

Dentistry—Dental Clinic—State Dental Association.

Free demonstrations in dentistry by persons especially qualified in dental practice does not constitute the practice of dentistry so as to require a license by the state board of dental examiners.

Dr. T. P. Regan,
Secretary,

February 16, 1931.

Montana State Board of Dental Examiners,
Helena, Montana.

My dear Doctor Regan:

You have requested an opinion whether the holding of a dental clinic by the Montana State Dental Association would violate our act regulating the practice of dentistry. You state that certain members of the dental profession especially qualified in special lines of dentistry propose to demonstrate their methods to members of the association, the demonstration to be made in the mouths of persons consenting thereto and no charge to be made for such services.

The practice of dentistry is defined by section 3312, R.C.M. 1921, as follows:

“All persons shall be held to be practicing dentistry, within the meaning of this act, who shall receive a fee or salary, or other rewards, paid either to him or to another person for operations or parts of operations, of any kind, in the treatment of diseases or lesions of the human teeth or jaws, or in the correction of the malpositions thereof. But nothing in this chapter shall be construed to permit the performance of independent dental operations by unlicensed persons under the cover of the name of a registered practitioner or in his office.”

Our regulation of the practice of dentistry was not intended to cover instructors recognized by the dental examining board as fully qualified to obtain a license to practice dentistry. It was intended to prevent persons not so qualified from imposing upon the public by representing themselves as qualified practitioners charging fees for their services.

It is therefore my opinion that the holding of such a clinic by persons recognized by the dental board as qualified in every way to practice dentistry, no charge being made for the services, would not violate the provisions of our act prohibiting the practice of dentistry without a license.

Very truly yours,

L. A. FOOT,
Attorney General.