

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2593

6 By: Kirby

7 COMMITTEE SUBSTITUTE

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

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

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

20 Section 328.36 A. 1. Any person, firm, corporation,  
21 partnership or other legal entity who desires to operate a dental  
22 laboratory in this state shall file with the Board of Dentistry, on  
23 a form prescribed by the Board, an application for a permit to  
24 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

1 who owns an interest in or will operate the dental laboratory. Upon  
2 receipt of the application and fee, the Board shall determine the  
3 qualifications of the applicant and may grant a permit to the  
4 applicant to operate a dental laboratory.

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

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

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

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

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

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

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

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

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

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

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

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

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