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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **3356**

March 4, 2010

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The bill was read for the first time and referred to the Committee on Health Care and Human Services Policy and Oversight

1.1 A bill for an act
1.2 relating to health occupations; modifying the definition of the practice of
1.3 dentistry; amending Minnesota Statutes 2008, section 150A.05, subdivision 1.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2008, section 150A.05, subdivision 1, is amended to
1.6 read:

1.7 Subdivision 1. **Practice of dentistry.** A person shall be deemed to be practicing
1.8 dentistry within the meaning of sections 150A.01 to 150A.12:

1.9 (1) who uses a dental degree, or designation, or card, device, directory, sign, or other
1.10 media whereby the person represents an ability to diagnose, treat, prescribe, or operate for
1.11 any disease, pain, deformity, deficiency, injury, or physical condition of the human tooth,
1.12 teeth, alveolar process, gums or jaw, or adjacent or associated structures;

1.13 (2) who is a manager, proprietor, operator or conductor of a place where dental
1.14 operations are performed;

1.15 (3) who performs dental operations of any kind gratuitously, or for a fee, gift,
1.16 compensation or reward, paid or to be paid, to any person or agency;

1.17 (4) who uses a roentgen or X-ray machine for dental treatment, roentgenograms or
1.18 for dental diagnostic purposes;

1.19 (5) who extracts a human tooth or teeth, or corrects or attempts to correct
1.20 malpositions of the human teeth or jaws;

1.21 (6) who offers and undertakes, by any means or method, to diagnose, treat or remove
1.22 stains or accretions from human teeth or jaws;

2.1 (7) who takes impressions of the human tooth, teeth, or jaws or performs any phase
2.2 of any operation incident to the replacement of a part of a tooth, a tooth, teeth or associated
2.3 tissues by means of a filling, a crown, a bridge, a denture or other appliance;

2.4 (8) who furnishes, supplies, constructs, reproduces, repairs, or offers to furnish,
2.5 supply, construct, reproduce or repair prosthetic dentures or plates, bridges or other
2.6 substitutes for natural teeth, to the user or prospective user thereof; ~~or~~

2.7 (9) who performs any clinical operation included in the curricula of recognized
2.8 dental schools and colleges; or

2.9 (10) who dispenses tooth whitening agents or undertakes to whiten or bleach teeth
2.10 by any means or method, unless the person is:

2.11 (i) dispensing or using a product that may be purchased over the counter for a
2.12 person's own use; or

2.13 (ii) authorized by the board to engage in such activities without being a licensed
2.14 dentist.