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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 614

02/21/2011 Authored by Kelly, Norton, Peterson, S. and Dettmer
The bill was read for the first time and referred to the Committee on Health and Human Services Reform
05/06/2011 Committee Recommendation and Adoption of Report:
To Pass as Amended and re-referred to the Committee on Health and Human Services Finance

1.1 A bill for an act
1.2 relating to health; regulating dental laboratories; appropriating money; proposing
1.3 coding for new law in Minnesota Statutes, chapter 150A.

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

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

1.6 Subdivision 1. **Scope.** For the purposes of sections 150A.24 to 150A.30, the
1.7 following terms have the meanings given.

1.8 Subd. 2. **Dental laboratory.** "Dental laboratory" means a corporation, partnership,
1.9 or sole proprietor engaged in the manufacture or repair of dental prosthetic appliances.

1.10 This definition includes a dental laboratory that is located within a dental practice if the
1.11 practice employs or contracts with dental technicians to perform dental laboratory work.

1.12 Subd. 3. **Certified dental technician.** "Certified dental technician" means a dental
1.13 technician who has met the standards set by the National Board for Certification in Dental
1.14 Laboratory Technology or its equivalent as established by the Board of Dentistry.

1.15 Subd. 4. **Work order.** "Work order" means a written instrument prescribed by a
1.16 dentist licensed under this chapter directing a registered dental laboratory to manufacture,
1.17 fabricate, or repair a dental prosthetic appliance for an individual patient.

1.18 Subd. 5. **Work authorization.** "Work authorization" means a written instrument by
1.19 which a registered dental laboratory subcontracts to another registered dental laboratory
1.20 all or part of the fabrication or repair of a dental prosthetic appliance authorized by a work
1.21 order by a dentist licensed under this chapter.

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

2.1 Subdivision 1. **General.** Beginning January 1, 2012, no dental laboratory shall
2.2 manufacture, fabricate, or repair a dental prosthetic appliance pursuant to a work order
2.3 prescribed by a dentist licensed under this chapter or accept work from another dental
2.4 laboratory pursuant to a work authorization unless the dental laboratory is registered
2.5 with the Board of Dentistry.

2.6 Subd. 2. **Registration requirements.** An application for an initial registration and
2.7 for renewal must be submitted to the board on a form provided by the board accompanied
2.8 with the registration fee required under section 150A.30. The application must contain:

2.9 (1) the name of the laboratory;

2.10 (2) the physical address of the laboratory;

2.11 (3) verification that the laboratory meets the infectious disease control requirements
2.12 under the Occupational Safety and Health Administration (OSHA) and the Centers for
2.13 Disease Control and Prevention (CDC) of the United States Public Health Service;

2.14 (4) verification that the laboratory meets one of the following:

2.15 (i) National Board for Certification in Dental Laboratory Technology (NBC)
2.16 certification;

2.17 (ii) International Organization for Standardization (ISO) certification;

2.18 (iii) Dental Appliance Manufacturers Audit System (DAMAS) certification; or

2.19 (iv) the employment of certified dental technicians (CDT's) in the laboratory; and

2.20 (5) any other relevant information deemed necessary by the board.

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

2.23 Subd. 4. **Registration term; renewal.** (a) Registration shall be valid for two years
2.24 from the date of issuance and may be renewed upon submitting the information required
2.25 in subdivision 2 and the registration renewal fee required in section 150A.30.

2.26 (b) At renewal, a registered dental laboratory must submit an affidavit to the board,
2.27 on a form prescribed by the board, that each dental technician employed by or under
2.28 contract with the laboratory has met the continuing education requirements specified
2.29 in section 150A.29.

2.30 Subd. 5. **Inspections.** (a) The board shall have the authority to inspect a registered
2.31 dental laboratory and to review any records necessary to ensure that the requirements
2.32 of sections 150A.24 to 150A.30 are met.

2.33 (b) The board shall have the authority to enter the premises to make an inspection.
2.34 Refusal to permit an inspection constitutes valid grounds for registration denial or
2.35 revocation.

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

3.2 No registered dental laboratory shall perform any dental technological work for a
3.3 dentist licensed under this chapter without a valid work order from the licensed dentist,
3.4 unless the work is being performed by the licensed dentist within the dentist's office.
3.5 A work order may be handwritten and may be faxed or sent electronically using an
3.6 electronic signature.

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

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

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

3.12 (2) the name, physical address, and registration number of the laboratory or
3.13 laboratories authorized to manufacture or repair the dental prosthesis, either directly
3.14 or through a work authorization.

3.15 (b) A registered dental laboratory shall disclose to the dentist the complete material
3.16 content of the dental prosthetic appliance in a manner that can be easily entered into a
3.17 patient record. Upon receipt of the material content notice, the dentist must include the
3.18 information in the record of the patient for whom the prosthesis is intended.

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

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

3.22 (a) A dentist licensed under this chapter must use a dental laboratory registered
3.23 under sections 150A.24 to 150A.30 for any dental laboratory work that is performed
3.24 outside of the office of a licensed dentist. If a dental technician performs dental laboratory
3.25 work within the dentist's office, the dentist must register with the board and must comply
3.26 with the requirements in sections 150A.24 to 150A.30.

3.27 (b) No registered dental laboratory shall subcontract all or part of any dental
3.28 laboratory work that is prescribed by a work order to another dental laboratory unless the
3.29 laboratory is registered by the board according to sections 150A.24 to 150A.30.

3.30 Sec. 6. **[150A.29] CONTINUING EDUCATION REQUIREMENTS.**

3.31 (a) A registered dental laboratory must maintain on file documentation certifying
3.32 that each dental technician employed by or under contract with the laboratory has
3.33 completed eight hours of continuing education biennially. The documentation for each

4.1 dental technician must include the date, location, sponsor, subject matter, and attendance
4.2 hours of each completed continuing education course as well as any receipts, vouchers,
4.3 or certificates as may be necessary to document completion of the continuing education
4.4 requirement. The documentation must be retained for each dental technician for at least
4.5 two registration renewal cycles.

4.6 (b) A continuing education course must contribute directly to the education of the
4.7 dental technician to improve dental health care delivery and must address one or more of
4.8 the following areas of professional development:

4.9 (1) laboratory and technological subjects including, but not limited to, laboratory
4.10 techniques, procedures, materials, and equipment; and

4.11 (2) oral health, infection control, and patient safety.

4.12 (c) The board shall develop criteria that must be met by a continuing education
4.13 course in order for the course to be approved.

4.14 Sec. 7. **[150A.30] FEES.**

4.15 (a) The fee for the initial registration and biennial registration renewal is \$300.

4.16 (b) The fee specified in this section is nonrefundable and shall be deposited in the
4.17 state government special revenue fund.

4.18 Sec. 8. **APPROPRIATIONS.**

4.19 \$..... is appropriated for fiscal year 2012 and \$..... is appropriated for fiscal year
4.20 2013 from the state government special revenue fund for the purpose of implementing
4.21 Minnesota Statutes, sections 150A.24 to 150A.30.