

HOUSE BILL NO. 479

1/25 Introduced
1/25 Referred to Business & Labor
2/19 Hearing
Died in Committee

1 House BILL NO. 479
 2 INTRODUCED BY *Waldron, Blayne, Blugne, Peterson, Valley, Smith, Brown, Litoris, Carlson* NATHAN W. WALDRON
 3 *Waldron, Blayne, Blugne, Peterson, Valley, Smith, Brown, Litoris, Carlson*
 4 A BILL FOR AN ACT ENTITLED "AN ACT REVISING INITIATIVE 97;
 5 REVISING THE DEFINITION OF "PRACTICE OF DENTURITRY";
 6 DELEGATING RULEMAKING AUTHORITY TO THE BOARD; REVISING
 7 STANDARDS FOR LICENSURE AND RECIPROCITY; SUSPENDING THE
 8 OPERATION AND EFFECT OF INITIATIVE 97 UNTIL APRIL 1, 1985;
 9 AMENDING SECTIONS 2, 10 THROUGH 12, AND 30 OF INITIATIVE 97;
 10 REPEALING SECTIONS 25 AND 26 OF INITIATIVE 97; AND PROVIDING
 11 AN IMMEDIATE EFFECTIVE DATE."

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

14 Section 1. Section 2 of Initiative 97 is amended to
15 read:

16 "Section 2. Definitions. As used in [this act], unless
17 the context requires otherwise, the following definitions
18 apply:

- 19 (1) "Board" means the state board of denturistry
20 provided for in [section 7].
- 21 (2) "Denture" means any removable full ~~or partial~~
22 upper or lower prosthetic dental appliance to be worn in the
23 mouth.
- 24 (3) "Denturist" means a person licensed under [this
25 act] to engage in the practice of denturistry.

1 (4) "Department" means department of commerce provided
2 for in Title 2, ~~Chapter~~ chapter 15, part 18.

3 (5) "Immediate denture" means a denture constructed
4 prior to and inserted immediately after extraction of teeth.

5 (6) "Practice of denturistry" means:
6 (a) the making, fitting, constructing, altering,
7 reproducing, or repairing of a denture and furnishing or
8 supplying of a denture directly to a person or advising the
9 use of a denture or repairing a partial denture; or

10 (b) the taking or making or the giving of advice,
11 assistance, or facilities respecting the taking or making of
12 any impression, bite, cast, or design preparatory to or for
13 the purpose of making, constructing, fitting, furnishing,
14 supplying, altering, repairing, or reproducing a denture."

15 Section 2. Section 10 of Initiative 97 is amended to
16 read:

17 "Section 10. Board powers and duties. The board has
18 the following powers and duties:

- 19 (1) determination of the qualifications of applicants
20 for licensure under [this act];
- 21 (2) administration of examinations and determination
22 of a passing grade for licensure under [this act];
- 23 (3) collection of fees and charges prescribed in [this
24 act]; and
- 25 (4) issuance, suspension, and revocation of licenses

1 for the practice of dentistry under the conditions
2 prescribed in [this act]; and

3 (5) adoption, amendment, or repeal of rules necessary
4 to implement [Initiative 97]."

5 Section 3. Section 11 of Initiative 97 is amended to
6 read:

7 "Section 11. Application for license. Upon application
8 and payment of the appropriate fee, the board shall issue a
9 license to practice dentistry to any applicant who meets
10 one of the following criteria and scores a passing grade on
11 the examination for licensure:

12 (1) Applications for persons engaged in ~~the practice~~
13 ~~of dentistry operating a dental laboratory in Montana~~ on
14 December 1, 1984, must be filed prior to April 1, 1985, and
15 must include the following:

16 (a) three signed affidavits by persons other than
17 family members that the applicant has been employed in
18 denture technology in Montana, taking work orders pursuant
19 to 37-4-501, for at least 5 years prior to application, is
20 able to demonstrate competency in intraoral procedures, and
21 has been a resident of the state of Montana for at least 6
22 months prior to April 1, 1985; and

23 (b) documentation that the applicant has successfully
24 completed courses approved by the board in head and oral
25 anatomy and physiology, oral pathology, ~~partial~~ denture

1 construction and design, clinical dental technology,
2 ~~radiology,~~ dental laboratory technology, asepsis, clinical
3 jurisprudence, medical emergencies, and cardiopulmonary
4 resuscitation.

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

7 (a) documentation that the applicant has completed
8 formal training of not less than 2 years at an educational
9 institution accredited by a national or regional accrediting
10 agency recognized by the Montana state board of regents, the
11 curriculum of which includes courses in head and oral
12 anatomy and physiology, oral pathology, microbiology,
13 ~~partial~~ denture construction and design, clinical dental
14 technology, ~~radiology,~~ dental laboratory technology,
15 asepsis, clinical jurisprudence, and medical emergencies
16 including cardiopulmonary resuscitation; and

17 (b) documentation that the applicant:

18 (i) has completed 2 years of internship under the
19 direct supervision of a licensed dentist; or

20 (ii) has 3 years of experience as a dentist under
21 licensure in another state ~~or Canada.~~

22 (3) A dentist who has been lawfully licensed or
23 certified by initial licensing provisions in any state or
24 territory that maintains a standard of dentistry which is
25 equal to that of Montana must submit a certificate from the

1 examining body of the state or territory in which he is
 2 certified or licensed attesting to 5 2 years practice under
 3 the certificate of license. However, no applicant may be
 4 licensed under the provisions of {this subsection} unless
 5 the state or territory in which he is licensed or certified
 6 extends a like privilege to denturists licensed by the state
 7 of Montana to practice denturity. The board may enter into
 8 reciprocal relations with those boards in states or
 9 territories whose laws are compatible with [this act]."

10 Section 4. Section 12 of Initiative 97 is amended to
 11 read:

12 "Section 12. Examinations. The board shall administer
 13 the examinations for licensure, subject to the following
 14 requirements:

15 (1) Examinations must be of such character as to
 16 determine the qualifications, fitness and ability of the
 17 applicant to practice denturity. The form of the test must
 18 include written and oral examinations and a practical
 19 demonstration of skills.

20 (2) Examinations must be held at least annually, on
 21 the second Monday in July. An applicant must obtain an
 22 average percentage score of 75% or better to qualify for
 23 licensure. The written and practical examinations shall
 24 carry equal weight. The oral examination results may adjust
 25 an average score only two percentage points.

1 (3) The written examination must include coverage of
 2 the following subjects:

- 3 (a) head and oral anatomy and physiology;
- 4 (b) oral pathology;
- 5 (c) ~~partial~~ denture construction and design;
- 6 (d) microbiology;
- 7 ~~(e)--radiology;~~
- 8 ~~f)(e)~~ clinical dental technology;
- 9 ~~g)(f)~~ dental laboratory technology;
- 10 ~~h)(g)~~ asepsis;
- 11 ~~i)(h)~~ clinical jurisprudence;
- 12 ~~j)(i)~~ medical emergencies.

13 (4) Applicants who fail to score a 75% average on the
 14 written and practical examinations may, upon payment of the
 15 appropriate fee, have a second opportunity to take the
 16 written or practical examinations, or both, ~~provided that~~
 17 ~~all applicants under {section i(i)} of this act} are~~
 18 ~~examined on or before April 17, 1985.~~

19 Section 5. Section 30 of Initiative 97 is amended to
 20 read:

21 "Section 30. Effective date. (1) This act is effective
 22 ~~December 17, 1984~~ April 1, 1985.

23 (2) The operation and effect of Initiative 97, which
 24 was effective December 1, 1984, and as amended by [this act]
 25 are suspended until April 1, 1985, except that provision of

1 section 11 of Initiative 97 requiring filings before April
2 1, 1985, which filings must be made with the department of
3 commerce."

4 NEW SECTION. Section 6. Repealer. (1) Sections 25 and
5 26 of Initiative 97 are repealed.

6 (2) This section does not affect sections 37-14-102
7 and 37-14-301, MCA, as they existed prior to the passage of
8 Initiative 97.

9 NEW SECTION. Section 7. Effective date. This act is
10 effective on passage and approval.

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