

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 1889

By: Williams

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5  
6 AS INTRODUCED

7 An Act relating to professions and occupations;  
8 amending 59 O.S. 2011, Section 328.19, as last  
9 amended by Section 6, Chapter 229, O.S.L. 2015 (59  
10 O.S. Supp. 2020, Section 328.19), which relates to  
the State Dental Act; removing certain acts  
constituting practice of dentistry; and providing an  
effective date.

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

14 SECTION 1. AMENDATORY 59 O.S. 2011, Section 328.19, as  
15 last amended by Section 6, Chapter 229, O.S.L. 2015 (59 O.S. Supp.  
16 2020, Section 328.19), is amended to read as follows:

17 Section 328.19 A. The following acts by any person shall be  
18 regarded as practicing dentistry within the meaning of the State  
19 Dental Act:

20 1. Representing oneself to the public as being a dentist or as  
21 one authorized to practice dentistry;

22 2. Representing oneself to the public as being able to diagnose  
23 or examine clinical material or contract for the treating thereof;

1           3. Representing oneself as treating or professing to treat by  
2 professional instructions or by advertised use of professional  
3 equipment or products;

4           4. Representing oneself to the public as treating any of the  
5 diseases or disorders or lesions of the oral cavity, teeth, gums,  
6 maxillary bones, and associate structures;

7           5. Removing human teeth;

8           6. Repairing or filling cavities in human teeth;

9           7. Correcting or attempting to correct malposed teeth;

10          8. Administering anesthetics, general or local;

11          9. Treating deformities of the jaws and adjacent structures;

12          10. Using x-ray and interpreting dental x-ray film;

13          11. Offering, undertaking or assisting, by any means or  
14 methods, to remove stains, discolorations, or concretions from the  
15 teeth;

16          12. Operating or prescribing for any disease, pain, injury,  
17 deficiency, deformity, or any physical condition connected with the  
18 human mouth;

19          13. Taking impressions of the teeth and jaws;

20          14. ~~Furnishing, supplying, constructing, reproducing, or~~  
21 ~~repairing, or offering to furnish, supply, construct, reproduce, or~~  
22 ~~repair, prosthetic dentures, sometimes known as plates, bridges, or~~  
23 ~~other substitutes for natural teeth for the user or prospective user~~  
24 ~~thereof;~~

1       ~~15. Adjusting or attempting to adjust any prosthetic denture,~~  
2 ~~bridge, appliance, or any other structure to be worn in the human~~  
3 ~~mouth;~~

4       ~~16.~~ Diagnosing, making, and adjusting appliances to artificial  
5 casts of malposed teeth for treatment of the malposed teeth in the  
6 human mouth, without instructions;

7       ~~17.~~ 15. Writing a laboratory prescription to a dental  
8 laboratory or dental laboratory technician for the construction,  
9 reproduction or repair of any appliance or structure to be worn in  
10 the human mouth;

11       ~~18.~~ 16. Owning, maintaining, or operating an office or offices  
12 by holding a financial interest in same for the practice of  
13 dentistry; or

14       ~~19.~~ 17. Any other procedure otherwise defined in the State  
15 Dental Act requiring a valid license or permit to perform while the  
16 person does not hold such valid license or permit issued by the  
17 Board.

18       B. The fact that a person uses any dental degree, or  
19 designation, or any card, device, directory, poster, sign or other  
20 media representing oneself to be a dentist shall be prima facie  
21 evidence that the person is engaged in the practice of dentistry;  
22 provided that nothing in this section shall be so construed as to  
23 prevent the following:

1        1. Physicians or surgeons, who are licensed under the laws of  
2 this state, from administering any kind of treatment coming within  
3 the province of medicine or surgery;

4        2. The practice of dentistry in the discharge of their official  
5 duties by dentists in the United States Army, the United States  
6 Navy, the United States Air Force, the United States Marine Corps,  
7 the United States Coast Guard, the United States Public Health  
8 Service, or the United States Veterans Administration;

9        3. Dental schools or colleges, as now conducted and approved,  
10 or as may be approved, and the practice of dentistry by students in  
11 dental schools, colleges or hospitals, approved by the Board, when  
12 acting under the direction and supervision of licensed dentists or  
13 dentists holding properly issued permits acting as instructors;

14        4. Acts of a dental clinician or other participant at a dental  
15 educational meeting or at an accredited dental college, when no fee  
16 is charged to or paid by a patient;

17        5. The practice of dental hygiene, as defined herein, by a  
18 person granted a license by the Board;

19        6. The performing of acts by a dental assistant or oral  
20 maxillofacial surgery assistant who performs the acts under the  
21 direct supervision or direct visual supervision of a dentist and in  
22 accordance with the provisions of the State Dental Act and the rules  
23 promulgated by the Board; or  
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1       7. The fabrication of dental appliances pursuant to a  
2 laboratory prescription of a dentist, by a dental laboratory  
3 technician in a dental laboratory using inert materials and  
4 mechanical devices for the fabrication of any restoration, appliance  
5 or thing to be worn in the human mouth.

6       SECTION 2. This act shall become effective November 1, 2021.

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8       58-1-6641       LRB       12/29/20

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