

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 186, Page 6, Section 301.3175, Line 32,
2 by inserting after all of said section and line the following:

3
4 "332.071. A person or other entity "practices dentistry" within the meaning of this chapter
5 who:

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

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

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

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

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

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

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

21 (8) Undertakes to or does remove hard and soft deposits from or polishes natural and
22 restored surfaces of teeth;

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

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

6 (11) Controls, influences, attempts to control or influence, or otherwise interferes with the
7 dentist's independent professional judgment regarding the diagnosis or treatment of a dental disease,
8 disorder, or physical condition except that any opinion rendered by any health care professional
9 licensed under this chapter or chapter 330, 331, 334, 335, 336, 337, or 338 regarding the diagnosis,
10 treatment, disorder, or physical condition of any patient shall not be construed to control, influence,
11 attempt to control or influence or otherwise interfere with a dentist's independent professional
12 judgment;

13 (12) Constructs, supplies, reproduces or repairs any prosthetic denture, bridge, artificial
14 restoration, appliance or other structure to be used or worn as a substitute for natural teeth, except
15 when one, not a registered and licensed dentist, does so pursuant to a written uniform laboratory
16 work order, in the form prescribed by the board, of a dentist registered and currently licensed in
17 Missouri and which the substitute in this subdivision described is constructed upon or by use of
18 casts or models made from an impression furnished by a dentist registered and currently licensed in
19 Missouri;

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

23 (14) Advertises, solicits, or offers to or does sell or deliver any substitute described in
24 subdivision (12) of this section or offers to or does sell the person's services in constructing,
25 reproducing, supplying or repairing the substitute to any person other than a registered and licensed
26 dentist in Missouri;

27 (15) Undertakes to do or perform any physical evaluation of a patient in the person's office
28 or in a hospital, clinic, or other medical or dental facility prior to or incident to the performance of
29 any dental services, dental operations, or dental surgery;

30 (16) Reviews examination findings, x-rays, or other patient data to make judgments or
31 decisions about the dental care rendered to a patient in this state;

32 (17) Prescribes and administers vaccines for diseases related to care within the practice of
33 dentistry; or

34 (18) Prescribes and administers vaccines in accordance with section 332.368 when deployed
35 under section 44.045 to provide care as necessitated by an emergency.

36 332.368. 1. A dentist may:

37 (1) Prescribe and administer vaccines to a person with whom the dentist has established a
38 patient relationship; and

1 (2) Prescribe and administer vaccines to any person when the dentist is deployed under
2 section 44.045 to provide care as necessitated by an emergency.

3 2. A dentist shall not be required to prescribe or administer vaccines.

4 3. Before prescribing or administering any vaccine under this section, a dentist shall
5 complete a training course recognized by the board under subsection 4 of this section and obtain a
6 certificate of successful completion from the agency or organization that offered the course. A
7 dentist shall produce the certificate upon request of the board.

8 4. The board shall recognize for purposes of this section any training course that:

9 (1) Includes training on appropriate vaccine storage and proper vaccine administration;

10 (2) Addresses contraindications and adverse reactions to vaccines; and

11 (3) Is offered by the Centers for Disease Control and Prevention, the American Dental
12 Association or its successor organization, or any other similar federal or state agency or professional
13 organization deemed qualified by the board.

14 5. A dentist who administers a vaccine under this section shall inform the patient that the
15 administration of the vaccine will be entered into the ShowMeVax system, as administered by the
16 department of health and senior services. The patient shall attest to the inclusion of such
17 information in the system by signing a form provided by the dentist.

18 6. Prior to administering a vaccine under this section, a dentist shall review the patient's
19 vaccination history in the ShowMeVax system.

20 7. A dentist shall not administer a vaccine under this section to a child under seven years of
21 age or under the minimum age recommended by the Centers for Disease Control and Prevention.

22 8. A dentist who prescribes or administers a vaccine under this section shall comply with
23 any applicable patient of care record-keeping requirements.

24 9. A dentist shall not delegate the administration of a vaccine under this section.

25 10. All individual and group health insurance policies providing coverage for vaccinations
26 shall also provide coverage for vaccinations administered under this section.

27 11. The board shall promulgate rules for the purpose of recognizing entities qualified to
28 offer the training course required under this section. Any rule or portion of a rule, as that term is
29 defined in section 536.010, that is created under the authority delegated in this section shall become
30 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
31 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers
32 vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to
33 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking
34 authority and any rule proposed or adopted after August 28, 2023, shall be invalid and void."; and

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36 Further amend said bill by amending the title, enacting clause, and intersectional references
37 accordingly.