

ASSEMBLY, No. 1570

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 22, 1996

By Assemblywoman J. SMITH

1 AN ACT providing for the registration of denture technologists and
2 supplementing chapter 6 of Title 45 of the Revised Statutes.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. As used in this act:

8 "Committee" means the New Jersey State Committee of Denture
9 Technology established pursuant to section 2 of this act.

10 "Denture" means any removable full or partial upper or lower
11 prosthetic dental appliance.

12 "Denture technologist" means a person who designs, fabricates,
13 repairs and alters prosthetic dental appliances directly for the public
14 and who is registered pursuant to this act to engage in the practice of
15 denture technology.

16 "Denture technology" means the practice of fabricating, repairing,
17 relining, duplicating, fitting or altering dentures for the public and
18 includes the taking of impressions and bite registrations and doing
19 insertions in the human oral cavity.

20 "Director" means the Director of the Division of Consumer Affairs
21 in the Department of Law and Public Safety.

22

23 2. a. There is established in the Division of Consumer Affairs in
24 the Department of Law and Public Safety under the New Jersey State
25 Board of Dentistry, the New Jersey State Committee of Denture
26 Technology. The committee shall consist of three registered denture
27 technologists who shall be appointed by the Governor upon the
28 recommendation of the Denturist Society of New Jersey and who are
29 residents of the State. The Governor shall appoint each member for
30 a term of three years, except that for those members first appointed,
31 one shall serve for a term of three years, one shall serve for a term of
32 two years, and one shall serve for a term of one year. A vacancy in
33 the membership of the committee shall be filled for the unexpired term
34 in the manner provided for the original appointment. A member of the
35 committee may not serve more than two successive terms in addition
36 to any unexpired term to which he has been appointed. The members
37 first appointed to the committee shall demonstrate eligibility for

1 registration and shall apply for and receive registration within six
2 months of their appointment.

3 b. The members of the committee shall serve without
4 compensation, but shall be reimbursed for the reasonable and
5 necessary expenses incurred in the performance of their official duties.

6 c. Each member of the committee before entering upon the duties
7 of his office shall subscribe to an oath to faithfully perform the duties
8 of his office.

9 d. The members of the committee shall annually elect from among
10 their number a chairman. The same person may not serve as chairman
11 for more than three successive years. The committee shall meet at
12 least twice a year and shall hold additional meetings as necessary to
13 discharge its duties.

14

15 3. The committee shall:

16 a. Review the qualifications of applicants for registration;

17 b. Issue and renew biennial registrations for denture technologists
18 pursuant to this act;

19 c. Refuse to issue or suspend, revoke or fail to renew the
20 registration of a denture technologist pursuant to the provisions of
21 P.L.1978, c.73 (C.45:1-14 et seq.);

22 d. Maintain a record of every denture technologist registered in this
23 State, their places of business, places of residence and the date and
24 number of their registration;

25 e. Prescribe or change the charges for examinations, registrations,
26 renewals and other services it performs pursuant to section 2 of
27 P.L.1974, c.46 (C.45:1-3.2); and

28 f. Adopt such rules and regulations pursuant to the "Administrative
29 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), as are
30 necessary to regulate the practice of denture technology.

31

32 4. Until such time as a majority of the denture technologists on the
33 committee meet the qualifications for registration, an interim
34 three-member advisory panel shall be established to prepare an
35 examination for the committee's approval. The interim advisory panel
36 shall be comprised of a denture technologist, approved by the
37 Denturist Society of New Jersey, a dental laboratory technician
38 approved by the New Jersey Dental Laboratory Association and a
39 representative of a school of dentistry duly accredited by the United
40 States Department of Education and the Council on Post Secondary
41 Accreditation to be selected by the New Jersey State Committee of
42 Denture Technology. The interim panel shall be selected by the
43 respective organizations within 30 days after the effective date of this
44 act. Panel members shall be directly responsible to the Director of the
45 Division of Consumer Affairs, who may order the replacement of a
46 panel member for failure to promptly and equitably fulfill his duties.

1 The panel shall submit an examination to the committee no later than
2 the 90th day after the appointment of a majority of the panel, except
3 that: if the panel fails to submit an examination to the committee
4 within the 90-day period, the director shall designate the examination
5 for the interim period no later than the 90th day after the end of the
6 initial 90-day period; or if the director fails to designate an
7 examination within 90 days after the end of the initial 90-day period,
8 the committee shall designate the examination for the interim period.
9

10 5. A person shall not practice denture technology, regardless of
11 whether compensation is received or expected, unless the person holds
12 a valid registration to practice in this State, except that nothing in this
13 act shall be construed to:

14 a. Prohibit a person licensed to practice in this State under any
15 other law from engaging in the practice for which the person is
16 licensed;

17 b. Prohibit a student enrolled in an educational program in denture
18 technology recognized by the committee from performing that which
19 is necessary to complete the student's course of study; or

20 c. Prohibit a person from practicing denture technology within the
21 scope of that person's official duties when employed by an agency,
22 bureau or division of the federal government, serving in the Armed
23 Forces or the Public Health Service of the United States, or employed
24 by the federal Department of Veterans' Affairs.
25

26 6. Upon payment to the committee of the prescribed fee and the
27 submission of a written application on a form, provided by it, the
28 committee shall issue a registration to an applicant who fulfills the
29 following requirements:

30 a. Has completed denture technology training of not less than two
31 years at an educational institution approved by a regional accrediting
32 agency recognized by the Council on Post Secondary Accreditation or
33 the United States Department of Education.

34 b. Has obtained two years of denture technology experience which
35 may include one year of internship; and

36 c. Has successfully passed an examination approved by the
37 committee.
38

39 7. Upon payment to the committee of the prescribed fee and the
40 submission of a written application on forms provided by it, the
41 committee shall issue a registration to an applicant who applies for
42 registration within 180 days after the effective date of this act and who
43 fulfills the following requirements:

44 a. Has been a resident of the State for at least six months prior to
45 the effective date of this act;

46 b. Has been engaged in the practice of denture technology for at

- 1 least 10 years immediately preceding the effective date of this act; and
2 c. Has passed an examination approved by the committee.
3
- 4 8. Upon payment to the committee of the prescribed fee and the
5 submission of a written application on a form provided by it, the
6 committee may issue a registration to an applicant who holds a valid
7 denture technologist license, certificate or registration issued by
8 another state or possession of the United States which has standards
9 substantially equivalent to those of this State and who presents proof
10 that he has practiced at least two years within that state or possession
11 provided that the state or possession extends a reciprocal privilege to
12 denture technologists registered in this State.
13
- 14 9. a. The committee shall issue a registration to any person who
15 qualifies pursuant to the provisions of this act, which registration shall
16 permit the holder to engage in the practice of denture technology. A
17 denture technologist shall conspicuously display the registration in his
18 place of business.
19 b. A denture technologist shall be insured against professional
20 liability or malpractice by an insurer licensed to conduct business in
21 this State for an amount at least equal to the minimum amount
22 necessary as determined by the committee and shall submit proof
23 satisfactory to the committee that he has, or will have on the effective
24 date of registration, obtained that insurance.
25
- 26 10. Upon payment to the committee of the prescribed fee, the
27 committee shall renew the registration of an applicant who submits
28 satisfactory proof of the completion of a minimum of six hours of
29 continuing education. The committee shall determine which courses
30 and programs constitute approved continuing education.
31
- 32 11. In addition to the provisions of section 8 of P.L.1978, c.73
33 (C.45:1-21), the committee may deny, suspend or revoke a registration
34 to practice denture technology upon proof to the satisfaction of the
35 committee that the applicant or holder thereof:
36 a. Has used alcohol or any narcotic or dangerous drug to the extent
37 that its use impairs the ability to safely conduct the practice of denture
38 technology;
39 b. Has failed to provide and maintain sanitary facilities and
40 conditions within his place of business; or
41 c. Has failed to maintain insurance against professional malpractice
42 or liability required pursuant to subsection b. of section 9 of this act.
43
- 44 12. A denture technologist whose registration has been revoked by
45 the committee shall not be eligible to reapply for a registration until
46 one year after the date of revocation, at which time the committee at

1 its discretion may grant a temporary registration for a one year
2 probationary period. At the end of the probationary period, the
3 registrant shall appear before the committee, and upon the committee's
4 approval and payment of the prescribed fee, may be fully reinstated.

5
6 13. A denture technologist shall post in a conspicuous place within
7 his place of business the following form which shall be in such size and
8 lettering as prescribed by the committee to make the form easily
9 discernible to the consumer:

10 ANY CONSUMER WHO HAS A COMPLAINT RELATING TO
11 THE PRACTICE OF THIS ESTABLISHMENT MAY CONTACT
12 THE NEW JERSEY STATE COMMITTEE OF DENTURE
13 TECHNOLOGY, LOCATED AT... .

14
15 14. Prior to the fabrication of any new denture, the patient shall
16 provide the denture technologist with a written statement of oral
17 health in such form as approved by the committee. The statement shall
18 be signed by a licensed dentist and shall affirm that the patient has
19 been examined within the last six months and no oral pathology has
20 been found which would preclude the fabrication of a denture.

21
22 15. A denture technologist shall not refuse to accept a patient
23 because of the patient's status with respect to the Medicaid program
24 established pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.). Fees
25 paid to a denture technologist by the State of New Jersey for services
26 provided to a Medicaid patient shall be accepted as payment in full.

27
28 16. A denture technologist may use the services of a dental
29 laboratory technician to perform any extra-oral laboratory procedure.
30 This service shall be performed by a dental laboratory technician
31 pursuant to the written authorization of a denture technologist.

32
33 17. A denture technologist shall not:

34 a. Cut, surgically remove or surgically reduce any tissue or teeth
35 in the process of fitting a denture;

36 b. Initially insert immediate dentures;

37 c. Diagnose or treat any abnormalities;

38 d. Recommend a prescription drug for any oral or medical disease;

39 or

40 e. Fit orthodontic appliances.

41
42 18. The provisions of P.L.1978, c.73 (C.45:1-14 et seq.) shall
43 apply to the practice of denture technology as provided in this act.

44
45 19. This act shall take effect on the 180th day after the date of
46 enactment.

STATEMENT

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3 This bill provides for the registration of denture technologists by a
4 New Jersey State Committee of Denture Technology, which is
5 established by the bill in the Division of Consumer Affairs in the
6 Department of Law and Public Safety under the New Jersey State
7 Board of Dentistry.

8 This bill is designed to provide New Jersey consumers with
9 improved access to quality, affordable denture technology while for
10 the first time regulating denture technology. The bill also eliminates
11 certain outmoded barriers to the practice of denture technology in
12 State law. Peer regulation and the creation of a new licensing board
13 to carry out the provisions of this act are not in the public interest, and
14 it is thus necessary to devise a regulatory mechanism which is
15 consistent with the licensure policies of the State.

16 The bill defines denture technology as "the practice of fabricating,
17 repairing, relining, duplicating, fitting or altering dentures for the
18 public and includes the taking of impressions and bite registrations and
19 doing insertions in the human oral cavity." Current State law permits
20 the fabricating, relining, duplicating, repairing and altering of dentures.
21 This bill expands the practice of denture technology by permitting the
22 taking of impressions and bite registrations and doing insertions in the
23 human oral cavity. The bill mandates that prior to the fabrication of
24 a new denture, the patient must be first examined by a licensed dentist
25 who shall affirm in writing that the patient has been examined and no
26 oral pathology has been found which would preclude the fabrication
27 of a denture.

28 The bill prohibits anyone from engaging in the practice of denture
29 technology unless the person holds a valid registration to practice in
30 this State. The bill does not, however, prohibit a person who is
31 licensed to practice in this State under any law from engaging in the
32 practice for which he is licensed.

33 The bill requires that a registered denture technologist maintain
34 professional liability insurance in an amount established by the
35 committee.

36 This bill will improve the quality of denture services while lowering
37 the cost of delivering such essential health care services. Similar laws
38 have been enacted to date in Idaho, Montana and Oregon, as well as
39 in Canada.

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44 Provides for registration of denture technologists.