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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **3411**

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; regulating dental laboratories; proposing coding for new law
1.3 as Minnesota Statutes, chapter 150B.

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

1.5 Section 1. **[150B.01] SCOPE.**

1.6 To promote the health, safety, and welfare of citizens of this state, dental laboratories
1.7 conducting business in this state must adhere to the regulatory procedures in sections
1.8 150B.02 to 150B.05.

1.9 Sec. 2. **[150B.02] DEFINITIONS.**

1.10 Subdivision 1. **Dental laboratory.** "Dental laboratory" means a corporation,
1.11 partnership, or sole proprietor engaged in the manufacture or repair of dental prosthetic
1.12 appliances on the prescription of and for a licensed dentist or the work authorized by
1.13 another commercial dental laboratory.

1.14 Subd. 2. **Dental technician.** "Dental technician" has the meaning given in section
1.15 150A.10, subdivision 3.

1.16 Subd. 3. **Certified dental technician.** "Certified dental technician" means a dental
1.17 technician who has met the standards set by the National Board for Certification in Dental
1.18 Laboratory Technology or its equivalent as established by the Board of Dentistry.

1.19 Subd. 4. **Licensed dentist.** "Licensed dentist" has the meaning given in section
1.20 150A.01, subdivision 6.

1.21 Subd. 5. **Work order.** "Work order" means a written instrument by a licensed
1.22 dentist directing a registered dental laboratory to manufacture or repair a dental prosthetic

2.1 appliance for an individual patient. The work order may be handwritten. It may be faxed
 2.2 or sent electronically using an electronic signature.

2.3 Subd. 6. **Work authorization.** "Work authorization" means a written instrument
 2.4 by a registered dental laboratory authorized by prescription by which a registered dental
 2.5 laboratory subcontracts all or part of the fabrication or repair of a dental prosthetic
 2.6 appliance authorized by prescription to another regulated dental laboratory. The work
 2.7 authorization may be handwritten. It may be faxed or sent electronically using an
 2.8 electronic signature.

2.9 **Sec. 3. [150B.03] REGISTRATION REQUIRED.**

2.10 Subdivision 1. **Registered dental laboratory.** (a) An individual dental laboratory
 2.11 operating, doing business, or intending to operate or do business in this state must register
 2.12 with the Board of Dentistry every two years and receive a unique registration number
 2.13 identifying the registered dental laboratory.

2.14 (b) In order to be regulated under this section, a dental laboratory must practice
 2.15 infectious disease control criteria as required by OSHA and the Centers for Disease
 2.16 Control and Prevention (CDC) of the United States Public Health Service.

2.17 (c) A dental laboratory in another state or country that provides service to a dentist
 2.18 licensed in this state is required to be registered with the state.

2.19 (d) Dental laboratories registered in this state are subject to inspections as directed
 2.20 by the Board of Dentistry.

2.21 Subd. 2. **Prescription required.** (a) The dental technological work must be based
 2.22 on a prescription issued by a licensed dentist. Prescriptions may be handwritten. They
 2.23 may be faxed or sent electronically using an electronic signature.

2.24 (b) The laboratory shall not diagnose or issue a treatment plan with a patient for or in
 2.25 place of the prescribing dentist.

2.26 Subd. 3. **Outside dental laboratory work.** A dentist practicing dentistry in this
 2.27 state must use a dental laboratory registered with the state of Minnesota and displaying
 2.28 a state registration number for any dental laboratory work that is performed outside of
 2.29 the office of a licensed dentist.

2.30 Subd. 4. **Material content notice.** (a) A dental laboratory shall disclose to the
 2.31 dentist, within seven days of written request, the complete material content of a prescribed
 2.32 restoration in a manner in which it can be easily included in the patient record. The
 2.33 material content notice must be included in the patient record.

2.34 (b) The laboratory shall return to the dentist who issued the prescription certification
 2.35 of:

3.1 (1) the country of origin where the dental technological work was performed,
3.2 in whole or in part;

3.3 (2) the name, physical address, and registration number of the laboratory authorized
3.4 to manufacture the dental device.

3.5 **Sec. 4. [150B.04] PROHIBITION AGAINST USE OF A NONREGISTERED**
3.6 **DENTAL LABORATORY.**

3.7 A dentist licensed in this state must not have a dental prosthetic appliance
3.8 manufactured in a dental laboratory that does not meet the regulatory requirements
3.9 of this section.

3.10 **Sec. 5. [150B.05] CONTINUING EDUCATION REQUIREMENTS.**

3.11 (a) Each dental laboratory renewing registration on or after shall be
3.12 required to have documentation on file certifying that each of their dental technicians
3.13 has completed eight hours of continuing education biennially. Programs of continuing
3.14 education shall be programs of learning that contribute directly to the education of the
3.15 dental technician and may include, but shall not be limited to, attendance at lectures, study
3.16 clubs, college courses, or scientific sessions of conventions; and research.

3.17 (b) The aim of continuing education for dental technicians is to improve dental
3.18 health care delivery to the public as such is impacted through the design, manufacture, and
3.19 use of artificial human oral prosthetics and related restorative appliances.

3.20 (c) Continuing education courses shall address one or more of the following areas
3.21 of professional development including, but not limited to:

3.22 (1) laboratory and technological subjects including, but not limited to, laboratory
3.23 techniques and procedures, materials, and equipment; and

3.24 (2) subjects pertinent to oral health, infection control, and safety.

3.25 (d) Programs meeting the general requirements of continuing education as
3.26 recognized by the National Association of Dental Laboratories (NADL). Other
3.27 organizations, schools, or agencies may also be approved to develop and offer continuing
3.28 education in accordance with specific criteria established by the Board of Dentistry.

3.29 (e) Any dental laboratory renewing a registration on or after shall
3.30 submit a sworn affidavit, on a form acceptable to the Board of Dentistry, attesting that
3.31 each of their dental technicians has completed the continuing education required in this
3.32 section according to the guidelines and provisions of this section and listing the date,
3.33 location, sponsor, subject matter, and hours of completed continuing education courses.
3.34 The dental laboratory shall retain in its records any receipts, vouchers, or certificates as

4.1 may be necessary to document completion of the continuing education courses for two
4.2 registration cycles. With cause, the Board of Dentistry may request that the documentation
4.3 be provided by the applicant. The Board of Dentistry may also request the documentation
4.4 from applicants selected at random without cause.

4.5 **Sec. 6. [150B.06] IN-OFFICE DENTAL LABORATORIES.**

4.6 Sections 150B.01 to 150B.05 apply to a dental laboratory that is located within a
4.7 dental practice and the dental technicians employed by that dental practice.