
Health Care & Wellness Committee

HB 1389

Brief Description: Concerning dental practice and solicitation by corporations.

Sponsors: Representatives Harris, Cody, Manweller, Jinkins, Robinson and Gregerson.

Brief Summary of Bill

- Permits an unlicensed person or entity to own or lease assets used by a dental practice, employ or contract for services of personnel other than licensed dental providers, provide business support and management services to a dental practice, and receive fees for such services.

Hearing Date: 2/14/17

Staff: Alexa Silver (786-7190).

Background:

Practice of Dentistry.

Dentists are licensed and regulated by the Dental Quality Assurance Commission. The practice of dentistry is defined as:

- owning, maintaining, or operating an office for the practice of dentistry;
- representing oneself as being able to diagnose, treat, remove stains and concretions from teeth, operate or prescribe for any disease, pain, injury, deficiency, deformity, or physical condition of the human teeth, alveolar process, gums, or jaw;
- offering or undertaking to diagnose, treat, remove stains or concretions from teeth, operate or prescribe for any disease, pain, injury, deficiency, deformity, or physical condition of the same, or taking impressions of the teeth or jaw;
- engaging in any of the practices included in the curricula of recognized and approved dental schools or colleges; or
- professing to the public by any method to furnish, supply, construct, reproduce, or repair any prosthetic denture, bridge, appliance, or other structure to be worn in the human mouth.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Corporations are prohibited from practicing dentistry or soliciting dental patronage for dentists employed by a corporation. This restriction does not apply to corporations or associations that furnish information or clerical services to a licensed dentist, so long as the information or services can be furnished by unlicensed persons and the dentist assumes full responsibility for the information and services.

Practice of Dentistry in Oregon and Alaska.

In Oregon and Alaska, only a licensed dentist may own, operate, conduct, or maintain a dental practice, office, or clinic, but an unlicensed person is explicitly permitted to:

- own or lease tangible or intangible assets used in a dental office or clinic, including real property, furnishings, equipment, and inventory and excluding patient records related to clinical care;
- employ or contract for services of personnel other than licensed dentists; and
- manage the business aspects of a dental office or clinic that do not include the clinical practice of dentistry.

Summary of Bill:

A person or entity not licensed by the Dental Quality Assurance Commission may:

- own or lease any assets used by a dental practice, including real property, furnishings, equipment, instruments, materials, supplies, and inventory, excluding dental patient records;
- employ or contract for the services of personnel other than licensed dentists, licensed dental hygienists, licensed expanded function dental auxiliaries, certified dental anesthesia assistants, and registered dental assistants;
- provide business support and management services to a dental practice, including as the sole provider of the services; and
- receive fees related to ownership or leasehold of assets, employment of personnel, and business support and management services provided to a dental practice, calculated as agreed to by the dental practice owner.

Language providing that the prohibition on corporate practice of dentistry does not apply to entities that furnish information or clerical services to a dentist is removed.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.