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**IDAPA 24
TITLE 16
Chapter 01**

24.16.01 - RULES OF THE STATE BOARD OF DENTURITRY

000. LEGAL AUTHORITY (Rule 0).

In accordance with Section 54-3309, Idaho Code, the State Board of Denturitry shall promulgate rules which implement the provisions of Chapter 33, Title 54, Idaho Code. (7-1-93)

001. TITLE AND SCOPE (Rule 1).

These rules shall be cited as IDAPA 24.16.01, "Rules of the State Board of Denturitry". (7-1-93)

002. (RESERVED).

003. WRITTEN INTERPRETATIONS (Rule 3).

The board may have written statements which pertain to the interpretation of the rules of this chapter. Such interpretations, if any, are available for public inspection and copying at cost in the main office of the Bureau of Occupational Licenses. (7-1-93)

004. -- 009. (RESERVED).

010. DEFINITIONS (Rule 10).

01. Board. The State Board of Denturitry, as prescribed in Section 54-3303(a), Idaho Code. (7-1-93)

02. Denturist Services. For purposes of the unconditional ninety (90) day guarantee prescribed in Section 54-3320(c), Idaho Code, denturist services include any and all prosthetic dental appliances and materials and/or services related to the furnishing or supplying of such a denture, including preparatory work, construction, fitting, furnishing, supplying, altering, repairing or reproducing any prosthetic dental appliance or device. (7-1-97)

011. -- 099. (RESERVED).

100. BOARD MEETINGS (Rule 100).

01. Dates. The board shall meet regularly on the first Friday of April and November of each year. (7-1-93)

02. Place. Meetings shall be held at the Bureau of Occupational Licenses. (7-1-93)

03. Dates And Places. Dates and places may be changed through notification by the board at least ten (10) days prior to the regular meeting date or the date established for a meeting whichever is earlier. (7-1-93)

101. -- 149. (RESERVED).

150. EXAMINATIONS (Rule 150).

01. Date Of Licensure Exam. Date of Licensure examination. The licensure examination will be held annually on the first Monday in June. (7-1-93)

02. Competency Exam. Competency examinations may be taken at any time arrangements with an Idaho Education Institution to administer the examination can be made after approval of the application. Arrangements to take the competency examination is the responsibility of the applicant. (7-1-93)

03. Place. All examinations will be administered at an Idaho Educational Institution designated by the board. (7-1-93)

04. Content. Examinations shall be written, oral, and practical demonstration of skills. (7-1-93)

05. Grading. An applicant to pass the examination must obtain an average percentage score of seventy-five percent (75%) or better. The written and practical examinations shall carry equal weight. The oral examination results may not adjust an average score downward but may add two (2) percentage points to the average score when the board rules the examination passed. (7-1-93)

151. -- 199. (RESERVED).

200. APPLICATIONS (Rule 200).

01. Application Filing Date. Licensure applications must be received in the Bureau of Occupational Licenses on or before March 1 preceding the June examination. Applications received after that date will be held over for scheduling the following year. (7-1-93)

02. Application Form For Licensure. Applications for licensure shall be made on forms approved by the board and furnished by the Bureau of Occupational Licenses and shall include all other documents necessary to establish the applicant meets the requirements for licensure except examination and is eligible to take the licensure examination. (7-1-93)

03. Application Form For Competency Exam. Applications for the competency examination shall be made on forms approved by the board and furnished by the Bureau of Occupational Licenses and shall include all other documentation necessary to establish the applicants' internship equivalency except for examination. (7-1-93)

04. Application Must Be Complete. All applications must be complete in every respect and accompanied by the appropriate fees before being considered received by the Bureau of Occupational Licenses. (7-1-93)

201. -- 249. (RESERVED).

250. FEES (Rule 250).

The following fees are established by the board: (7-1-93)

01. License Application And Exam Fee. License application and examination fee - three hundred dollars (\$300). (7-1-93)

02. Competency Application And Exam Fee. Competency application and examination fee - three hundred dollars (\$300). (7-1-93)

03. Intern Application And Permit Fee. Intern application and permit fee - three hundred dollars (\$300). (7-1-93)

04. Initial License Fee. Initial license fee - three hundred dollars (\$300). (7-1-93)

05. Annual Renewal Fee. Annual renewal fee - three hundred dollars (\$300). The annual renewal fee must be accompanied with certification of the applicant having met the required continued education set forth in Section 54-3313, Idaho Code, and Section 350. (8-24-94)

251. -- 299. (RESERVED).

300. INTERNSHIP (Rule 300).

Requirements and conditions for internship: To be eligible for internship the applicant must have completed the educational requirements set forth in Section 54-3310(b), Idaho Code, or have dentistry experience of three (3) years within the five (5) years immediately preceding application. Where an internship is established based on experience the internship is valid only while the intern is actively pursuing completion of Idaho licensure requirements. Application shall be made on forms provided by the Bureau of Occupational Licenses documenting the location of practice; name and address of the supervising dentist or dentist; sworn or affirmed statement by the supervising

denturist or dentist; sworn or affirmed statement by the supervisor accepting supervision of the intern; sworn statement by applicant that he is knowledgeable of law and rules and will abide by all requirements of such law and rules and such other information necessary to establish applicant's qualifications for licensure as a denturist and establish compliance with pre-intern requirements. (7-1-93)

01. Equivalency. A person shall be considered to have the equivalent of two (2) years internship under a licensed denturist who successfully completes the competency examination approved by the board, administered by an Idaho Educational Institution and who has met and verifies one (1) of the following within the five (5) years immediately preceding application: (7-1-93)

- a. Two (2) years internship under a licensed dentist; or; (7-1-93)
- b. Two (2) years in the military as a technician in the dental field; or; (7-1-93)
- c. Three (3) years experience as a denturist under licensure in another state or Canada; or; (7-1-93)
- d. Five (5) years experience in dentistry attested to by affidavits sworn to by three (3) responsible adult citizens excluding close relatives and clergy. (7-1-93)

02. Internship Not To Exceed One Year. Internship not to exceed one (1) year acquired through a formal training program in an acceptable school will be accepted toward the two (2) year required internship for licensure. (7-1-93)

03. Training Requirements. Each year of required internship shall consist of two thousand (2,000) clock hours of training and performance of the following minimum procedures for licensure. (7-1-93)

- a. Procedures shall include all steps required in constructing a finished denture but not limited to the following: (7-1-93)
 - i. Patient charting - thirty-six (36) minimum. (7-1-93)
 - ii. Operatory sanitation - thirty-six (36) minimum. (7-1-93)
 - iii. Oral examination - thirty-six (36) minimum. (7-1-93)
 - iv. Impressions, preliminary and final (pour models, custom trays) - thirty-six (36) minimum. (7-1-93)
 - v. Bite registrations - twelve (12) minimum. (7-1-93)
 - vi. Articulations - twelve (12) minimum. (7-1-93)
 - vii. Set ups - twelve (12) minimum. (7-1-93)
 - viii. Try ins - twelve (12) minimum. (7-1-93)
 - ix. Processing (wax up, flask-boil out, packing, grind-polish) - thirty-six (36) minimum. (7-1-93)
 - x. Delivery-post adjustment - thirty-six (36) minimum. (7-1-93)
- b. Processed relines (one (1) plate = one (1) unit) - twenty-four (24) units. (7-1-93)
- c. Tooth repairs - forty-eight (48) minimum. (7-1-93)
- d. Broken or fractured plates or partials - forty-eight (48) minimum. (7-1-93)

04. Reporting Requirements. Interns must file reports, attested to by the supervisor, with the board on forms provided by the Bureau of Occupational Licenses on a monthly basis and recapped at termination or

completion of the training. (7-1-93)

05. Denture Clinic Requirements. Denture clinic requirements for approved internship training: (7-1-93)

a. There shall be not more than one (1) internee per licensed denturist or dentist who is practicing at the clinic on a full time basis. (7-1-93)

b. There shall be a separate work station in the laboratory area for each intern with standard equipment, i.e. lathe, torch and storage space. The intern shall provide necessary hand tools to perform the duties of the denture profession. Use of the operatory facilities and other equipment will be shared with the intern. (7-1-93)

301. -- 349. (RESERVED).

350. CONTINUING EDUCATION (Rule 350).

The board may accredit education programs for purposes of continuing education where the subject matter of the program is determined to be pertinent to the practice of dentistry. (7-1-93)

01. Subjects. Subjects deemed pertinent to the practice of dentistry are those set forth in Section 54-3311(b), Idaho Code and may also include ethics courses. (7-1-93)

02. Request For Approval. Requests for approval of continuing education programs must be made to the board, in writing, and provide an outline of the program which the board is being asked to approve. The request must also address the matters set forth in Subsection 350.05 below. Requests may accompany the annual renewal form or may be made to the board in advance of the program for which approval is sought as indicated in Subsection 350.03, below. (7-1-93)

03. Requests For Pre-Approval. Requests for pre-approval of continuing education programs must be made to the board, in writing, and provide an outline of the program which the board is being asked to approve. Requests for pre-approval must also address the matters set forth in Subsection 350.05 below. (7-1-93)

a. Requests for pre-approval must be received by the Bureau of Occupational Licenses no less than eleven (11) working days prior to the date of the program. (7-1-93)

b. Requests for pre-approval which are not denied within ten (10) working days from receipt by the Bureau will be deemed approved. (7-1-93)

c. Only those continuing education programs sponsored by recognized educational institutions (such as accredited colleges or universities), state or national denturist boards or associations, will be eligible for pre-approval consideration by the board. All other programs will be considered at the time of renewal. (7-1-93)

04. Credit For Continuing Education Attendance. Continuing education credit will be given only for actual time in attendance by the licensee. No credit will be given for non-instructive time. (7-1-93)

05. Requests For Approval Of Programs. All requests for approval or pre-approval of educational programs must be accompanied by a statement that includes the name of the instructor or instructors, the date and time and location of the course, the specific agenda for the course, and a statement by the licensee of how the course is believed to be pertinent to the practice of dentistry as specified in Section 54-3311(b), Idaho Code. (7-1-93)

351. -- 399. (RESERVED).

400. INSPECTIONS (Rule 400).

01. Who May Examine Or Inspect. The board or its agents may examine and inspect the place of business of any denturist at anytime during business hours or upon at least seventy-two (72) hours notice made by U.S. mail to the address of record of the denturist when the board or its agents are unable to establish the regular business hours. (7-1-93)

02. Reason For Inspection. Inspections are made to insure compliance with the Standards of Conduct and practice set forth in Section 450. Deficiencies are a violation of Section 450 and actionable against the dentist under Section 54-3314(c), Idaho Code. (7-1-93)

401. -- 449. (RESERVED).

450. STANDARDS OF CONDUCT AND PRACTICE (Rule 450).

01. Sanitation. (7-1-93)
- a. There shall be three (3) separate rooms; a reception room, and operatory room and a laboratory. (7-1-93)
 - b. The operatory room shall have hot and cold running water, basin with approved disposal system; disinfectant soap; single-use towels, a cuspidor with running water and a closed waste receptacle. (8-24-94)
 - c. The laboratory room shall have hot and cold running water, and basin with approved disposal system. (8-24-94)
 - d. There shall be a method of sterilization and disinfection evident and in use to insure the protection of the public. (8-24-94)
 - e. All floors, walls, ceiling and benches shall be kept in a sanitary condition at all times. (8-24-94)
 - f. Every patient shall have a separate and clean bib and a disposable cup. (7-1-93)
 - g. Every dentist shall wear a clean and professional garment. (7-1-93)
 - h. The hands of every dentist shall be washed in the presence of every patient with germicidal or antiseptic soap and water. Every dentist shall wear disposable gloves. (8-24-94)
 - i. Each licensed dentist must carry a current C.P.R. card. (8-24-94)
 - j. Adequate and conveniently located toilet facilities with hot and cold running water, basin with approved disposal system, soap and single use towels will be provided within the building. (8-24-94)
 - k. All dentist offices shall be open to inspection anytime during the business hours to inspection by the board or its agents. (7-1-93)
 - l. All telephones must have emergency phone numbers placed on the telephone. (7-1-93)
02. Office Standards. (7-1-93)
- a. Dentists shall take care to use proper sterilization and sanitation techniques in all phases of their work. (7-1-93)
 - b. A complete record of each patient shall be kept. (7-1-93)
 - c. All teeth and materials used shall meet ADA standards. (7-1-93)
03. General. (7-1-93)
- a. Conditions deemed by investigators to be a menace to the public health will be brought to the attention of the board for consideration and immediate action. (7-1-93)
 - b. These Standards of Conduct and Practice shall be conspicuously posted in every licensed

denturist's place of business. (7-1-93)

451. -- 474. (RESERVED).

475. REGISTRATION STATEMENT (Rule 475).

To enable the board to examine or inspect the place of business of any licensed denturist as referred to in Section 54-3314(5)(b), Idaho Code, the filing of an annual statement shall be required of all licensed denturists. (7-1-97)

01. Statement. Shall list the name and principal place of business of the denturist who is responsible for the practice of dentistry at that location. (7-1-97)

02. Other Business Locations. Any other business locations maintained by the principal denturist and all denturists employed at the business. (7-1-97)

03. Date Of Filing. Shall be filed with the board no later than August 15th of each year or within ten (10) days of any change in either location, identity of principal denturist or denturist employees. (7-1-97)

04. Failure To Timely File. Failure to timely file or update this statement will constitute grounds for discipline pursuant to Section 54-3314(a), Idaho Code. (7-1-97)

476. GUARANTEE OF DENTURIST SERVICES.

As prescribed in Section 54-3320(c), Idaho Code, unconditional guarantee of denturist services will require that the licensee refund, in full, any monies received in connection with the providing of denturist services, if demanded by the purchaser within ninety (90) days of delivery of the dentures, or the providing of services for which a fee is charged. (7-1-97)

01. Ninety Day Period. The ninety (90) day period shall be tolled for any period in which the denturist has taken possession or control of the dentures after original delivery. (7-1-97)

02. Written Contract. By written contract signed by the purchaser, the denturist may specify the amount of the purchase price of the dentures, if any, that is nonrefundable should the consumer choose to cancel the purchase within the guarantee period. (7-1-97)

03. Nonrefundable Amount. Under no circumstances shall the nonrefundable amount exceed twenty-five percent (25%) of the total purchase price of the dentures. (7-1-97)

04. Limitation. There is no limitation on the consumer's right to cancel. (7-1-97)

05. Cancellation Of Agreement. If the licensee elects to cancel the agreement or refuses to provide adjustments or other appropriate services to the consumer, the consumer will be entitled to a complete refund. (7-1-97)

477. -- 479. (RESERVED).

480. DISCIPLINE (Rule 480).

01. Civil Fine. The Board may impose a civil fine not to exceed one thousand dollars (\$1,000) upon a licensed denturist for each violation of Section 54-3314(a), Idaho Code. (3-18-99)

02. Costs And Fees. The Board may order a licensed denturist to pay the costs and fees incurred by the Board in the investigation or prosecution of the licensee for violation of Section 54-3314(a), Idaho Code. (3-18-99)

481. -- 499. (RESERVED).

500. RULES OF PROCEDURE (Rule 500).

The rules of procedure adopted by the Bureau of Occupational Licenses are the rules of procedure of the Board of Dentistry. (7-1-93)

501. -- 549. (RESERVED).

550. DENTURE TECHNICIAN DEFINED (Rule 550).

A denture technician is a person whose practice of dentistry is limited to making, fitting, constructing, altering, reproducing or repairing of a full upper or lower removable prosthetic denture, the repairing of a removable partial upper or lower prosthetic denture but is not allowed to make an impression or come in direct contact with a patient.

(7-1-93)

551. -- 599. (RESERVED).

600. RULE MAKING HISTORY PRIOR TO JULY 1, 1993 (Rule 600).

Adopted July 20, 1984, Effective August 10, 1984,
Amended and Readopted June 10, 1988, Effective July 1, 1988
Amended and Readopted July 13, 1992, Effective August 3, 1992

(7-1-93)

601. -- 999. (RESERVED).