An Act

ENROLLED HOUSE
BILL NO. 2593

By: Kirby and Ritze of the House

and

Burrage of the Senate

An Act relating to professions and occupations; amending 59 O.S. 2001, Section 328.36, which relates to the State Dental Act; modifying permit to operate a dental laboratory; allowing the Board of Dentistry to inspect laboratory prior to the issuance of a permit; requiring laboratory to make certain information available to designated parties; providing exceptions for required permit; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2001, Section 328.36, is amended to read as follows:

Section 328.36 A. 1. Any person, firm, corporation, partnership or other legal entity who desires to operate a dental laboratory in this state shall file with the Board of Dentistry, on a form prescribed by the Board, an application for a permit to operate a dental laboratory and pay the fee established by the rules of the Board. The application shall include the name and address of each person, firm, corporation, partnership or other legal entity who owns an interest in or will operate the dental laboratory. Upon receipt of the application and fee, the Board shall determine the qualifications of the applicant and may grant a permit to the applicant to operate a dental laboratory.

2. Except as provided in subsection C of this section, no person, firm, corporation, partnership or other legal entity shall operate a dental laboratory in this state without having obtained a permit from the Board. <u>The Board may inspect any dental laboratory prior to the issuance of any permit.</u>

B. Any change in ownership, operation or location of a dental laboratory shall immediately be communicated to the Board, which shall endorse upon the permit, without further fee, the change in ownership, operation or location.

C. Nothing in the State Dental Act shall be construed to:

1. Prohibit a dentist from owning or operating a private, noncommercial dental laboratory in a dental office for the dentist's use in the practice of dentistry;

2. Require a dentist to obtain a permit from the Board for the operation of a dental laboratory in the office of the dentist unless dental laboratory technology is provided to persons other than the dentist at that location; or

3. Require a dentist to issue a laboratory prescription for dental laboratory technology to be performed by an employee of, in the office of, and for a patient of, the dentist.

D. The dental laboratory shall make available to the prescribing dentist, Board, or agent or employee of the Board:

1. A list of all materials in the composition of the final appliance;

2. The location where the appliance was fabricated, including the name, address, telephone number and Food and Drug Administration registration number, if applicable, of the person or entity performing the work; and

3. A description of all disinfection methods used in the fabrication of the appliance.

E. No permit shall be required for a licensed dentist in the State of Oklahoma, the licensed dentist's dental practice on-site dental lab, the licensed dentist's physical practice, or the licensed dentist's CAD or CAM technology used for fabricating dental prostheses including crowns, bridges and other dental restorations. If the licensed dentist provides dental prostheses for other licensed dentists in the State of Oklahoma, then the dental laboratory portion of the practice shall be required to have a permit as it is functioning as a commercial dental laboratory.

SECTION 2. This act shall become effective November 1, 2010.

Passed the House of Representatives the 15th day of February, 2010.

Presiding Officer of the House of Representatives

Passed the Senate the 13th day of April, 2010.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this 14th

day of April, **20**10,

at 4:07 **o'clock** P **M.**

By:

Approved by the Governor of the State of Oklahoma the 19th **day of** April, **20**10, **at** 4:37 **o'clock** P **M.**

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 20th **day of** April, **20**10,

at 3:08 **o'clock** P **M.**

By: