

THE HOUSE OF REPRESENTATIVES
 Thursday, February 12, 2009

House Bill No. 1059

HOUSE BILL NO. 1059 - By: NATIONS of the House and NICHOLS of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2001, Section 328.31a, which relates to the State Dental Act; modifying requirements for use of trade names; directing the Board to promulgate rules; and providing an effective date.

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

- 1 SECTION 1. AMENDATORY 59 O.S. 2001, Section 328.31a, is amended to
- 2 read as follows:
- 3 Section 328.31a A. One dentist or multiple dentists may use a trade name in
- 4 connection with the practice of dentistry provided that:
- 5 1. The use of the trade name shall not be false, fraudulent or misleading;
- 6 2. ~~Any advertisement in which the trade name appears shall include the name of~~
- 7 ~~the dentist actually providing the dental services;~~
- 8 ~~3.~~ The name of the dentist or dentists actually providing the dental services to the
- 9 patient shall appear on all billing invoices or statements sent to a the patient and on all
- 10 receipts if any are given to a the patient;
- 11 ~~4.~~ 3. Treatment records shall be maintained for each patient that clearly identify
- 12 the dentist or dentists who performed ~~the~~ all dental services for the patient; and

1 ~~5.~~ 4. When one dentist or multiple dentists make an advertisement ~~is made~~ in the
2 trade name or the trade name is included in an advertisement, a copy of the
3 advertisement, including ~~a film and audio record if one was used~~ but not limited to any
4 electronic form of the advertising, shall be kept by the dentist or dentists for three (3)
5 years from the first publication date of the advertisement.

6 B. The Board of Dentistry shall promulgate rules regulating advertisements in
7 which one dentist or multiple dentists use a trade name.

8 SECTION 2. This act shall become effective November 1, 2009.

9 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 02-11-09 - DO
10 PASS, As Coauthored.