

HOUSE BILL NO. HB0144

Denturists-2.

Sponsored by: Representative(s) Winters and Senator(s) Geis

A BILL

for

1 AN ACT relating to professions and occupations; providing
2 licensing, examinations, penalties and other regulations of
3 denturists; providing definitions; granting rulemaking
4 authority; repealing a prohibition against soliciting
5 denturism, orthodontic and dental services; and providing
6 for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 33-15-134 through 33-15-141 are
11 created to read:

12

13 **33-15-134. Denturist qualifications; licensure.**

14

15 (a) No person shall represent himself to be a
16 licensed denturist or use any title or description of

1 denturism services without applying for licensure, meeting
2 the required qualifications and being licensed as a
3 denturist by the board, unless otherwise exempted under
4 W.S. 33-15-115.

5
6 (b) The board shall promulgate reasonable rules and
7 regulations for the licensure of denturists and the
8 practice of denturism, and may prescribe continuing
9 education requirements for renewal certificates and
10 relicensure.

11
12 **33-15-135. Denturism licensing; reciprocity.**

13
14 (a) The board shall issue a license to a person
15 graduating from a formal denturism program if the person:

16
17 (i) Documents successful completion of formal
18 training with a major course of study in denturism of not
19 less than two (2) years in duration at an educational
20 institution approved by the board;

21
22 (ii) Documents successful completion of special
23 training in oral pathology prescribed by the board, whether

1 as part of an approved associate degree program or
2 equivalent training;

3
4 (iii) Passes a written and clinical examination
5 approved by the board;

6
7 (iv) Submits a completed application in the form
8 and containing all information prescribed by the board; and

9
10 (v) Pays all applicable fees.

11
12 (b) The board shall issue a license without
13 examination to practice denturism to a person currently
14 licensed to practice denturism under statutory provisions
15 of another state, territory of the United States, District
16 of Columbia or Puerto Rico if the person submits to the
17 board:

18
19 (i) Proof of successfully passing a written and
20 clinical examination for denturism in a state, territory of
21 the United States, District of Columbia or Puerto Rico
22 which the board has determined has substantially equivalent

1 licensing standards as those in this article, including but
2 not limited to both the written and clinical examination;

3
4 (ii) An affidavit from the licensing agency
5 where the person is licensed or certified attesting to the
6 fact of the person's licensure or certification;

7
8 (iii) A completed application in the form and
9 containing all information prescribed by the board; and

10
11 (iv) Payment of all applicable fees.

12
13 **33-15-136. Denturist examinations.**

14
15 (a) The board shall administer the examinations for
16 licensing denturists under this act, subject to the
17 following requirements:

18
19 (i) Examinations shall determine the
20 qualifications, fitness and ability of the applicant to
21 practice denturism. The test shall include a written
22 examination and a practical demonstration of skills;

1 (ii) Examinations shall be held at least
2 annually;

3
4 (iii) The first examination shall be conducted
5 not later than January 1, 2017;

6
7 (iv) The written examination shall cover at
8 least the following subjects:

9
10 (A) Head and oral anatomy and physiology;

11
12 (B) Oral pathology;

13
14 (C) Partial denture construction and
15 design;

16
17 (D) Microbiology;

18
19 (E) Clinical dental technology;

20
21 (F) Dental laboratory technology;

22
23 (G) Clinical jurisprudence;

1

2 (H) Asepsis;

3

4 (J) Medical emergencies;

5

6 (K) Cardiopulmonary resuscitation; and

7

8 (M) Gerontology.

9

10 (b) If the applicant fails the board examination
11 three (3) times, he shall show evidence of additional
12 education to the satisfaction of the board before
13 reexamination.

14

15 (c) The board may hire trained persons licensed under
16 this act or may contract with regional examiners who meet
17 qualifications adopted by the board to prepare, administer
18 and grade the examinations.

19

20 (d) The examination fee shall be paid to the
21 secretary of the board before examination, and in no case
22 shall the fee be refunded.

23

1 **33-15-137. Denturism license content.**

2

3 The license shall contain, on its face, the address or
4 addresses where the license holder will perform the
5 denturist services.

6

7 **33-15-138. Grounds and procedure for revocation or**
8 **suspension of denturism license.**

9

10 (a) The board may refuse to issue or renew, or may
11 suspend or revoke, the license of any denturist for any of
12 the following causes:

13

14 (i) Conviction of, entry of a plea of nolo
15 contendere to or entry of a deferred prosecution agreement
16 pursuant to W.S. 7-13-301 to a felony or misdemeanor that
17 relates adversely to the practice of denturism or the
18 ability to practice denturism;

19

20 (ii) Renting or loaning to any person his
21 license or diploma to be used as a license or diploma for
22 the person to engage in the practice of denturism;

23

1 (iii) Unprofessional conduct, as defined in
2 rules and regulations of the board;

3
4 (iv) Advertising or soliciting patients, in any
5 form of communication, in a manner that is false or
6 misleading in any material respect;

7
8 (v) Renting or loaning to another person the
9 denturist's license or diploma to be used as a license or
10 diploma for the other person;

11
12 (vi) Being unfit or incompetent to practice
13 denturism for any reason, including but not limited to:

14
15 (A) Inability to practice denturism with
16 reasonable skill and safety because of physical or mental
17 disability or the use of alcohol, prescription drugs,
18 nonprescription drugs or other psychoactive substance; or

19
20 (B) Performance of unsafe denturism
21 practice or failure to conform to the standards of
22 acceptable professional denturism practice, whether or not
23 actual injury results.

1

2 (vii) Professional discipline by a professional
3 licensing board in any jurisdiction;

4

5 (viii) Fraud, deceit or misrepresentation in
6 providing any information or record to the board; or

7

8 (ix) For willful violation of any provision of
9 this act or rules and regulations of the board.

10

11 (b) All proceedings by the board pursuant to
12 subsection (a) of this section shall be as set forth in
13 W.S. 33-15-112(b) for the revocation or suspension of a
14 dentist's license.

15

16 (c) Upon receipt from the department of family
17 services of a certified copy of an order from a court to
18 withhold, suspend or otherwise restrict a denturist license
19 issued by the board, the board shall notify the party named
20 in the court order of the withholding, suspension or
21 restriction of the license in accordance with the terms of
22 the court order. No appeal under the Wyoming Administrative

1 Procedure Act shall be allowed for a license withheld,
2 suspended or restricted under this subsection.

3

4 **33-15-139. Renewal license for denturists.**

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6 (a) On or before December 31 of each year, each
7 denturist licensed to practice denturism in this state and
8 wishing to continue in the practice of denturism shall
9 submit a license renewal application with the applicable
10 renewal fee. Any license granted by the board shall be
11 cancelled after ten (10) days notice by registered mail if
12 the holder fails to secure the renewal certificate within
13 three (3) months after December 31 each year.

14

15 (b) Beginning January 1, 2022, any denturist whose
16 application for renewal indicates that he has not actively
17 practiced denturism or engaged in teaching denturism for
18 any of the preceding five (5) years shall be issued a
19 renewal license by the board only upon notice to the
20 applicant and after a hearing, wherein the applicant shall
21 have demonstrated to the board that he has maintained the
22 qualifications set forth in this act. No reexamination is
23 required unless the board finds good cause to believe that

1 the person has not maintained the professional ability and
2 knowledge required of an original licensee under this act.

3

4 **33-15-140. Required examination of patient; referral;**
5 **penalties.**

6

7 (a) Before making and fitting a denture, a denturist
8 shall examine the patient's oral cavity.

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10 (b) If the examination under subsection (a) of this
11 section gives the denturist reasonable cause to believe
12 that there is an abnormality or disease process that
13 requires medical or dental treatment, the denturist shall
14 immediately refer the patient to a dentist or physician.
15 In such cases, the denturist shall take no further action
16 to manufacture or place a denture until the patient has
17 been examined by a dentist or physician and the dentist or
18 physician gives written clearance that the denture will
19 pose no threat to the patient's health.

20

21 (c) If the examination under subsection (a) of this
22 section reveals the need for tissue or teeth modification
23 to assure proper fit of a full or partial denture, the

1 denturist shall refer the patient to a dentist and assure
2 that the modification has been completed before taking an
3 impression for the completion of the denture.

4

5 (d) Any denturist who makes or places a denture in a
6 manner not consistent with this section is subject to the
7 penalties provided under W.S. 33-15-124.

8

9 **33-15-141. Partnerships with dentists.**

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11 Notwithstanding any other provision of state law, a
12 licensed denturist may enter into a partnership or other
13 business association with a dentist, provided that the
14 association does not impede the independent professional
15 judgment of either party.

16

17 **Section 2.** W.S. 33-15-110, 33-15-111,
18 33-15-115(a)(ii) through (iv) and by creating a new
19 paragraph (v), 33-15-124, 33-15-128(a)(xvii) and by
20 creating new paragraphs (xviii) through (xx) and
21 33-15-133(a) are amended to read:

22

1 **33-15-110. Certificate entitles dentist or denturist**
2 **to practice in any county; lost certificates.**

3
4 The certificate provided for in this act entitles the
5 holder to practice dentistry or denturism in any county in
6 Wyoming. The board, upon satisfactory proof of loss of the
7 certificate issued under this act, shall issue a new
8 certificate. The cost of replacement shall be determined by
9 the board and paid by the person requesting replacement.

10
11 **33-15-111. List of licensees filed with board office.**

12
13 The board shall annually publish a list of all dentists,
14 denturists and dental hygienists licensed under this act.
15 The list shall contain the name and address of each
16 dentist, denturist and dental hygienist and such other
17 information as the board deems advisable. The board office
18 shall furnish copies to the public upon request or by
19 access to the board's website.

20
21 **33-15-115. Persons to whom chapter inapplicable.**

22
23 (a) Nothing in this act contained applies:

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2 (ii) To a legally qualified dental hygienist,
3 denturist or dentist engaged in full-time duties with the
4 United States armed forces, public health service, veterans
5 administration or other federal agencies;

6

7 (iii) To a legally qualified dental hygienist,
8 denturist or dentist of another state making a clinical
9 demonstration before a meeting of dentists, denturists or
10 dental auxiliaries;~~or~~

11

12 (iv) To dental and dental hygiene students
13 actively enrolled in any American Dental Association
14 accredited dental educational program performing services
15 as a part of the curriculum of that program under the
16 direct supervision of a Wyoming licensed dentist or Wyoming
17 licensed dental hygienist instructor;~~or~~ or

18

19 (v) To denturist students actively enrolled in
20 any educational institution approved by the board and
21 pursuing a major course of study in denturism.

22

23 **33-15-124. Violations.**

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2 Any person who practices dentistry or denturism without
3 being properly qualified and licensed, or who violates any
4 provisions of this act is subject to a fine not to exceed
5 one thousand dollars (\$1,000.00), or imprisonment not more
6 than two (2) years in the penitentiary, or both. Each
7 separate violation of this act constitutes a separate
8 offense.

9

10 **33-15-128. Definitions.**

11

12 (a) As used in this act:

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14 (xvii) "This act" means W.S. 33-15-101 through
15 ~~33-15-133~~ 33-15-141 and may be cited as the "Wyoming Dental
16 Practice Act".

17

18 (xviii) "Denture" means a removable full or
19 partial upper or lower dental appliance to be worn in the
20 mouth to replace the missing natural teeth;

21

22 (xix) "Denturist" means a person licensed under
23 this article to engage in the practice of denturism;

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2

(xx) "Practice of denturism" means:

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5

(A) Making, placing, constructing,
altering, reproducing or repairing a denture; or

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(B) Taking impressions and furnishing or
supplying a denture directly to a person or advising the
use of a denture and maintaining a facility for the same.

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11

33-15-133. Temporary educator's license.

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(a) A temporary license may be issued to any dentist,
denturist or dental hygienist who has applied for licensure
and who exhibits good standing in another jurisdiction of
the United States or Canada and has qualified for the
requirements to be employed as an instructor at a dental
hygiene school or in a denturism program.

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Section 3. W.S. 33-15-116 is repealed.

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