A license issued
15 effective as of a date other than March 1 will be valid
16 until midnight February 28 next following the date it was
17 issued. The license shall bear on its face the address where
18 the licensee's denturist services will be performed.

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6 the intended wearer;

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8 EXCEPT THAT A LICENSED DENTURIST MAY APPLY TISSUE
9 CONDITIONING AGENTS;

10 (4) recommend any prescription drug for any oral or
11 medical disease; or

12 (5) construct or fit orthodontic appliances."

13 **Section 4.** Section 37-29-403, MCA, is amended to read:

14 **"37-29-403. Procedure for making and fitting partial**
15 **denture.** (1) Prior to making and fitting a partial denture,
16 a denturist shall:

17 (a) formulate a study model of the intended denture;

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19 model for tooth cleaning, mouth preparation, and x-rays, as
20 needed; and

21 (c) make the partial denture and fit it to the existing
22 teeth after the dentist has completed the procedures listed
23 in subsection (1)(b) and in accordance with the dentist's
24 recommendations; ~~and~~.

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5 surgically reduce any tissue or teeth in the process of
6 fitting a partial denture.

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8 a manner not consistent with this section is subject to the
9 sanctions provided in 37-29-311."

-End-

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THIRD READING
HB 413

1 technology, radiology, dental laboratory technology,
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9 ~~a manner not consistent with this section is subject to the~~
10 ~~sanctions provided in 37-29-311."~~

-End-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 9, 1991

MR. PRESIDENT:

We, your committee on Public Health, Welfare, and Safety having had under consideration House Bill No. 413 (third reading copy as amended -- blue), respectfully report that House Bill No. 413 be amended and as so amended be concurred in:

1. Page 4, lines 11 and 12.

Following: "recognized" on line 11

Strike: remainder of line 11 through "both" on line 12

Insert: ". The board may approve, in one action, all the courses presented by a particular organization if the board is satisfied that the courses presented by that organization meet the requirements of this section"

Signed: 
Dorothy Eck, Chairman

 3/9/91
Ad. Coord.

SB 3-9-91 11:05
Sec. of Senate

SENATE
HB 413

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INTRODUCED BY CONNELLY, HAGER

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11 recognized AND--MAY--ALSO--BE--MADE--BY--A--BOARD--RECOGNIZED
12 dentist-organization-or-both. THE BOARD MAY APPROVE, IN
13 ONE ACTION, ALL THE COURSES PRESENTED BY A PARTICULAR
14 ORGANIZATION IF THE BOARD IS SATISFIED THAT THE COURSES
15 PRESENTED BY THAT ORGANIZATION MEET THE REQUIREMENTS OF THIS
16 SECTION. Hours pertain to clock hours actually attended by
17 the licensee. In addition, the dentist shall submit proof
18 that he holds a current cardiopulmonary resuscitation card.
19 A license issued effective as of a date other than March 1
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16 medical disease; or

17 (5) construct or fit orthodontic appliances."

18 ~~Section 4. Section 37-29-403, MCA, is amended to read:~~

19 ~~"37-29-403. Procedure for making and fitting partial~~
20 ~~denture. (1) Prior to making and fitting a partial denture,~~
21 ~~a denturist shall:~~

- 22 ~~(a) formulate a study model of the intended denture;~~
- 23 ~~(b) refer the patient to a dentist, together with the~~
24 ~~model for tooth cleaning, mouth preparation, and x-rays, as~~
25 ~~needed; and~~

1 ~~(c) make the partial denture and fit it to the existing~~
2 ~~teeth after the dentist has completed the procedures listed~~
3 ~~in subsection (1)(b) and in accordance with the dentist's~~
4 ~~recommendations; and~~

5 ~~(d) if a patient refuses to see a dentist as provided~~
6 ~~for in subsection (1)(b), require the patient to sign a~~
7 ~~waiver before the denturist may proceed with making and~~
8 ~~fitting a partial denture.~~

9 ~~(2) A denturist may not cut, surgically remove, or~~
10 ~~surgically reduce any tissue or teeth in the process of~~
11 ~~fitting a partial denture.~~

12 ~~(3) A denturist who makes or fits a partial denture in~~
13 ~~a manner not consistent with this section is subject to the~~
14 ~~sanctions provided in 37-29-311."~~

-End-