

HOUSE BILL NO. HB0184

Denturists.

Sponsored by: Representative(s) Quarberg and Senator(s) Geis and Scott

A BILL

for

1 AN ACT relating to the licensure of denturists; requiring
2 the board of dental examiners to regulate denturists;
3 regulating the practice of denturism; providing for
4 licensing, fees, examinations and other regulation of
5 denturists; repealing prohibition on soliciting for
6 denturism services; making conforming amendments; and
7 providing for an effective date.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

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11 **Section 1** W.S. 33-15-201 through 33-15-216 are
12 created to read:

13

14 CHAPTER 15

15 DENTISTS, DENTAL HYGIENISTS AND DENTURISTS

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ARTICLE 2
DENTURISTS

33-15-201. Definitions.

(a) As used in this article:

(i) "Board" means the Wyoming board of dental examiners;

(ii) "Denture" means a removable full or partial upper or lower dental appliance to be worn in the mouth to replace the missing natural teeth;

(iii) "Denturist" means a person licensed under this article to engage in the practice of denturism;

(iv) "Practice of denturism" means:

(A) Making, placing, constructing, altering, reproducing or repairing a denture; and

1 (B) Taking impressions and furnishing or
2 supplying a denture directly to a person or advising the
3 use of a denture and maintaining a facility for the same.

4
5 (b) This article may be cited as the "Wyoming Denture
6 Practice Act".

7

8 **33-15-202. Denturists; generally.**

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10 (a) Before making and fitting a denture, a denturist
11 shall examine the patient's oral cavity.

12

13 (b) If the examination gives the denturist reasonable
14 cause to believe that there is an abnormality or disease
15 process that requires medical or dental treatment, the
16 denturist shall immediately refer the patient to a dentist
17 or physician. In such cases, the denturist shall take no
18 further action to manufacture or place a denture until the
19 patient has been examined by a dentist or physician and the
20 dentist or physician gives written clearance that the
21 denture will pose no threat to the patient's health.

22

23 (c) If the examination reveals the need for tissue or
24 teeth modification in order to assure proper fit of a full

1 or partial denture, the denturist shall refer the patient
2 to a dentist and assure that the modification has been
3 completed before taking an impression for the completion of
4 the denture.

5

6 (d) Any denturist who makes or places a denture in a
7 manner not consistent with this section is subject to the
8 sanctions provided under this article.

9

10 (e) A denturist shall successfully complete special
11 training in oral pathology prescribed by the board, whether
12 as part of an approved associates degree program or
13 equivalent training, and pass an examination prescribed by
14 the board, which may be a part of the examination for
15 licensure to become a licensed denturist.

16

17 **33-15-203. Qualifications.**

18

19 No person may represent himself as a licensed denturist or
20 use any title or description of denturism services without
21 applying for licensure, meeting the required qualifications
22 and being licensed as a denturist by the board, unless
23 otherwise exempted by this article.

24

1 **33-15-204. Exemptions.**

2

3 (a) Nothing in this article prohibits or restricts:

4

5 (i) The practice of a profession by an
6 individual who is licensed, certified or registered under
7 other laws of this state and who is performing services
8 within the authorized scope of practice;

9

10 (ii) The practice of denturism by an individual
11 employed by the government of the United States while the
12 individual is engaged in the performance of duties
13 prescribed by the laws and regulations of the United
14 States;

15

16 (iii) The practice of denturism by students
17 enrolled in a school approved by the board. The
18 performance of services shall be pursuant to a course of
19 instruction or an assignment from an instructor and under
20 the supervision of an instructor; or

21

22 (iv) Work performed by dental labs and dental
23 technicians under the written prescription of a dentist.

24

1 **33-15-205. Determination of fees.**

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3 The board shall determine each year the fees to be
4 collected for examinations, reexaminations and renewals.

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6 **33-15-206. Reciprocity; licensing.**

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8 (a) The board shall issue a license to practice
9 denturism to an applicant who submits a completed
10 application, pays the appropriate fees, and meets the
11 following requirements:

12

13 (i) A person currently licensed to practice
14 denturism under statutory provisions of another state,
15 territory of the United States, District of Columbia, or
16 Puerto Rico, with substantially equivalent licensing
17 standards to this article applicable to denturism shall be
18 licensed without examination upon providing the department
19 with the following:

20

21 (A) Proof of successfully passing a written
22 and clinical examination for denturism in a state,
23 territory of the United States, District of Columbia, or
24 Puerto Rico, that the board has determined has

1 substantially equivalent licensing standards as those in
2 this article, including but not limited to both the written
3 and clinical examination; and

4

5 (B) An affidavit from the licensing agency
6 where the person is licensed or certified attesting to the
7 fact of the person's licensure or certification.

8

9 (b) A person graduating from a formal denturism
10 program shall be licensed if he:

11

12 (i) Documents successful completion of formal
13 training with a major course of study in denturism of not
14 less than two (2) years in duration at an educational
15 institution approved by the board;

16

17 (ii) Passes a written and clinical examination
18 approved by the board; and

19

20 (iii) Pays the appropriate fees.

21

22 **33-15-207. Examinations.**

23

1 (a) The board of dental examiners shall administer
2 the examinations for licensing denturists under this
3 article, subject to the following requirements:

4
5 (i) Examinations shall determine the
6 qualifications, fitness and ability of the applicant to
7 practice denturism. The test shall include a written
8 examination and a practical demonstration of skills;

9
10 (ii) Examinations shall be held at least
11 annually;

12
13 (iii) The first examination shall be conducted
14 no later than January 1, 2007;

15
16 (iv) The written examination shall cover the
17 following subjects:

18
19 (A) Head and oral anatomy and physiology;

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21 (B) Oral pathology;

22
23 (C) Partial denture construction and
24 design;

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(D) Microbiology;

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(E) Clinical dental technology;

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(F) Dental laboratory technology;

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(G) Clinical jurisprudence;

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(H) Asepsis;

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(I) Medical emergencies; and

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(J) Cardiopulmonary resuscitation.

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(v) The applicant shall be informed in writing

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by certified mail of the results of his examination within

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thirty (30) days after the examination. An applicant who

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fails an examination may apply to the board for a

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reexamination at the next scheduled examination meeting.

21

Application shall be made in writing and shall be

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accompanied by a fee as provided;

23

1 (vi) If the applicant fails the board
2 examination three (3) times, he shall show evidence of
3 additional education to the satisfaction of the board
4 before he may be reexamined.

5

6 (b) The board may hire trained persons licensed under
7 this article to prepare, administer and grade the
8 examinations or may contract with regional examiners who
9 meet qualifications adopted by the board.

10

11 (c) The examination fee shall be set by the board
12 each year, and all reexamination fees shall be the same as
13 the current fee for the initial examination. Fees shall be
14 paid to the secretary of the board before examination. The
15 fee shall be paid by money order, cashiers' check or
16 certified check, and in no case shall the fee be refunded.
17 Fees shall be established in accordance with W.S. 33-1-201.

18

19 **33-15-208. License content.**

20

21 (a) The administrative procedures, administrative
22 requirements and fees for denturism shall be determined by
23 the board as provided for under this article.

24

1 (b) The license shall contain, on its face, the
2 address and addresses where the license holder will perform
3 the denturist services.

4
5 **33-15-209. Renewal license certificate.**

6
7 The board shall establish by rule the requirement for
8 renewal of licenses to practice denturism, but shall not
9 increase the licensure requirements provided for denturism
10 in this article.

11
12 **33-15-210. Grounds and procedure for revocation or**
13 **suspension of license.**

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15 (a) Any denturist may have his license revoked or
16 suspended by the board for any of the following causes:

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18 (i) Conviction of a felony or high misdemeanor
19 involving moral turpitude, in which case the record of
20 conviction certified by the clerk or judge of the court in
21 which the conviction is had is conclusive evidence;

22

1 (ii) For renting or loaning to any person his
2 license or diploma to be used as a license or diploma for
3 such person;

4
5 (iii) For unprofessional conduct, advertising or
6 soliciting patients in any form of communication in a
7 manner that is false or misleading in any material respect;
8 or

9
10 (iv) Willful violation of any provisions of this
11 article.

12
13 (b) The proceedings under this section may be taken
14 by the board from matters within its knowledge or upon
15 information from another. If the informant is a member of
16 the board, the other members of the board shall take action
17 on behalf of the board. All complaints shall be in
18 writing, verified by a party familiar with the facts
19 charged, and shall be filed with the secretary of the
20 board. Upon receiving the complaint, the board, if it
21 deems the complaint sufficient, shall proceed as in a
22 contested case under the Wyoming Administrative Procedure
23 Act. Upon revocation of any license, the fact shall be
24 noted upon the records of the board and the license shall

1 be marked revoked upon the date of its revocation. The
2 secretary of the board, upon judgment of suspension or
3 revocation being entered, shall transmit to the secretary
4 of state a copy of the judgment order, certified by the
5 secretary of the board, and the same shall be kept in the
6 same manner as the list of licensed dentists.

7
8 (c) Upon receipt from the department of family
9 services of a certified copy of an order from a court to
10 withhold, suspend or otherwise restrict a denturist license
11 issued by the board, the board shall notify the party named
12 in the court order of the withholding, suspension or
13 restriction of the license in accordance with the terms of
14 the court order. No appeal under the Wyoming
15 Administrative Procedure Act shall be allowed for a license
16 withheld, suspended or restricted under this subsection.

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18 **33-15-211. Renewal license certificate.**

19

20 (a) On or before December 31 each year, each
21 denturist licensed to practice denturism in this state,
22 upon receipt of written notice, shall transmit to the
23 secretary of the board his signature and address, together
24 with a fee determined by the board and the number of his

1 license, and receive therefor a renewal license
2 certificate. Any license granted by the board shall be
3 cancelled after ten (10) days written notice sent to the
4 holder by registered mail if the holder fails to secure the
5 renewal certificate within three (3) months after December
6 31 each year, but any license so cancelled may be restored
7 by the board upon the payment of a fee as set by the board,
8 if paid by December 31 of the year in which the license is
9 cancelled.

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11 (b) Commencing July 15, 2011, any denturist whose
12 application for renewal indicates that he has not actively
13 practiced dentistry or engaged in teaching dentistry for
14 the preceding five (5) years shall be issued a renewal
15 certificate by the board only after a hearing and upon
16 notice to the applicant, wherein the applicant demonstrates
17 to the board that he has maintained the qualifications set
18 forth in this article. No reexamination is required unless
19 the board finds good cause to believe that the person has
20 not maintained the professional ability and knowledge
21 required of an original licensee of this article.

22

23 (c) The board may set continuing education
24 requirements for relicensure of denturists.

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2 **33-15-212. Secretary of state's certificate that no**
3 **license listed by board is prima facie proof of**
4 **unauthorized practice.**

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6 In any prosecution for violation of any provision of this
7 article the certificate of the secretary of state that the
8 person accused of the violation of any of those provisions
9 is not named in the list of denturist presented to him by
10 the secretary of the board is prima facie proof that the
11 person is not entitled to practice denturism in Wyoming.

12

13 **33-15-213. Partnerships with dentists.**

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15 Notwithstanding any other provision of state law, a
16 licensed denturist may enter into a partnership or other
17 business association with a dentist, provided that the
18 association does not impede the independent professional
19 judgment of either party.

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21 **33-15-214. Violations.**

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23 Any person who practices denturism without being properly
24 qualified and licensed, or who violates any provisions of

1 this article is subject to a fine not to exceed one
2 thousand dollars (\$1,000.00), or imprisonment for not more
3 than two (2) years, or both. Each separate violation of
4 this article constitutes a separate offense.

5

6 **33-15-215. List of licensees filed with secretary of**
7 **state.**

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9 A list of all denturists licensed under this article shall
10 be published by the board each year. This list shall
11 contain the name and address of each denturist and such
12 other information as the board deems advisable. The board
13 shall place a copy of the list on file in the office of the
14 secretary of state who shall furnish copies to the public,
15 upon request.

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17 **33-15-216. Certificate entitles denturists to**
18 **practice in any county; lost certificates.**

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20 The certificate provided for in this article entitles the
21 holder to practice denturism, as applicable in any county
22 in Wyoming. The board, upon satisfactory proof of loss of
23 the certificate issued under this article, shall issue a
24 new certificate. The cost of replacement shall be

1 determined by the board and paid by the person requesting
2 replacement.

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4 **Section 2.** W.S. 33-15-128(a)(xvii) is amended to
5 read:

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7 **33-15-128. Definitions.**

8

9 (a) As used in this act:

10

11 (xvii) "This act" means W.S. 33-15-101 through
12 ~~33-15-131~~33-15-216 and may be cited as the "Wyoming Dental
13 Practice Act".

14

15 **Section 3.** W.S. 33-15-116 is repealed.

16

17 **Section 4.** This act is effective July 1, 2006.

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(END)