

A bill to be entitled

An act relating to dental laboratories; amending s. 466.021, F.S.; revising the services that a dentist may use for constructing orthodontic or prosthetic appliances to require that a dentist use the services of a registered dental laboratory; amending s. 466.032, F.S.; requiring that a dental laboratory employ a certified dental technician by a specified date in order to register with the Department of Health; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 466.021, Florida Statutes, is amended to read:

466.021 Employment of registered dental laboratories ~~unlicensed persons~~ by dentist; penalty.--Every duly licensed dentist who uses the services of any registered dental laboratory ~~unlicensed person~~ for the purpose of constructing, altering, repairing, or duplicating any denture, partial denture, bridge splint, or orthodontic or prosthetic appliance shall be required to furnish the registered dental laboratory ~~such unlicensed person~~ with a written work order in the ~~such~~ form ~~as~~ prescribed by rule of the board. This form shall be dated and signed by the ~~such~~ dentist, ~~and~~ shall include the patient's name or number with sufficient descriptive information to clearly identify the case for each separate and individual piece of work, and shall also include the Florida registration number of the dental laboratory performing the work. A copy of

HB 855

2006

29 the ~~such~~ work order shall be retained in a file in the dentist's
30 office for a period of 4 years, and the original work order
31 shall be retained in a file for a period of 4 years by the
32 registered dental laboratory ~~such unlicensed person in her or~~
33 ~~his place of business~~. The ~~Such~~ file of work orders to be kept
34 by the ~~such~~ dentist or by the registered dental laboratory ~~such~~
35 ~~unlicensed person~~ shall be open to inspection at any reasonable
36 time by the department or its duly constituted agent. Failure of
37 the dentist to keep records of the ~~such~~ work orders shall
38 subject the dentist to suspension or revocation of her or his
39 license to practice dentistry. Failure of a registered dental
40 laboratory to have the original or electronic copy of the ~~such~~
41 ~~unlicensed person to have in her or his possession~~ a work order
42 as required by this section is ~~shall be~~ admissible evidence of a
43 violation of this chapter and constitutes ~~shall constitute~~ a
44 misdemeanor of the second degree, punishable as provided in s.
45 775.082 or s. 775.083. This section does not preclude a
46 registered dental laboratory from working for another registered
47 dental laboratory if, ~~provided~~ that ~~such~~ work is performed
48 pursuant to written authorization, in a form to be prescribed by
49 rule of the board, which evidences that the originating
50 laboratory has obtained a valid work order and which sets forth
51 the work to be performed. This section does not preclude a
52 registered laboratory from providing its services to dentists
53 licensed and practicing in another state if, ~~provided~~ that ~~such~~
54 work is requested or otherwise authorized in written form that
55 ~~which~~ clearly identifies the name and address of the requesting
56 dentist and ~~which~~ sets forth the work to be performed.

57 Section 2. Section 466.032, Florida Statutes, is amended
58 to read:

59 466.032 Registration.--

60 (1) Every person, firm, or corporation operating or
61 conducting business as a dental laboratory in this state shall
62 register biennially with the department on forms to be provided
63 by the department and, at the same time, pay to the department a
64 registration fee not to exceed \$300 for which the department
65 shall issue a registration certificate entitling the holder to
66 operate a dental laboratory for a period of 2 years. Effective
67 July 1, 2009, a dental laboratory shall employ at least one
68 dental technician certified by the National Board for
69 Certification in Dental Laboratory Technology during the period
70 of its registration and shall submit the documentation with its
71 registration.

72 (2) Upon the failure of any dental laboratory operator to
73 comply with subsection (1), the department shall notify her or
74 him by registered mail, within 1 month after the registration
75 renewal date, return receipt requested, at her or his last known
76 address, of the ~~such~~ failure and inform her or him of the
77 provisions of subsections (3) and (4).

78 (3) Any dental laboratory operator who has not complied
79 with subsection (1) within 3 months after the registration
80 renewal date shall be required to pay a delinquency fee of \$40
81 in addition to the regular registration fee.

82 (4) The department is authorized to commence and maintain
83 proceedings to enjoin the operator of any dental laboratory who
84 has not complied with this section from operating or conducting

HB 855

2006

85 | business as a dental laboratory in this state until she or he
86 | has obtained a registration certificate and paid the required
87 | fees.

88 | Section 3. This act shall take effect July 1, 2006.