

24.16.01 – RULES OF THE STATE BOARD OF DENTURTRY

000. LEGAL AUTHORITY.

These rules are promulgated pursuant to Section 54-3309. ()

001. SCOPE.

These rules govern the practice of denturtry in Idaho. ()

002. -- 009. (RESERVED)

010. DEFINITIONS.

~~01. Denturist Services. For purposes of the unconditional ninety (90) day guarantee prescribed in Section 54-3320(c), Idaho Code, denturist services include any and all prosthetic dental appliances and materials and/or services related to the furnishing or supplying of such a denture, including preparatory work, construction, fitting, furnishing, supplying, altering, repairing or reproducing any prosthetic dental appliance or device. ()~~

02. Denture Technician. A person who is limited to making, constructing, altering, reproducing or repairing of a full upper or lower removable prosthetic denture, the repairing of a removable partial upper or lower prosthetic denture but is not allowed to make an impression or come in direct contact with a patient. ()

011. -- 149. (RESERVED)

1050. EXAMINATIONS.LICENSURE.

~~01. Date of Licensure Examination. The licensure examination will be held no less than two (2) times per year at such times and places as may be determined by the Board. ()~~

~~02. Content. Examinations include both a written theory examination and a practical demonstration of skills. ()~~

~~013. Examination Grading. An applicants must pass both the Board administered written and practical examinations with obtain a score of seventy-five percent (75%) or better on each part of the examination in order to pass the examination. Applicants who fail one or both examinations will be required to pay a re-examination fee prior to retaking the failed examination(s). ()~~

~~04. Re-Examination. ()~~

~~a. Applicants who fail either part or all of the examination will be required to make application and pay the required fees prior to being eligible to retake the failed part of the examination. ()~~

~~b. Applicants failing either part or all of the examination on the first attempt will not be required to complete any additional instruction prior to being eligible to make application and retake the examination. ()~~

~~c. Applicants failing either part or all of the examination on a second attempt and all subsequent attempts are not eligible to make application and retake the examination within one (1) year of the date of the examination failure The Board may recommend additional course work or clinical work for any applicant who has failed an examination two (2) or more times. ()~~

151. -- 199. (Reserved)

200. APPLICATIONS.

Commented [KS1]: Changed approved during the 3.31.2023 mtg. 54-3320 Notice of Board Address- Prohibited Activities-Guarantee on Services. (c) All denturist services will be unconditionally guaranteed for a period of not less than ninety (90) days.

Commented [KS2]: This is not a necessary rule. The website can identify when the exam will be held - or - the exams can be held on an as-needed basis.

Commented [KS3]: Duplicative of Statute: 54-3311. EXAMINATIONS. The board shall administer the examinations for licensing, subject to the following requirements: (a) Examinations shall be of such character as to determine the qualifications, fitness and ability of the applicant to practice denturtry, with the form of the test to be written, oral, or a practical demonstration of skills, or such combination of the three (3) as the board may prescribe. (b) The examination shall include coverage of the following subjects: (1) Head and oral anatomy; (2) Oral pathology; (3) Physiology; (4) Clinical dental technology; (5) Dental laboratory technology; (6) Microbiology; (7) Clinical jurisprudence; (8) Asepsis; (9) First aid for minor office emergencies

Commented [MC4]: Incorporated into 01. Examination.

Commented [KS5]: Applications for licensure are valid for one year from when the applicant applies. If the applicant fails one or both parts of the exam within the one year, they can pay the re-examination fee, but the Board doesn't have the authority to require a new application within that one year time frame.

~~01. — Application Form for Licensure. Applications for licensure must be made on forms approved by the Board and furnished by the Division of Occupational and Professional Licenses and include all other documents necessary to establish the applicant meets the requirements for licensure except examination and is eligible to take the licensure examination.~~ ()

Commented [KS6]: The Divisions Statutes address the application form/submission and application materials required. Therefore, this isn't needed. Approved 3.31.2023

~~02. — Authorization for Examination.~~ ()

~~a. — After the Board evaluates the applicant's qualifications to take the examination the applicant will be notified in writing of the approval or denial, and, if denied, the reason for the denial.~~ ()

~~b. — At the time the Board approves an applicant to take the examination the Board will set the date and location(s) of the next examination if it has not already been set. Approved applicants will be notified of the date and location(s) of the next examination.~~ ()

Commented [KS7]: The board doesn't have the authority to approve someone to take the examination. The statute only allows the board to approve applications for licensure, not applications for examination. If the applicant meets the requirements set forth in rule Board Staff can approve them to sit for the exam.

201. -- 249. (RESERVED)

250. FEES.

FEE TYPE	AMOUNT (Not to Exceed)
License Application and Examination	\$300
License Application and Re-examination	\$300
Intern Application and Permit	\$300
Initial License	\$300
Inactive License	\$50
Annual Renewal	\$750

251. -- 299. (RESERVED)

300. INTERNSHIP.

~~100.012. Requirements and Conditions for Internship.~~ ()

~~a. To be eligible for internship the applicant must have completed:~~ ()

Commented [MC8]: Reorganized as a paragraph under 100.02

i. The educational requirements set forth in Section 54-3310(b), Idaho Code; or ()

ii. Have denturtry experience of three (3) years within the five (5) years immediately preceding application. ()

~~b. — Where an internship is established based on experience, the internship is valid only while the intern is actively pursuing completion of Idaho licensure requirements.~~ ()

Commented [KS9]: 54-3310(b) requires a 2 year supervised internship - or - equivalent experience set by the board. The board needs a rule re: equivalent experience, not governing the internship.

~~c. — Application must be made on forms provided by the Division of Occupational and Professional Licenses and must:~~ ()

~~i. — Document the location of practice;~~ ()

~~ii. Include the name and address of the supervising dentist or dentist; ()~~

~~iii. Include a sworn or affirmed statement by the supervising dentist or dentist; ()~~

~~iv. Include a sworn or affirmed statement by the supervisor accepting supervision of the intern; ()~~

~~v. Include a sworn statement by applicant that he is knowledgeable of law and rules and will abide by all requirements of such law and rules; and ()~~

~~vi. Include such other information necessary to establish applicant's qualifications for licensure as a dentist and establish compliance with pre-intern requirements. ()~~

d. The supervising dentist or dentist must be present and directly observe any intern interaction with a patient. ()

~~e. Two (2) years of internship under the supervision of a licensed dentist must be completed in not less than twenty-four (24) months and may not exceed thirty (30) months except as approved by the Board. ()~~

02. Internship Equivalency. A person is considered to have the equivalent of two (2) years internship under a licensed dentist who has met and verifies one (1) of the following within the five (5) years immediately preceding application: ()

a. Two (2) years internship as a denture lab technician under a licensed dentist; or ()

b. Two (2) years in the military as a denture lab technician; or ()

c. Three (3) years experience as a dentist under licensure in another state or Canada. ()

03. Internship Not to Exceed One Year. Internship not to exceed one (1) year acquired through a formal training program in an acceptable school will be accepted toward the two (2) year required internship for licensure. ()

~~04. Training Requirements. Each year of required internship consists of two thousand (2,000) clock hours of training and performance of the following minimum procedures for licensure. ()~~

~~a. Procedures include all steps required in constructing a finished denture but are not limited to the following: ()~~

~~i. Bite registrations, Articulations, Setups, Try ins. twelve (12) minimum. ()~~

~~ii. Processed relines (one (1) plate = one (1) unit) -- twenty-four (24) units. ()~~

~~ii. Patient charting, Operatory sanitation, Oral examination, Impressions, preliminary and final (pour models, custom trays), Processing (wax up, flask boil out, packing, grind polish), Delivery post adjustment thirty-six (36) minimum. ()~~

~~iv. Tooth repairs, Broken or fractured plates or partials -- forty-eight (48) minimum. ()~~

~~i. Patient charting -- thirty-six (36) minimum. ()~~

~~ii. Operatory sanitation -- thirty-six (36) minimum. ()~~

~~iii. Oral examination -- thirty-six (36) minimum. ()~~

Commented [KS10]: If all of this is on the approved application form, we do not need it outlined in the rule. Approved 3.31.2023

Commented [KS11]: 54-3310(b) sets forth the 3 requirements.

(b) Applications filed on or after April 1, 1983: Applicants must satisfactorily complete the *examinations* established by the board pursuant to this chapter; and have completed *formal training* of not less than two (2) years duration at an educational institution accredited by a national or regional accrediting agency recognized by the Idaho state board of higher education, the curriculum of which includes courses in oral pathology, physiology, head and oral anatomy, clinical microbiology, clinical jurisprudence, asepsis, and first aid for minor office emergencies; and have *completed at least two (2) years internship* under the supervision of a licensed dentist or have equivalent experience as established by board rule prior to the filing of the application

Nothing in statute allows these additional requirements.

Commented [MC12]: Incorporated into internship.

Commented [KS13]: We do not have statutory authority to state that that internship cannot take longer than 2 years.

54-3310 (b) and have completed at least two (2) years internship under the supervision of a licensed dentist or have equivalent experience as established by board rule prior to the filing of the application.

Commented [KS14]: The statute requires a 2-year supervised internship without also saying "as approved by the board". The Board can create an Internship Guidance Document with this information.

- iv. Impressions, preliminary and final (pour models, custom trays) thirty six (36) minimum. ()
- v. Bite registrations twelve (12) minimum. ()
- vi. Articulations twelve (12) minimum. ()
- vii. Set-ups twelve (12) minimum. ()
- viii. Try-ins twelve (12) minimum. ()
- ix. Processing (wax up, flask boil out, packing, grind polish) thirty six (36) minimum. ()
- x. Delivery post adjustment thirty six (36) minimum. ()
- b. Processed relines (one (1) plate = one (1) unit) twenty four (24) units. ()
- c. Tooth repairs forty eight (48) minimum. ()
- d. Broken or fractured plates or partials forty eight (48) minimum. ()

05. Reporting Requirements. Interns must file reports, attested to by the supervisor, with the Board on forms provided by the Division of Occupational and Professional Licenses on a monthly basis and recapped at termination or completion of the training. ()

Commented [MC15]: No statutory authority to require this report.

06. Denture Clinic Requirements. Denture clinic requirements for approved internship training: ()

- a. There may not be more than one (1) intern per licensed dentist or dentist who is practicing at the clinic on a full time basis. ()
- b. There must be a separate work station in the laboratory area for each intern with standard equipment, i.e. lathe, torch and storage space. The intern must provide necessary hand tools to perform the duties of the denture profession. Use of the operator facilities and other equipment will be shared with the intern. ()

Commented [KS16]: 5.24.2023- Board agreed to strike and allow for public comment.

07. Internship Supervisor Requirements. ~~Hold an Idaho dentist license in good standing, be approved in advance for each internship, and have actively practiced dentistry for the last three (3) of the five (5) years.~~ ()

Commented [MC17]: No statutory authority to require this.

- a. A supervisor must: ()
 - i. Be approved in advance by the Board for each internship. ()
 - ii. Not have been the subject of any disciplinary action by the Board, by the Idaho Board of Dentistry or by any other jurisdiction for five (5) years immediately prior to being approved as the supervisor. ()
- b. A supervisor that is a dentist must: ()
 - i. Hold an Idaho dentist license that is current and in good standing and is renewed as provided in these rules; and ()
 - ii. Have actively practiced dentistry for at least three (3) of the five (5) years immediately prior to being approved as the supervisor. ()
- c. A supervisor that is a dentist must: ~~Hold an Idaho dentist license that is current and in good standing and is renewed as provided in Chapter 9, Title 54, Idaho Code; and have actively practiced general dentistry, or a~~ ()

~~dentist specialty accepted by the Board, for at least three (3) of the five (5) years immediately prior to being approved as a supervisor. ()~~

Commented [MC18]: No statutory authority.

~~i. Hold an Idaho dentist license that is current and in good standing and is renewed as provided in Chapter 9, Title 54, Idaho Code; and ()~~

~~ii. Have actively practiced general dentistry, or a dental specialty accepted by the Board, for at least three (3) of the five (5) years immediately prior to being approved as a supervisor. ()~~

~~d. Supervise only one (1) intern. A supervisor will not be approved to supervise more than one (1) intern at a time. ()~~

Commented [KS19]: 5.24.2023- Board agreed to strike and allow for public comment.

~~e. Termination of supervisor approval. Approval of the supervisor immediately terminates if the supervisor is disciplined or ceases to meet supervisor requirements. ()~~

Commented [MC20]: No statutory authority.

301. -- 314. (RESERVED)

~~**315. INACTIVE LICENSURE STATUS.**~~

~~**01. Request License be Placed on Inactive Status.** A dentistry licensee may request the Board that his license be placed upon inactive status for no more than five years. A licensee on inactive status may not provide or perform denturist services. ()~~

~~**02. Reactivating Inactive License.** A licensee on inactive status may reactivate his license to active status by paying the renewal fee for an active license and providing proof they have completed and obtained such continuing education as required by Board rule. ()~~

Commented [KS21]: Duplicative of Title 67 Chapter 26- Department of self-governing agencies. Renewal or reinstatement of license outlined in your statute 54-3316. Board approved during 3.31.2023 meeting

316. -- 349. (RESERVED)

350100.03. CONTINUING EDUCATION.

~~The Board may accredit education programs for purposes of continuing education where the subject matter of the program is determined to be pertinent to the practice of dentistry. ()~~

~~**01. Subjects.** Subjects deemed pertinent to that Continuing education must bear germane to the practice of dentistry are those set forth in Section 54-3311(b), Idaho Code, and may also include ethics courses. Licensees may attend courses that are offered asynchronous and synchronously. ()~~

Commented [KS22]: 54-3313 does not limit the mode of CE and, therefore, no rule is necessary to establish the lack of such a limitation.

~~**02. Request for Approval.** Requests for approval of continuing education programs must be made to the Board, in writing, and provide an outline of the program which the Board is being asked to approve. The request must also address the matters set forth in Subsection 350.05 below. Requests may accompany the annual renewal form or may be made to the Board in advance of the program for which approval is sought as indicated in Subsection 350.03, below. ()~~

~~**03. Requests for Pre-Approval.** Requests for pre-approval of continuing education programs must be made to the Board, in writing, and provide an outline of the program which the Board is being asked to approve. Requests for pre-approval must also address the matters set forth in Subsection 350.05 below. ()~~

~~**a.** Requests for pre-approval must be received by the Division of Occupational and Professional Licenses no less than eleven (11) working days prior to the date of the program. ()~~

~~**b.** Requests for pre-approval which are not denied within ten (10) working days from receipt by the Division will be deemed approved. ()~~

~~**c.** Only those continuing education programs sponsored by recognized educational institutions (such as accredited colleges or universities), state or national denturist boards or associations, will be eligible for pre-approval consideration by the Board. All other programs will be considered at the time of renewal. ()~~

~~04. — Credit for Continuing Education Attendance. Continuing education credit will be given only for actual time in attendance by the licensee. No credit will be given for non-instructive time. Correspondence or Home Study courses are not eligible for continuing education credits. ()~~

Commented [KS23]: Removed during 5.24.2023 Board meeting. Updated in the above section to allow for in-person and virtual options.

~~05. — Requests for Approval of Programs. All requests for approval or pre-approval of educational programs must be accompanied by a statement that includes the name of the instructor or instructors, the date and time and location of the course, the specific agenda for the course, and a statement by the licensee of how the course is believed to be pertinent to the practice of dentistry as specified in Section 54-3311(b), Idaho Code. ()~~

351. -- 399. (RESERVED)

400. — INSPECTIONS.

~~01. — Who May Examine or Inspect. The Board or its agents may examine and inspect the place of business of any dentist at anytime during business hours or upon at least seventy-two (72) hours notice made by U.S. mail to the address of record of the dentist when the Board or its agents are unable to establish the regular business hours. ()~~

~~02. — Reason for Inspection. Inspections are made to insure compliance with the Standards of Conduct and practice set forth in Section 450. Deficiencies are a violation of Section 450 and actionable against the dentist under Section 54-3314(e), Idaho Code. ()~~

Commented [KS24]: Duplicative of 54-3314- Suspension or Revocation of license (5)(b)- The board shall have the power to examine and inspect the place of business of any licensed dentist at a reasonable time and in a reasonable manner to ensure compliance with this chapter.

401. -- 449. (RESERVED)

450200. STANDARDS OF CONDUCT AND PRACTICE STANDARDS.

~~01. — Minimum Facility Standards. A Dentist 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.~~

~~01. — Sanitation. ()~~

~~a. — There must be three (3) separate rooms; a reception room, and operatory room and a laboratory. ()~~

~~b. — The operatory room must have hot and cold running water, basin with approved disposal system; disinfectant soap; single use towels, a cuspidor with running water and a closed waste receptacle. ()~~

~~c. — The laboratory room must have hot and cold running water, and basin with approved disposal system. ()~~

~~d. — There must be a method of sterilization and disinfection evident and in use to insure the protection of the public. ()~~

~~e. — All floors, walls, ceiling and benches must be kept in a sanitary condition at all times. ()~~

~~f. — Every patient must have a separate and clean bib and a disposable cup. ()~~

~~g. — The hands of every dentist must be washed in the presence of every patient with germicidal or antiseptic soap and water. Every dentist must wear disposable gloves. ()~~

~~h. — Adequate and conveniently located toilet facilities with hot and cold running water, basin with approved disposal system, soap and single use towels will be provided within the building. ()~~

~~i. — All dentist offices are open to inspection anytime during the business hours to inspection by the~~

Board or its agents. ()

02. Office Standards. ()

a. Denturists must take care to use proper sterilization and sanitation techniques in all phases of their work. ()

b. A complete record of each patient must be kept. ()

c. All teeth and materials used must meet ADA standards. ()

03. Advertisements. ()

a. No dentist may disseminate or cause the dissemination of any advertisement or advertising that is any way fraudulent, false, deceptive or misleading. ()

04. General Conditions. ()

a. Conditions deemed by investigators to be a menace to the public health will be brought to the attention of the Board for consideration and immediate action. ()

b. These Standards of Conduct and Practice must be conspicuously posted in every licensed dentist's place of business. ()

05. Patient Record. A dentist must record, update and maintain documentation for each patient relevant to health history, clinical examinations and treatment, and financial data. Documentation must be written or computerized. Records must be maintained in compliance with any applicable state and federal laws, rules and regulations, including the health insurance portability and accountability act (HIPAA), P.L. 104-191 (1996), and the health information technology for economic and clinical health act (HITECH), P.L. 111-115 (2009). Such records must be accessible to other providers and to the patient in accordance with applicable laws, rules and regulations. Records must include, but are not limited to, the following: ()

a. Patient data, including name, address, date and description of examination; ()

b. Evidence of informed consent; ()

c. Date and description of treatment, services rendered, and any complications; ()

d. Health history as applicable; and ()

e. Any other information deemed appropriate to patient care. ()

06. Record Retention. Patient documentation, written or archived electronically by computer, must be retained for a minimum of seven (7) years and available upon request by the Board. ()

451. -- 474. (RESERVED)

475. REGISTRATION STATEMENT.

To enable the Board to examine or inspect the place of business of any licensed dentist as referred to in Section 54-3314(5)(b), Idaho Code, the filing of an annual statement is required of all licensed denturists. ()

01. Statement. must list the name and principal place of business of the dentist who is responsible for the practice of dentistry at that location. ()

02. Other Business Locations. Any other business locations maintained by the principal dentist and all denturists employed at the business. ()

~~03. **Date of Filing.** must be filed with the Board annually or within ten (10) days of any change in either location, identity of principal dentist or dentist employees. ()~~

~~04. **Failure to Timely File.** Failure to timely file or update this statement will constitute grounds for discipline pursuant to Section 54-3314(a), Idaho Code. ()~~

476. GUARANTEE OF DENTURIST SERVICES.

~~As prescribed in Section 54-3320(c), Idaho Code, unconditional guarantee of denturist services will require that the licensee refund, in full, any monies received in connection with the providing of denturist services, if demanded by the purchaser within ninety (90) days of delivery of the dentures, or the providing of services for which a fee is charged. ()~~

~~01. **Ninety Day Period.** The ninety (90) day period will be tolled for any period in which the denturist has taken possession or control of the dentures after original delivery. ()~~

~~02. **Written Contract.** By written contract signed by the purchaser, the denturist may specify the amount of the purchase price of the dentures, if any, that is nonrefundable should the consumer choose to cancel the purchase within the guarantee period. ()~~

~~03. **Nonrefundable Amount.** Under no circumstances will the nonrefundable amount exceed twenty-five percent (25%) of the total purchase price of the dentures. ()~~

~~04. **Limitation.** There is no limitation on the consumer's right to cancel. ()~~

~~05. **Cancellation of Agreement.** If the licensee elects to cancel the agreement or refuses to provide adjustments or other appropriate services to the consumer, the consumer will be entitled to a complete refund. ()~~

477. -- 479. (RESERVED)

480. DISCIPLINE.

~~01. **Civil Fine.** The Board may impose a civil fine not to exceed one thousand dollars (\$1,000) upon a licensed denturist for each violation of Section 54-3314(a), Idaho Code. ()~~

~~02. **Costs and Fees.** The Board may order a licensed denturist to pay the costs and fees incurred by the Board in the investigation or prosecution of the licensee for violation of Section 54-3314(a), Idaho Code. ()~~

~~02. **Civil Penalty.** The Board may impose a fine up to the amount of any economic advantage obtained through the violation. ()~~

~~03. **Failing to 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. Must be in compliance with HIPPA. ()~~

~~04. **False Advertisements.** No denturist may disseminate or cause the dissemination of any advertisement or advertising that is in any way fraudulent, false, deceptive or misleading. ()~~

481. -- 999. (RESERVED)

Commented [KS25]: There is nothing in statute that gives the Board authority to require a registration statement.

Instead, the original and renewal applications should have the licensee identify business address(es). Per 54-3313 the addresses will be printed on the license.

67-2614(5)(a) requires licensees to immediately notify the Division of an address change.

Commented [KS26]: Duplicative of 54-3320- Notice of Board Address - - Prohibited Activities - - Guarantee on Services. Board approved during 3.31.2023 meeting.

Commented [KS27]: 55-3314(c) dictates when the board can impose monetary penalties - for violations of the practice standards adopted by the Board. It does not allow the board to impose penalties for the other statutory grounds for discipline.

Commented [KS28]: IC 12-117 governs when fees and costs can be imposed.

Commented [MC29]: Added pursuant to IC 54-3314(5)

Commented [KS30]: Moving this rule to Practice Standards

Commented [KS31]: Moved from Standards of Conduct and Practice