

By Senator Wise

5-672-06

1                                   A bill to be entitled

2           An act relating to dental laboratories;

3           amending s. 466.021, F.S.; revising the

4           services that a dentist may use for

5           constructing orthodontic or prosthetic

6           appliances to require that a dentist use the

7           services of a registered dental laboratory;

8           amending s. 466.032, F.S.; requiring that a

9           dental laboratory employ a certified dental

10          technician by a specified date in order to

11          register with the Department of Health;

12          providing an effective date.

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

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16           Section 1. Section 466.021, Florida Statutes, is

17 amended to read:

18           466.021 Employment of registered dental laboratories

19 ~~unlicensed persons~~ by dentist; penalty.--Every duly licensed

20 dentist who uses the services of any registered dental

21 laboratory ~~unlicensed person~~ for the purpose of constructing,

22 altering, repairing, or duplicating any denture, partial

23 denture, bridge splint, or orthodontic or prosthetic appliance

24 shall be required to furnish the registered dental laboratory

25 ~~such unlicensed person~~ with a written work order in the ~~such~~

26 form ~~as~~ prescribed by rule of the board. This form shall be

27 dated and signed by the ~~such~~ dentist, ~~and~~ shall include the

28 patient's name or number with sufficient descriptive

29 information to clearly identify the case for each separate and

30 individual piece of work, and shall also include the Florida

31 registration number of the dental laboratory performing the

1 work. A copy of the ~~such~~ work order shall be retained in a  
2 file in the dentist's office for a period of 4 years, and the  
3 original work order shall be retained in a file for a period  
4 of 4 years by the dental laboratory ~~such unlicensed person in~~  
5 ~~her or his place of business~~. ~~The~~ Such file of work orders to  
6 be kept by the ~~such~~ dentist or by the dental laboratory ~~such~~  
7 ~~unlicensed person~~ shall be open to inspection at any  
8 reasonable time by the department or its duly constituted  
9 agent. Failure of the dentist to keep records of the ~~such~~ work  
10 orders shall subject the dentist to suspension or revocation  
11 of her or his license to practice dentistry. Failure of a  
12 dental laboratory to have the original or electronic copy of  
13 the ~~such unlicensed person to have in her or his possession a~~  
14 work order as required by this section ~~is~~ ~~shall be~~ admissible  
15 evidence of a violation of this chapter and constitutes ~~shall~~  
16 ~~constitute~~ a misdemeanor of the second degree, punishable as  
17 provided in s. 775.082 or s. 775.083. This section does not  
18 preclude a registered dental laboratory from working for  
19 another registered dental laboratory if, ~~provided~~ that ~~such~~  
20 work is performed pursuant to written authorization, in a form  
21 to be prescribed by rule of the board, which evidences that  
22 the originating laboratory has obtained a valid work order and  
23 which sets forth the work to be performed. This section does  
24 not preclude a registered laboratory from providing its  
25 services to dentists licensed and practicing in another state  
26 if, ~~provided~~ that ~~such~~ work is requested or otherwise  
27 authorized in written form that ~~which~~ clearly identifies the  
28 name and address of the requesting dentist and ~~which~~ sets  
29 forth the work to be performed.

30 Section 2. Section 466.032, Florida Statutes, is  
31 amended to read:

1           466.032 Registration.--

2           (1) Every person, firm, or corporation operating or  
3 conducting business as a dental laboratory in this state shall  
4 register biennially with the department on forms to be  
5 provided by the department and, at the same time, pay to the  
6 department a registration fee not to exceed \$300 for which the  
7 department shall issue a registration certificate entitling  
8 the holder to operate a dental laboratory for a period of 2  
9 years. Effective July 1, 2009, a dental laboratory must employ  
10 at least one dental technician certified by the National Board  
11 for Certification in Dental Laboratory Technology during the  
12 period of its registration and shall submit the documentation  
13 with its registration.

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

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

25           (4) The department is authorized to commence and  
26 maintain proceedings to enjoin the operator of any dental  
27 laboratory who has not complied with this section from  
28 operating or conducting business as a dental laboratory in  
29 this state until she or he has obtained a registration  
30 certificate and paid the required fees.

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

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SENATE SUMMARY

Revises 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. Provides a certain time by which a dental laboratory must employ a certified dental technician in order to register with the Department of Health.