

HOUSE BILL NO. HB0258

Denturist practice act.

Sponsored by: Representative(s) Winter and Trujillo

A BILL

for

1 AN ACT relating to professions and occupations; amending
2 dentists and dental hygienists licensing statutes to
3 include denturists; authorizing a denturist to be added to
4 the board as specified; specifying that this act does not
5 apply to denturistry students performing denturistry as part
6 of their curriculum; specifying that denturists shall only
7 perform dental laboratory work at the direction of a
8 dentist; specifying that denturists may perform services
9 for patients if trained to do so in a denturistry school
10 accredited by the National Denturist Association or other
11 approved education program and under the supervision of a
12 dentist; amending requirements relating to permissible
13 supervised work by specified persons; amending other laws
14 relating to dentists and dental hygienists to include
15 denturists as specified; requiring rulemaking; providing an
16 appropriation; and providing for effective dates.

1

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

3

4 **Section 1.** W.S. 1-1-129(a)(i)(D), 33-15-101(c) and
5 (e), 33-15-108(h), 33-15-109(a) and (b), 33-15-111,
6 33-15-114(a)(xii) and (b)(intro), 33-15-115(a)(ii) through
7 (iv) and by creating a new paragraph (v), 33-15-117,
8 33-15-119, 33-15-120(a) and (c) through (e),
9 33-15-121(a)(intro), (i), (iv) and (v), 33-15-128(a)(ii),
10 (xii)(A) through (C), (xiii), by creating new paragraphs
11 (xvii) and (xviii) and by renumbering (xvii) as (xix),
12 33-15-131(d)(i), (ii)(A), (B), (iii)(A), (B), (iv)(A), (B),
13 (e) and (g) through (j), 33-15-133(a) and 40-28-102(a)(iv)
14 are amended to read:

15

16 **1-1-129. Immunity from liability for volunteer health**
17 **care professionals; insurance required of nonprofit health**
18 **care facility.**

19

20 (a) As used in this section:

21

1 (i) "Health care professional" means any of the
2 following who provide medical or dental diagnosis, care or
3 treatment:

4

5 (D) Dentists, ~~and~~ dental hygienists and
6 denturists licensed to practice as provided in title 33,
7 chapter 15 of the Wyoming statutes; and

8

9 **33-15-101. Board of dental examiners; generally.**

10

11 (c) No person is eligible to membership on the board
12 who is not legally qualified to practice; who has not
13 engaged in the active practice of dentistry in the state of
14 Wyoming for at least five (5) continuous years immediately
15 prior to appointment; who does not at the time of his
16 appointment hold a certificate entitling him to practice
17 dentistry in the state of Wyoming; and who is not a
18 resident of the state of Wyoming. One (1) appointed member
19 of the board shall be a dental hygienist who has the
20 qualifications provided in this act. One (1) appointed
21 member of the board may be a denturist who has the
22 qualifications provided in this act. No member shall

1 succeed himself in office for more than two (2) successive
2 terms.

3

4 (e) Appointments by the governor to the board shall
5 be made from a list of recommended names submitted by the
6 Wyoming Dental Association, ~~and~~ Wyoming Dental Hygiene
7 Association and the Wyoming State Denturist Association if
8 applicable as follows:

9

10 (i) The Wyoming Dental Association shall,
11 through its secretary, present to the governor within
12 fifteen (15) days after its regular annual meeting a list
13 of the names of not less than ten (10) candidates from
14 which appointments for vacancies on the board occurring
15 during the ensuing year shall be made; ~~and~~

16

17 (ii) The Wyoming Dental Hygiene Association
18 shall, through its secretary, present to the governor
19 within fifteen (15) days after its regular annual meeting a
20 list of not less than three (3) candidates from which
21 appointments for vacancies on the board occurring during
22 the ensuing year shall be made; ~~and~~ and

23

1 (iii) If a denturist serves on the board, the
2 Wyoming State Denturist Association shall, through its
3 secretary, present to the governor within fifteen (15) days
4 after its regular annual meeting a list of not less than
5 three (3) candidates from which appointments for vacancies
6 on the board occurring during the ensuing year shall be
7 made.

8
9 **33-15-108. Licensing; qualifications; examinations;**
10 **fees.**

11
12 (h) The board may make and prescribe rules and
13 regulations for the licensure and practice of dentistry in
14 the state of Wyoming, not inconsistent with this act. For
15 purposes of this subsection, "practice of dentistry"
16 includes the work of dental hygienists, denturists, dental
17 auxiliaries, dental technicians and dental laboratories.

18
19 **33-15-109. Renewal license certificate.**

20
21 (a) On or before December 31 of every second year,
22 each dentist and denturist licensed to practice dentistry
23 in this state and wishing to continue in the practice of

1 dentistry shall submit a license renewal application with
2 the applicable renewal fee. Any license granted by the
3 board shall expire if the holder fails to secure the
4 renewal certificate within three (3) months after the date
5 that the license renewal application is required to be
6 submitted.

7
8 (b) Any dentist or denturist whose application for
9 renewal indicates that the dentist or denturist has not
10 actively practiced dentistry or engaged in teaching
11 dentistry, ~~or~~ dental hygiene or denturistry for the
12 preceding five (5) years shall be issued a renewal
13 certificate only after demonstrating to the board that the
14 dentist or denturist has maintained the qualifications set
15 forth in this act. The board may require reexamination if
16 it finds good cause to believe that the person has not
17 maintained the professional ability and knowledge required
18 of an original licensee.

19

20 **33-15-111. List of licensees filed with board office.**

21

22 The board shall annually publish a list of all dentists,
23 ~~and~~ dental hygienists and denturists licensed under this

1 act. The list shall contain the name and address of each
2 dentist, ~~and~~ dental hygienist and denturist and such other
3 information as the board deems advisable. The board office
4 shall furnish copies to the public upon request or by
5 access to the board's website.

6

7 **33-15-114. Persons deemed to be practicing dentistry;**
8 **work authorizations from licensed dentist.**

9

10 (a) Except as provided by paragraph (xii) of this
11 subsection, any person is deemed to be practicing dentistry
12 within the meaning of this act:

13

14 (xii) A dental laboratory, ~~or~~ dental technician
15 or denturist is not practicing dentistry within the meaning
16 of this act when engaged in the construction, making,
17 alteration or repairing of bridges, crowns, dentures or
18 other prosthetic or surgical appliances, or orthodontic
19 appliances if the casts or molds or impressions upon which
20 the work is constructed have been made by a regularly
21 licensed and practicing dentist or denturist, and if all
22 crowns, bridges, dentures or prosthetic appliances,

1 surgical appliances or orthodontic appliances are returned
2 to the dentist upon whose order the work is constructed.

3

4 (b) Any licensed dentist or denturist who employs or
5 engages the service of any person, firm or corporation
6 outside of the dental office to construct, reproduce, make,
7 alter or repair bridges, crowns, dentures or other
8 prosthetic, surgical or orthodontic appliances shall
9 furnish the person with a written work authorization on
10 forms prescribed by the board, which contain:

11

12 **33-15-115. Persons to whom chapter inapplicable.**

13

14 (a) Nothing in this act contained applies:

15

16 (ii) To a legally qualified dentist, dental
17 hygienist or ~~dentist~~denturist engaged in full-time duties
18 with the United States armed forces, public health service,
19 veterans administration or other federal agencies;

20

21 (iii) To a legally qualified ~~dental hygienist or~~
22 dentist, dental hygienist or denturist of another state

1 making a clinical demonstration before a meeting of
2 dentists or dental auxiliaries; or

3
4 (iv) To dental, ~~and~~ dental hygiene and
5 denturistry students actively enrolled in any American
6 Dental Association or other board approved accredited
7 dental or denturistry educational program performing
8 services as a part of the curriculum of that program under
9 the direct supervision of a Wyoming licensed dentist, ~~or~~
10 Wyoming licensed dental hygienist instructor or Wyoming
11 licensed denturist;

12
13 (v) To denturistry students actively enrolled in
14 any educational institution approved by the board and
15 pursuing a major course of study in denturistry.

16
17 **33-15-117. Dental laboratory technicians and**
18 **denturists.**

19
20 Dentists may employ one (1) or more dental laboratory
21 technicians or denturists who work only under the direction
22 and supervision of the dentist and who shall not be
23 permitted under any circumstances to do any unsupervised

1 work upon any patient. Dental laboratory technicians and
2 denturists shall not be allowed to do laboratory work of
3 any kind except at the direction of dentists duly licensed
4 to practice, and then only upon written prescription issued
5 by the dentists if the dental laboratory work is completed
6 outside the dental office.

7

8 **33-15-119. Dental hygienists and denturists;**
9 **generally.**

10

11 Any dentist authorized to practice dentistry within the
12 state may employ dental hygienists and denturists who shall
13 be examined and possess the qualifications provided in this
14 act. A dental hygienist or dentist may perform any
15 services for a patient which are consistent with what the
16 dental hygienists and denturists are trained to do in
17 accredited dental hygiene or dentistry schools accredited
18 by the commission on dental accreditation of the American
19 Dental Association, the National Denturist Association or
20 other board approved education program. Hygienists and
21 denturists shall not perform any other operation on the
22 teeth or mouth and shall be regulated by the rules and
23 regulations promulgated by the board. The above services

1 shall be performed under the supervision of a licensed
 2 dentist. Dental hygienists and denturists shall practice in
 3 the office of any licensed dentist, or in any public or
 4 private institution under the supervision of a licensed
 5 dentist. The board may revoke or suspend the license of any
 6 dentist who permits any dental hygienist or denturist
 7 operating under his supervision to perform any operations
 8 or functions other than those permitted under this act.

9

10 **33-15-120. Dental hygienists and denturists;**
 11 **qualifications; examination; fees and license.**

12

13 (a) Any person who has a background that does not
 14 evidence conduct adverse to the practice of dental hygiene
 15 or denturistry or to the ability to practice dental hygiene
 16 who is or denturistry and meets the following qualifications
 17 may apply to the board to have the person's qualifications
 18 considered for licensure to practice dental hygiene or
 19 denturistry as follows:

20

21 (i) An applicant for licensure as a dental
 22 hygienist shall be a graduate of a dental hygiene program
 23 accredited by the commission on dental accreditation of the

1 American Dental Association or other board approved
2 program, who has passed a written, clinical and state
3 examination as determined by rule of the board may apply to
4 the board to have the person's qualifications considered
5 for licensure to practice dental hygiene;

6
7 (ii) An applicant for licensure as a dentist
8 shall be a graduate of a dentist program certified by the
9 National Denturist Association or other board approved
10 educational program, shall pass in a manner satisfactory to
11 the board an examination for the practice of denturistry
12 established by the National Denturist Association or other
13 board approved examination and shall pass a clinical
14 examination accepted by the board. Applicants shall be
15 required to pass a written examination satisfactory to the
16 board;

17
18 (iii) Persons licensed to practice denturistry
19 under the laws of any other state, territory of the United
20 States, District of Columbia or Puerto Rico, with
21 substantially equivalent licensing standards to this
22 article applicable to denturistry shall be licensed without
23 examination upon providing the board with the following:

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(A) Proof of successfully passing a written and clinical examination for dentistry in a state, territory of the United States, District of Columbia or Puerto Rico, that the board has determined has substantially equivalent licensing standards as those in this act, including but not limited to both the written and clinical examination; and

(B) An affidavit from the licensing agency where the person is licensed or certified attesting to the fact of the person's licensure or certification.

(c) If the applicant successfully completes the requirements for licensure, the applicant shall be licensed as a dental hygienist or dentist. If the expanded duties applicant has successfully met the requirements for expanded duties, the applicant shall be certified in those expanded duties. The certificate issued by the board shall list the expanded duties which the hygienist or dentist is qualified and permitted to perform. On or before December 31 of every second year, each dental hygienist or dentist licensed to practice dental hygiene or dentistry

1 and wishing to continue in the practice of dental hygiene
2 or denturistry shall submit a license renewal application
3 with the applicable renewal fee. The renewal certificate
4 shall be made available to the supervising dentist. Any
5 license granted by the board shall expire if the holder
6 fails to secure the renewal certificate within three (3)
7 months after the date that the license renewal application
8 is required to be submitted. Any license that has expired
9 may be restored by the board upon payment of a fee set by
10 the board, if paid by December 31 of the year the license
11 expired.

12

13 (d) Any dental hygienist or dentist whose
14 application for renewal indicates that the hygienist or
15 denturist has not actively practiced or engaged in teaching
16 dental hygiene ~~or engaged in teaching dental hygiene or~~
17 denturistry for the preceding five (5) years shall be issued
18 a renewal certificate only after demonstrating to the board
19 that the hygienist or dentist has maintained the
20 qualifications set forth in this act. The board may require
21 reexamination if it finds good cause to believe that the
22 person has not maintained the professional ability and
23 knowledge required of an original licensee under this act.

1

2 (e) The board shall promulgate reasonable rules and
3 regulations for the licensure and practice of dental
4 hygienists ~~and the practice of dental hygiene~~ and
5 denturists, and may prescribe continuing education
6 requirements for renewal certificates and relicensure.

7

8 **33-15-121. Grounds and proceedings for suspension of,**
9 **revocation of or refusal to renew a license for a dental**
10 **hygienist or denturist.**

11

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

15

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

22

1 (iv) Renting or loaning to another person the
2 hygienist's or denturist's license or diploma to be used as
3 a license or diploma for the other person;

4

5 (v) Being unfit or incompetent to practice
6 dental hygiene or denturistry for any reason, including but
7 not limited to:

8

9 (A) Inability to practice dental hygiene or
10 denturistry with reasonable skill and safety because of
11 physical or mental disability or the use of alcohol,
12 prescription drugs, nonprescription drugs or other
13 psychoactive substance; or

14

15 (B) Performance of unsafe dental hygiene
16 practice or denturistry practice or failure to conform to
17 the standards of acceptable professional dental hygiene
18 practice or denturistry practice, whether or not actual
19 injury results.

20

21 **33-15-128. Definitions.**

22

23 (a) As used in this act:

1

2 (ii) "Dentistry" means the healing art practiced
3 by a dentist, dental hygienist or a denturist which is
4 concerned with the examination, diagnosis, treatment,
5 planning and care of conditions within the human oral
6 cavity and its adjacent tissues and structures;

7

8 (xii) "Proprietor" includes any person who:

9

10 (A) Employs dentists, dental hygienists,
11 denturists or dental auxiliaries in the operation of a
12 dental office, except as defined in this act; or

13

14 (B) Places in the possession of a dentist,
15 dental hygienist, ~~or~~ denturist, dental auxiliary or any
16 other agent such dental material or equipment as may be
17 necessary for the management of a dental office on the
18 basis of a lease or any other agreement for compensation
19 for the use of such material, equipment or offices; or

20

21 (C) Retains the ownership or control of
22 dental equipment or material or office and makes the same
23 available in any manner for the use by dentists, dental

1 hygienists, denturists, dental auxiliaries or any other
2 agents, excepting that nothing in this subparagraph shall
3 apply to bona fide sales of dental equipment or material
4 secured by a chattel mortgage or retain-title agreement or
5 the loan of articulators.

6

7 (xiii) "Expanded duties" means those patient's
8 services which are beyond those regularly practiced by
9 dental hygienists, ~~or~~ denturists, dental technicians or
10 other dental auxiliary functions and which require
11 additional education which shall be approved by the board
12 of dental examiners of Wyoming and are to be performed
13 under the direct supervision of a licensed dentist;

14

15 (xvii) "Denturist" means a person who is
16 supervised by a dentist and is licensed to render removable
17 oral prostheses services, education and dentistry services
18 defined in this act, as well as other duties required in
19 the practice of a denturist's duties;

20

21 (xviii) "Denturistry" means the practice of a
22 denturist who, at the direction and supervision of a
23 licensed dentist, makes, provides, repairs or alters

1 removable oral prosthetic appliances and other removable
 2 artificial devices that are inserted into the human mouth
 3 or that come into contact with the human mouth and its
 4 adjacent tissues and structures;

5

6 ~~(xvii)~~(xix) "This act" means W.S. 33-15-101
 7 through 33-15-133 and may be cited as the "Wyoming Dental
 8 Practice Act".

9

10 **33-15-131. Dentist, dental hygienist or denturist**
 11 **volunteer certificate.**

12

13 (d) An application for a volunteer's certificate
 14 shall include all of the following:

15

16 (i) A copy of the applicant's dentistry, ~~or~~
 17 dental hygienist or denturist degree;

18

19 (ii) One (1) of the following, as applicable:

20

21 (A) A copy of the applicant's most recent
 22 license or certificate authorizing the practice of
 23 dentistry, ~~or~~ dental hygiene or denturistry issued by a

1 jurisdiction in the United States that licenses persons to
2 practice dentistry, ~~or~~ dental hygiene or denturistry; or

3

4 (B) A copy of the applicant's most recent
5 license equivalent to a license to practice dentistry, ~~or~~
6 dental hygiene or denturistry in one (1) or more branches of
7 the United States armed services that the United States
8 government issued.

9

10 (iii) Evidence of one (1) of the following, as
11 applicable:

12

13 (A) That the applicant has maintained for
14 at least ten (10) years immediately prior to retirement
15 full licensure in good standing in any jurisdiction in the
16 United States that licenses persons to practice as a
17 dentist, ~~or~~ dental hygienist or denturist; or

18

19 (B) That the applicant has practiced for at
20 least ten (10) years immediately prior to retirement in
21 good standing as a dentist, ~~or~~ dental hygienist or
22 denturist in one (1) or more of the branches of the United
23 States armed services. ~~and~~

1

2 (iv) A notarized statement from the applicant,
3 on a form prescribed by the board, that the applicant:

4

5 (A) Will not accept any form of
6 remuneration for any dental, ~~or~~ dental hygiene or
7 denturistry services rendered while in possession of a
8 volunteer's certificate;

9

10 (B) Will devote his practice exclusively
11 and totally to providing dental, ~~or~~ dental hygiene or
12 denturistry services to low income uninsured persons at a
13 nonprofit health care facility in this state; and

14

15 (e) The holder of a volunteer's certificate may
16 provide dental, ~~or~~ dental hygiene or denturistry services
17 only on the premises of a nonprofit health care facility in
18 this state and only to low income uninsured persons. The
19 holder shall not accept any form of remuneration for
20 providing dental, ~~or~~ dental hygiene or denturistry services
21 while in possession of the certificate. The board may
22 revoke a volunteer's certificate on receiving proof
23 satisfactory to the board that the holder has engaged in

1 practice in this state outside the scope of the
2 certificate.

3

4 (g) To be eligible for renewal of a volunteer's
5 certificate, the holder of the certificate shall certify to
6 the board completion of any continuing education required
7 under this act as if the holder of the certificate were in
8 active practice. The board shall not renew a certificate if
9 the holder has not complied with the continuing education
10 requirements. The nonprofit health care facility in which
11 the holder provides dental, ~~or~~ dental hygiene or denturistry
12 services may pay for or reimburse the holder for any costs
13 incurred in obtaining the required continuing education.

14

15 (h) The board shall issue to each person who
16 qualifies under this section a volunteer's certificate that
17 states the certificate holder is authorized to provide
18 dental, ~~or~~ dental hygiene or denturistry services pursuant
19 to the laws of this state.

20

21 (j) Except as provided in this section, any person
22 holding a volunteer's certificate issued by the board under
23 this section shall be subject to the requirements of this

1 act and the jurisdiction of the board as if he were
2 licensed to practice dentistry, ~~or~~ dental hygiene or
3 denturistry under this act.

4

5 **33-15-133. Temporary educator's license.**

6

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

13

14 **40-28-102. Medical digital innovation sandbox waiver;**
15 **applicability of criminal statutes; referrals; civil**
16 **liability.**

17

18 (a) Notwithstanding any other provision of law, a
19 person who makes an innovative medical digital assessment
20 product or service available to consumers in the medical
21 digital innovation sandbox may be granted a waiver from
22 specified requirements imposed by statute or rule, or
23 portions thereof, if these statutes or rules do not

1 currently permit the product or service to be made
2 available to consumers. A waiver under this subsection
3 shall be no broader than necessary to accomplish the
4 purposes and standards set forth in this act, as determined
5 by the department or the appropriate licensing board or
6 authority under the chapters listed in this subsection.
7 The statutes within the following chapters of title 33 of
8 the Wyoming statutes, and the rules adopted under them, or
9 portions thereof, may be waived by the department and the
10 appropriate licensing boards or authorities, upon receipt
11 and approval of an application made to the department
12 pursuant to W.S. 40-28-103:

13

14 (iv) Chapter 15, dentists, ~~and~~ dental hygienists
15 and denturists;

16

17 **Section 2.**

18

19 (a) If there are three (3) denturist candidates
20 interested in serving on the board of dental examiners, the
21 governor may appoint a denturist from the list of three (3)
22 candidates to the board of dental examiners pursuant to
23 this act not later than July 1, 2023.

1

2 (b) If the governor appoints a denturist to the board
3 of dental examiners, the Wyoming State Denturist
4 Association shall present to the governor a list of not
5 less than three (3) candidates from which appointments for
6 vacancies on the board of dental examiners occurring during
7 the ensuing year shall be made pursuant to this act not
8 later than July 1, 2023.

9

10 **Section 3.** There is appropriated nine thousand
11 dollars (\$9,000.00) from special revenue to the board of
12 dental examiners to pay for administrative costs due to the
13 implementation of this act for the period beginning the
14 effective date of this act through June 30, 2024.
15 Notwithstanding any other provision of law, this
16 appropriation shall not be transferred or expended for any
17 other purpose and any unexpended, unobligated funds
18 remaining from this appropriation shall revert as provided
19 by law on July 1, 2024.

20

1 **Section 4.**

2

3 (a) Except as otherwise provided by subsection (b) of
4 this section, this act is effective July 1, 2023.

5

6 (b) Sections 2 and 4 of this act are effective
7 immediately upon completion of all acts necessary for a
8 bill to become law as provided by Article 4, Section 8 of
9 the Wyoming Constitution.

10

11

(END)