

Regular Session, 2013

HOUSE BILL NO. 234

BY REPRESENTATIVE PATRICK WILLIAMS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

DENTISTRY: Requires that owner identification information be marked on every removable dental prosthesis fabricated by a dentist or pursuant to a dentist's order

1 AN ACT

2 To enact R.S. 37:772.1 and Part XXXIV-A of Chapter 5 of Title 40 of the Louisiana Revised
3 Statutes of 1950, to be comprised of R.S. 40:1299.133 through 1299.135, relative to
4 dentistry; to provide for definitions; to require, with certain exceptions, that owner
5 identification be marked on certain dental prostheses; to authorize certain formats for
6 the inscription of such identifying information; to authorize the Louisiana State
7 Board of Dentistry to establish penalties; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 37:772.1 is hereby enacted to read as follows:

10 §772.1. Dentures and other removable dental prostheses; owner identification

11 A. Every complete upper and lower denture and removable dental prosthesis
12 fabricated by a dentist who is licensed pursuant to the provisions of this Chapter, or
13 fabricated pursuant to a dentist's work order or under the dentist's direction or
14 supervision, shall be marked with owner identification information in accordance
15 with the provisions of Part XXXIV-A of Chapter 5 of Title 40 of the Louisiana
16 Revised Statutes of 1950.

17 B. The board may establish, through rules promulgated in accordance with
18 the Administrative Procedure Act, any penalty or sanction it deems appropriate for
19 failure of a dentist to comply with the provisions of this Section.

1 Section 2. Part XXXIV-A of Chapter 5 of Title 40 of the Louisiana Revised Statutes
2 of 1950, comprised of R.S. 40:1299.133 through 1299.135, is hereby enacted to read as
3 follows:

4 PART XXXIV-A. REMOVABLE DENTAL PROSTHESES - OWNER

5 IDENTIFICATION

6 §1299.133. Definitions

7 As used in this Part, the following terms shall have the meaning ascribed to
8 them in this Section:

9 (1) "Dental prostheses" means dentures, bridges, artificial restorations, or
10 other structures to be used or worn as substitutes for natural teeth, or appliances for
11 the correction of disease, loss, deformity, malposition, dislocation, fracture of or
12 injury to the jaws, teeth, lips, gums, cheeks, palate, or associated tissues or parts.

13 (2) "Dentist" means a person who is licensed to practice dentistry pursuant
14 to the provisions of the Dental Practice Act, R.S. 37:751 et seq.

15 §1299.134. Dental prostheses; inscription of owner identification required

16 A. Except as provided in R.S. 40:1299.135, every complete upper and lower
17 denture and removable dental prosthesis fabricated by a dentist or pursuant to a
18 dentist's work order or under the dentist's direction or supervision shall be marked
19 with the name and social security number of the patient for whom the prosthesis is
20 intended. The markings shall be applied, implanted, or otherwise inscribed during
21 fabrication and shall be permanent, legible, and cosmetically acceptable.

22 B. The exact location of the markings required by Subsection A of this
23 Section and the methods used to inscribe the markings shall be determined by the
24 dentist or the dental laboratory which fabricates the prosthesis.

25 C. If, in the professional judgment of the dentist or dental laboratory, the
26 marking of identification as provided in Subsection A of this Section is not practical,
27 identifying information shall be marked in accordance with at least one of the
28 following provisions:

1 (1) The social security number of the patient may be omitted from the
2 marking if the name of the patient is shown.

3 (2) The marking may show the initials of the patient exclusively if use of the
4 name of the patient is impracticable.

5 §1299.135. Exceptions

6 The owner identification markings provided for in this Part may be omitted
7 in their entirety if, in the professional judgment of the dentist, none of the forms of
8 identification are practicable or clinically safe.

9 Section 3. This Act shall become effective upon signature by the governor or, if not
10 signed by the governor, upon expiration of the time for bills to become law without signature
11 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
12 vetoed by the governor and subsequently approved by the legislature, this Act shall become
13 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Patrick Williams

HB No. 234

Abstract: Requires that owner identification information be marked on every removable dental prosthesis fabricated by a dentist or pursuant to a dentist's order.

Proposed law requires that every complete upper and lower denture and removable dental prosthesis fabricated by a dentist duly licensed under present law, or fabricated pursuant to a dentist's work order or under the dentist's direction or supervision, be marked with owner identification information.

Proposed law defines "dental prostheses" as dentures, bridges, artificial restorations, or other structures to be used or worn as substitutes for natural teeth, or appliances for the correction of disease, loss, deformity, malposition, dislocation, fracture of or injury to the jaws, teeth, lips, gums, cheeks, palate, or associated tissues or parts.

Proposed law provides that the required identification information shall include the name and social security number of the patient for whom the prosthesis is intended.

Proposed law provides that if the dentist or dental laboratory determines the marking of identification as provided in proposed law is not practical, identifying information shall be marked in either of the following forms:

(1) The social security number of the patient may be omitted from the marking if the name of the patient is shown.

- (2) The marking may show the initials of the patient exclusively if use of the name of the patient is impracticable.

Proposed law provides an exception to the owner identification inscription requirement for cases in which, in the professional judgment of the dentist, none of the forms of identification are practicable or clinically safe.

Proposed law provides that the La. State Board of Dentistry may establish any penalty or sanction it deems appropriate for failure of a dentist to comply with proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 37:772.1 and R.S. 40:1299.133-1299.135)