

THE HOUSE OF REPRESENTATIVES
Thursday, February 11, 2010

Committee Substitute for
House Bill No. 2593

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2593 - By: KIRBY 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:

1 SECTION 1. AMENDATORY 59 O.S. 2001, Section 328.36, is amended to read
2 as follows:
3 Section 328.36 A. 1. Any person, firm, corporation, partnership or other legal
4 entity who desires to operate a dental laboratory in this state shall file with the Board of
5 Dentistry, on a form prescribed by the Board, an application for a permit to operate a
6 dental laboratory and pay the fee established by the rules of the Board. The application
7 shall include the name and address of each person, firm, corporation, partnership or
8 other legal entity who owns an interest in or will operate the dental laboratory. Upon
9 receipt of the application and fee, the Board shall determine the qualifications of the
10 applicant and may grant a permit to the applicant to operate a dental laboratory.

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

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

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

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

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

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

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

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

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

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

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

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

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