

FIRST REGULAR SESSION

# HOUSE BILL NO. 393

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES AVERY, BEHNEN (Co-sponsors), SMITH (14),  
WALKER AND SCHOEMEHL.

Read 1<sup>st</sup> time February 5, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1291L.011

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### AN ACT

To repeal section 332.071, RSMo, and to enact in lieu thereof one new section relating to using lasers for dentistry.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 332.071, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 332.071, to read as follows:

332.071. A person or other entity "practices dentistry" within the meaning of this chapter who:

(1) Undertakes to do or perform dental work or dental services or dental operations or oral surgery, by any means or methods, **including the use of lasers**, gratuitously or for a salary or fee or other reward, paid directly or indirectly to the person or to any other person or entity;

(2) Diagnoses or professes to diagnose, prescribes for or professes to prescribe for, treats or professes to treat, any disease, pain, deformity, deficiency, injury or physical condition of human teeth or adjacent structures or treats or professes to treat any disease or disorder or lesions of the oral regions;

(3) Attempts to or does replace or restore a part or portion of a human tooth;

(4) Attempts to or does extract human teeth or attempts to or does correct malformations of human teeth or jaws;

(5) Attempts to or does adjust an appliance or appliances for use in or used in connection with malposed teeth in the human mouth;

(6) Interprets or professes to interpret or read dental radiographs;

(7) Administers an anesthetic in connection with dental services or dental operations or dental surgery;

(8) Undertakes to or does remove hard and soft deposits from or polishes natural and

19 restored surfaces of teeth;

20 (9) Uses or permits to be used for the person's benefit or for the benefit of any other  
21 person or other entity the following titles or words in connection with the person's name:  
22 "Doctor", "Dentist", "Dr.", "D.D.S.", or "D.M.D.", or any other letters, titles, degrees or  
23 descriptive matter which directly or indirectly indicate or imply that the person is willing or able  
24 to perform any type of dental service for any person or persons, or uses or permits the use of for  
25 the person's benefit or for the benefit of any other person or other entity any card, directory,  
26 poster, sign or any other means by which the person indicates or implies or represents that the  
27 person is willing or able to perform any type of dental services or operation for any person;

28 (10) Directly or indirectly owns, leases, operates, maintains, manages or conducts an  
29 office or establishment of any kind in which dental services or dental operations of any kind are  
30 performed for any purpose; but this section shall not be construed to prevent owners or lessees  
31 of real estate from lawfully leasing premises to those who are qualified to practice dentistry  
32 within the meaning of this chapter;

33 (11) Constructs, supplies, reproduces or repairs any prosthetic denture, bridge, artificial  
34 restoration, appliance or other structure to be used or worn as a substitute for natural teeth,  
35 except when one, not a registered and licensed dentist, does so pursuant to a written uniform  
36 laboratory work order, in the form to be prescribed by the board and copies of which shall be  
37 retained by the nondentist for two years, of a dentist registered and currently licensed in Missouri  
38 and which the substitute in this subdivision described is constructed upon or by use of casts or  
39 models made from an impression furnished by a dentist registered and currently licensed in  
40 Missouri;

41 (12) Attempts to or does place any substitute described in subdivision (11) of this section  
42 in a human mouth or attempts to or professes to adjust any substitute or delivers any substitute  
43 to any person other than the dentist upon whose order the work in producing the substitute was  
44 performed;

45 (13) Advertises, solicits, or offers to or does sell or deliver any substitute described in  
46 subdivision (11) of this section or offers to or does sell the person's services in constructing,  
47 reproducing, supplying or repairing the substitute to any person other than a registered and  
48 licensed dentist in Missouri; **or**

49 (14) Undertakes to do or perform any physical evaluation of a patient in the person's  
50 office or in a hospital, clinic, or other medical or dental facility prior to or incident to the  
51 performance of any dental services, dental operations, or dental surgery.