

HB 205 – AS INTRODUCED

2013 SESSION

13-0010
10/01

HOUSE BILL **205**

AN ACT relative to the identification of dental prosthetic and orthodontic appliances.

SPONSORS: Rep. D. Hooper, Straf 16; Rep. Grassie, Straf 11; Rep. Copeland, Rock 19;
Rep. Pantelakos, Rock 25; Rep. Ferrante, Rock 6; Rep. Lockwood, Merr 9;
Rep. Porter, Hills 1; Rep. Frazer, Merr 13; Rep. J. MacKay, Merr 14

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill establishes the requirement for dentures, dental prostheses, and orthodontic appliances fabricated pursuant to a dentist's orders to have markings identifying the patient.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to the identification of dental prosthetic and orthodontic appliances.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Subdivision; Identification of Dental Prosthetic and Orthodontic Appliances. Amend
2 RSA 317-A by inserting after section 38 the following new subdivision:

3 Identification of Dental Prosthetic and Orthodontic Appliances

4 317-A:39 Identification of Dental Prosthetic and Orthodontic Appliances.

5 I.(a) Every complete upper and lower denture, removable partial dental prosthesis, and
6 removable acrylic orthodontic appliance fabricated by a dentist licensed in this state or fabricated
7 pursuant to the dentist's work order or under the dentist's direction or supervision shall be marked
8 with the name of the patient for whom the denture is intended. The markings shall be done during
9 the fabrication and shall be permanent, legible, and cosmetically acceptable. The dentist or the
10 dental laboratory fabricating the upper and lower denture, removable partial dental prosthesis, or
11 removable acrylic orthodontic appliance shall determine the exact location of the markings and the
12 methods used to apply or implant them.

13 (b)(1) If in the professional judgment of the dentist or the dental laboratory this
14 identification is not practical because the name cannot be placed in an obscure area, identification
15 may be shown with the initials of the patient.

16 (2) If in the professional judgment of the dentist or the dental laboratory during
17 manufacture or repair of the denture it is determined that the forms of identification identified in
18 subparagraph (a) are not safe for the patient, the identification requirement shall be waived.

19 (3) Full or removable dentures that are relined are not subject to the identification
20 requirement established by subparagraph (a).

21 II. Any removable upper and lower denture, removable partial dental prosthesis, or
22 removable acrylic orthodontic appliance in existence before the effective date of this section that was
23 not marked in accordance with paragraph I at the time of its fabrication shall be marked at the time
24 of any subsequent rebasing. In this paragraph, "rebasings" means the complete replacement of all the
25 pink tissue portion of a removable full or partial denture.

26 III. If the patient or legal guardian for the patient shall for reason of privacy or personal
27 wishes refuse to have any upper and lower denture, removable partial dental prosthesis, or
28 removable acrylic orthodontic appliance covered under this subdivision to be labeled, a signed and
29 dated copy of a release to the effect shall accompany the denture to the laboratory fabricating the
30 denture. The original signed and dated release shall be kept in the patient's dental record.

31 2 Effective Date. This act shall take effect 60 days after its passage.