

**PROSPECTIVE ANALYSIS**

**BOARD OF DENTURITRY**

IDAPA 24.16.01

**RULE: 200 SERIES**

**Proposed Rule:**

**200. PRACTICE STANDARDS.**

**01. Minimum Facility Standards.** A Denturist office must be properly equipped to ensure the safe, clean, and sanitary condition necessary and appropriate for proper operation and the safe preparation of dentures.

**02. Maintain Adequate Records.** Adequate records mean legible records which contain, at minimum, evidence of information deemed appropriate for patient care and copies of statements of charges delivered or provided to the patient or client. All records must comply with HIPPA.

**Current Rule:** Same essential elements as proposed rule.

**Legal Authority:** Idaho Code §§ 54-3309, 54-3310, 54-3311, and 54-3314.

**Define the specific problem the proposed rule is attempting to solve. Can it be solved through non-regulatory means?**

To protect the public by providing practice standards for denturists in Idaho.

**What evidence is there that the rule, as proposed, will solve the problem?**

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**Federal Law Comparison (where applicable)**

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
N/A	N/A

**State Law Comparison**

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
<b>Alaska</b>	<p>The practice of denturism is encompassed within the practice of dentistry in AK and so is governed by the rules of the Board of Dentistry. Only dentists or their delegates may furnish, supply, construct, reproduce, or repair dentures.</p> <p><a href="https://www.commerce.alaska.gov/web/portals/5/pub/DentalStatutes.pdf">https://www.commerce.alaska.gov/web/portals/5/pub/DentalStatutes.pdf</a></p>	The proposed rule is no more restrictive.
<b>Montana</b>	<p>The practice of denturism in MT is encompassed within dentistry and governed by the rules of the Board of Dentistry. A denturist may only make a denture fitting upon referral from a licensed dentist. The denture must be fully soft-tissue supported and removable without tools. Denturists may not cut or surgically remove or reduce tissue or teeth, or adjust any dental appliances, to fit the denture. Failure to follow these rules, or incompetence or gross negligence in fitting dentures, is unprofessional conduct.</p> <p><a href="https://rules.mt.gov/gateway/ChapterHome.asp?Chapter=24.138">https://rules.mt.gov/gateway/ChapterHome.asp?Chapter=24.138</a></p>	The proposed rule is no more restrictive.
<b>Nevada</b>	<p>The practice of denturism in NV is encompassed within dentistry and governed by law. Only a dentist may examine a person to determine if artificial teeth are necessary, supply those artificial teeth, and place and adjust those artificial teeth. While delegates may manufacture the artificial teeth, they may only do so upon receipt of a written authorization from a licensed dentist and</p>	The proposed rule is no more restrictive.

	<p>only if the manufacture does not require direct contact with the patient. All dentures (and dental appliances) must be labeled with the patient's name and social security number.</p> <p><a href="https://www.leg.state.nv.us/Nrs/NRS-631.html#NRS631Sec215">https://www.leg.state.nv.us/Nrs/NRS-631.html#NRS631Sec215</a></p>	
<b>Oregon</b>	<p>OR governs the practice of denturism by rule, supplemented by statute. Denturists must either possess an oral pathology endorsement or comply with the requirements to obtain an oral health certificate. They must document a patient's informed consent and treatments received. They must conduct clinical examinations and make referrals where necessary. They must comply with hygiene and CDC guidelines. Denturists may provide teeth whitening services but not with prescription strength whitening solutions. Denturists may partner with Dentists.</p> <p>Licenses must be displayed in public view.</p> <p><a href="https://www.oregon.gov/oha/PH/HLO/Pages/Board-Denture-Technology-Laws-Rules.aspx">https://www.oregon.gov/oha/PH/HLO/Pages/Board-Denture-Technology-Laws-Rules.aspx</a></p>	The proposed rule is no more restrictive.
<b>South Dakota</b>	<p>The practice of denturism in SD is encompassed within dentistry and governed by law. Only a dentist may sell, offer, or provide dentures. While delegates may manufacture the dentures, they may only do so upon a written order from a licensed dentist.</p> <p><a href="https://sdlegislature.gov/Statutes/Codified_Laws/2059584">https://sdlegislature.gov/Statutes/Codified_Laws/2059584</a></p>	The proposed rule is no more restrictive.
<b>Utah</b>	<p>The practice of denturism in UT is encompassed within dentistry and governed by law. Only a licensed dentist may supply artificial teeth as substitutes for natural teeth.</p> <p><a href="https://le.utah.gov/xcode/Title58/Chapter69/58-69-S102.html?v=C58-69-S102_2020051220200512">https://le.utah.gov/xcode/Title58/Chapter69/58-69-S102.html?v=C58-69-S102_2020051220200512</a></p>	The proposed rule is no more restrictive.
<b>Washington</b>	<p>WA governs the practice of denturism by statute and rule. Prior to fitting dentures, the Denturist must first exam a patient's oral cavity. If there are any medical issues, the denturist must refer the patient to a competent dentist. Denturists may enter into partnership agreements with dentists, so long as the agreement does not impair the independent judgment of either party.</p>	The proposed rule is no more restrictive.

	<p>All dentures must be permanently marked with the name of the patient for whom they were made. To prevent infection of patients, denturists must comply with barrier (gloves, masks, eyewear shields) and sterilization requirements, and must wash their hands between patients. Licenses must be displayed.</p> <p>Denturists may also provide non-orthodontic removable oral devices or perform teeth-whitening after receiving an additional endorsement to their license.</p> <p><a href="https://app.leg.wa.gov/rcw/default.aspx?cite=18.30&amp;full=true">https://app.leg.wa.gov/rcw/default.aspx?cite=18.30&amp;full=true</a>  <a href="https://app.leg.wa.gov/wac/default.aspx?cite=246-812&amp;full=true">https://app.leg.wa.gov/wac/default.aspx?cite=246-812&amp;full=true</a></p>	
<b>Wyoming</b>	<p>WY does not have separate practice standards for denturists. Their practice is encompassed within the practice of Dentistry. The creation of dentures falls within the scope of the practice of dentistry. Dental labs, technicians, or other companies may only create dentures or other appliances on the authority of a work order from a licensed dentist. The appliances must then be returned to that dentist who will interface with the patient.</p> <p><a href="https://law.justia.com/codes/wyoming/2022/title-33/chapter-15/section-33-15-114/">https://law.justia.com/codes/wyoming/2022/title-33/chapter-15/section-33-15-114/</a></p>	The proposed rule is no more restrictive.

**If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:**

N/A

**Anticipated impact of the proposed rule on various stakeholders:**

<b>Category</b>	<b>Potential Impact</b>
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	
Impact to Idaho businesses, with special consideration for small businesses	
Impact to any local government in Idaho	

