

CHAPTER 269—S.F.No. 288

An act relating to health; regulating dental laboratories; setting certain fees; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 150A.

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

Section 1. **[150A.24] DEFINITIONS.**

Subdivision 1. **Scope.** For the purposes of sections 150A.24 to 150A.31, the following terms have the meanings given.

Subd. 2. **Dental laboratory.** "Dental laboratory" means a corporation, partnership, sole proprietor, or business entity engaged in the manufacture or repair of dental prosthetic appliances. This definition does not include a dental laboratory that is physically located within a dental practice if the dental prosthetic appliances are manufactured or repaired for the exclusive use of the dentist or dentists within the dental practice.

Subd. 3. **Material content notice.** "Material content notice" means a notice that contains the complete material content information of a dental prosthetic appliance, including whether U.S. Food and Drug Administration (FDA) compliant materials were used. The notice must be provided in a manner that can be easily entered into a patient record.

Subd. 4. **Work authorization.** "Work authorization" means a written instrument by which a dental laboratory subcontracts to another dental laboratory all or part of the manufacture or repair of a dental prosthetic appliance authorized by a work order by a licensed dentist.

Subd. 5. **Work order.** "Work order" means a written instrument prescribed by a licensed dentist directing a dental laboratory to manufacture or repair a dental prosthetic appliance for an individual patient.

Sec. 2. **[150A.25] REGISTRATION FOR DENTAL LABORATORIES.**

Subdivision 1. **General.** Beginning January 1, 2013, all dental laboratories physically located in Minnesota must register with the Board of Dentistry.

Subd. 2. **Registration requirements.** (a) An application for an initial registration and for renewal must be submitted to the board on a form provided by the board accompanied with the registration fee required under section 150A.31. The application must contain:

- (1) the business name of the laboratory;
- (2) the physical address of the laboratory;
- (3) the name of the laboratory's owner or operator;

(4) the telephone number or electronic mail address;

(5) the certification number and the name of the certifying organization, if applicable; and

(6) any other identifying information deemed necessary by the board.

(b) It is the responsibility of the dental laboratory to notify the board of any changes in the registration information required under paragraph (a).

Subd. 3. **Unique registration number.** Upon approval, the board shall issue a registration and a unique registration number to the dental laboratory.

Subd. 4. **Registration term; renewal.** Registration shall be valid for two years from the date of issuance and may be renewed upon submitting the information required in subdivision 2 and the registration renewal fee required in section 150A.31.

Sec. 3. [150A.26] WORK ORDER REQUIRED.

No registered dental laboratory shall perform or authorize any dental technological work without a valid work order from a licensed dentist or a work authorization issued pursuant to a valid work order. A work order or work authorization may be handwritten and may be faxed or sent electronically using an electronic signature.

Sec. 4. [150A.27] MATERIAL CONTENT NOTICE.

(a) A registered dental laboratory shall inform the dentist who issued the work order of:

(1) the country of origin where the technological work was performed in whole or in part; and

(2) the name, physical address, and registration number of the laboratory or laboratories that manufactured or repaired the dental prosthesis, either directly or indirectly.

(b) A registered dental laboratory shall provide to the dentist a material content notice for each dental prosthetic appliance. Upon receipt of the material content notice, the dentist must include the information in the record of the patient for whom the prosthesis is intended.

(c) Dentists licensed under this chapter who manufacture or repair a dental prosthetic appliance or by work order have a dental prosthetic appliance manufactured or repaired by a dental technician within their dental practice for a patient must include in the patient's record the material content notice information of the dental prosthetic appliance.

(d) It is the responsibility of the licensed dentist to obtain the material content notice information and the country of origin for dental laboratory work performed by an out-of-state dental laboratory and to include this information in the record of the patient for whom the dental work is intended.

(e) Upon request of the patient, the licensed dentist shall provide a patient with the material content information and the country of origin information.

(f) A registered dental laboratory must comply with section 150A.21.

Sec. 5. **[150A.28] PROHIBITION AGAINST THE USE OF A NONREGISTERED DENTAL LABORATORY.**

(a) A dentist licensed under this chapter must use a dental laboratory registered under sections 150A.24 to 150A.31 for any dental laboratory work that is performed in this state and outside of the office of a licensed dentist.

(b) No registered dental laboratory shall subcontract all or part of any dental laboratory work that is prescribed by a work order to another dental laboratory unless that laboratory provides the registered dental laboratory with a material content notice and the country of origin for any dental laboratory work performed by the subcontracting dental laboratory.

(c) Nothing in this section prohibits a licensed dentist from directing a nonregistered dental laboratory located outside the state to manufacture or repair a dental prosthesis pursuant to a valid work order.

Sec. 6. **[150A.29] WEB SITE.**

By May 1, 2013, the board shall provide on its Web site a list of the laboratories registered under section 150A.25, with the information described in section 150A.25 for each registered laboratory.

Sec. 7. **[150A.30] CERTIFICATION.**

Nothing in sections 150A.24 to 150A.31 shall prohibit the development of a voluntary certification process for dental laboratories or dental technicians.

Sec. 8. **[150A.31] FEES.**

(a) The initial biennial registration fee is \$50.

(b) The biennial renewal registration fee is \$25.

(c) The fees specified in this section are nonrefundable and shall be deposited in the state government special revenue fund.

Sec. 9. **APPROPRIATION.**

\$15,000 is appropriated in fiscal year 2013 from the state government special revenue fund to the Board of Dentistry for the purpose of implementing Minnesota Statutes, sections 150A.24 to 150A.31. The state government special revenue fund base for the Board of Dentistry is decreased by \$10,000 for fiscal years 2014 and 2015.

Sec. 10. **EFFECTIVE DATE.**

Sections 1 to 8 are effective January 1, 2013.

Presented to the governor April 28, 2012

Signed by the governor May 2, 2012, 3:16 p.m.