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| PREVAILED | Roll Call No. _____ |
| FAILED | Ayes _____ |
| WITHDRAWN | Noes _____ |
| RULED OUT OF ORDER | |

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 3 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 25-14-1-23 IS AMENDED TO READ AS
- 4 FOLLOWS: Sec. 23. (a) Any person shall be said to be practicing
- 5 dentistry within the meaning of this chapter who:
- 6 (1) uses the word "dentist" or "dental surgeon", the letters
- 7 "D.D.S." or "D.M.D.", or other letters or titles in connection with
- 8 dentistry;
- 9 (2) directs ~~and~~ controls, **owns or operates the treatment of**
- 10 **patients within** a place where dental services are performed;
- 11 (3) advertises or permits to be advertised by sign, card, circular,
- 12 handbill, newspaper, radio, or otherwise that he can or will
- 13 attempt to perform dental operations of any kind;
- 14 (4) offers to diagnose or professes to diagnose or treats or
- 15 professes to treat any of the lesions or diseases of the human oral
- 16 cavity, teeth, gums, or maxillary or mandibular structures;
- 17 (5) extracts human teeth or corrects malpositions of the teeth or
- 18 jaws;
- 19 (6) administers dental anesthetics;
- 20 (7) uses x-ray pictures for dental diagnostic purposes;
- 21 (8) makes impressions or casts of any oral tissues or structures
- 22 for the purpose of diagnosis or treatment thereof or for the
- 23 construction, repair, reproduction, or duplication of any
- 24 prosthetic device to alleviate or cure any oral lesion or replace
- 25 any lost oral structures, tissue, or teeth; or

1 (9) advertises to the public by any method, except trade and
2 professional publications, to furnish, supply, construct,
3 reproduce, repair, or adjust any prosthetic denture, bridge,
4 appliance, or other structure to be worn in the human mouth.

5 However, a person does not have to be a dentist to be a manufacturer
6 of dental prostheses.

7 (b) In addition to subsection (a), a person is practicing dentistry
8 who directly or indirectly by any means or method furnishes, supplies,
9 constructs, reproduces, repairs, or adjusts any prosthetic denture,
10 bridge, appliance, or any other structure to be worn in the human
11 mouth and delivers the resulting product to any person other than the
12 duly licensed dentist upon whose written work authorization the work
13 was performed. A written work authorization shall include the
14 following:

15 (1) The name and address of the dental laboratory to which it is
16 directed.

17 (2) The case identification.

18 (3) A specification of the materials to be used.

19 (4) A description of the work to be done and, if necessary,
20 diagrams thereof.

21 (5) The date of issuance of the authorization.

22 (6) The signature and address of the licensed dentist or other
23 dental practitioner by whom the work authorization is issued.

24 A separate work authorization shall be issued for each patient of the
25 issuing licensed dentist or other dental practitioner for whom dental
26 technological work is to be performed.

27 (c) This section shall not apply to those procedures which a legally
28 licensed and practicing dentist may delegate to competent office
29 personnel as to which procedures the dentist exercises supervision and
30 responsibility. Delegated procedures may not include either:

31 (1) those procedures which require professional judgment and
32 skill such as diagnosis, treatment planning, and the cutting of
33 hard or soft tissues or any intraoral impression which would lead
34 to the fabrication of an appliance, which, when worn by the
35 patient, would come in direct contact with hard or soft tissues
36 and which could result in tissue irritation or injury; or

37 (2) those procedures allocated under IC 25-13-1 to licensed
38 dental hygienists.

39 This chapter shall not prevent dental students from performing dental
40 operations under the supervision of competent instructors within the
41 dental school or a university recognized by the board or in any public
42 clinic under the supervision of the authorized superintendent of such
43 clinic authorized under the authority and general direction of the board
44 of health or school board of any city or town in Indiana.

45 (d) Licensed pharmacists of this state may fill prescriptions of
46 licensed dentists of this state for any drug necessary in the practice of
47 dentistry."

48 Page 4, between lines 25 and 26, begin a new paragraph and
49 insert:

50 "SECTION 4. [EFFECTIVE UPON PASSAGE]:
51 **Notwithstanding IC 25-14-1-27.1, the state board of dental**

1 **examiners may classify a dental license as inactive if the board**
2 **receives written notification from a licensed dentist stating that**
3 **the licensed dentist retired from the practice of dentistry in**
4 **Indiana after July 1, 1990 and prior to July 1, 1995 and the**
5 **licensed dentist can demonstrate to the board that the dentist is fit**
6 **to resume the licensed practice of dentistry. This SECTION**
7 **expires January 1, 2000. "**

8 Renumber all SECTIONS consecutively.
 (Reference is to ESB3 as printed March 26, 1999.)

Representative FRIZZELL