

HB 4011-5  
(LC 283)  
2/14/24 (SCT/ps)

Requested by HOUSE COMMITTEE ON BEHAVIORAL HEALTH AND HEALTH CARE (at the request of Representative Rob Nosse)

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4011**

1 On page 7 of the printed bill, delete lines 9 through 41 and insert:

2 “(5) Sections 8 to 12 of this 2024 Act do not apply to services authorized  
3 under:

4 “(a) ORS 680.010 to 680.205 when performed by a dental hygienist licensed  
5 under ORS 680.010 to 680.205; or

6 “(b) ORS 680.500 to 680.565 when performed by a denturist licensed under  
7 ORS 680.500 to 680.565.

8 **“SECTION 10. (1) The Health Licensing Office may issue a dental  
9 laboratory registration to an applicant that submits a completed ap-  
10 plication and pays the fee established under ORS 676.576. The applica-  
11 tion must include:**

12 **“(a) The name, mailing address, phone number and electronic mail  
13 address of the dental laboratory;**

14 **“(b) The physical address of the dental laboratory if different than  
15 the mailing address;**

16 **“(c) The name, mailing address, phone number and electronic mail  
17 address of the responsible person or the name and license number of  
18 the dentist who supervises the dental laboratory;**

19 **“(d) An attestation by the responsible person or the dentist super-  
20 vising the dental laboratory that the dental laboratory meets the in-  
21 fectious disease control requirements of the federal Occupational**

1 **Safety and Health Administration and the Centers for Disease Control**  
2 **and Prevention; and**

3 **“(e) An attestation by the responsible person or the dentist super-**  
4 **vising the dental laboratory that the dental laboratory will comply**  
5 **with the requirements of section 11 of this 2024 Act.**

6 **“(2) To be eligible for registration under this section, the applicant**  
7 **must include with the application documentation that the applicant,**  
8 **or an employee of the applicant who works at least 30 hours per week**  
9 **in the dental laboratory:**

10 **“(a) Has successfully completed, during the 12 months immediately**  
11 **preceding the application for registration, at least 12 hours of contin-**  
12 **uing education in dental laboratory technology approved or accepted**  
13 **by the National Board for Certification in Dental Laboratory Tech-**  
14 **nology, or its successor organization, and by the Health Licensing Of-**  
15 **fice;**

16 **“(b) Is a certified dental laboratory technician in good standing; or**

17 **“(c) Is a dentist.**

18 **“(3) The office shall assign a registration number to each registered**  
19 **dental laboratory. The dental laboratory shall include the dental lab-**  
20 **oratory registration number on all invoices and other correspondence**  
21 **of the dental laboratory.**

22 **“(4) A dental laboratory registered under this section shall maintain**  
23 **a qualified employee as described in subsection (2) of this section.**

24 **“(5) A dental laboratory registration is valid for one year.**

25 **“(6) The office may adopt rules to carry out this section.”.**

26 On page 8, delete lines 9 through 13 and insert:

27 **“SECTION 12. In the manner prescribed in ORS chapter 183 for**  
28 **contested cases, the Health Licensing Office may impose a form of**  
29 **discipline listed in ORS 676.612 against a dental laboratory registered**  
30 **under section 10 of this 2024 Act for any violation of sections 8 to 12**

1 **of this 2024 Act or rules adopted under sections 8 to 12 of this 2024 Act**  
2 **or for the commission of a prohibited act described in ORS 676.612.”.**

3 Delete lines 17 through 45 and delete page 9.

4 On page 10, delete lines 1 through 31 and insert:

5 **“SECTION 15.** Section 10 of this 2024 Act is amended to read:

6 **“Sec. 10.** (1) The Health Licensing Office may issue a dental laboratory  
7 registration to an applicant that submits a completed application and pays  
8 the fee established under ORS 676.576. The application must include:

9 “(a) The name, mailing address, phone number and electronic mail address  
10 of the dental laboratory;

11 “(b) The physical address of the dental laboratory if different than the  
12 mailing address;

13 “(c) The name, mailing address, phone number and electronic mail address  
14 of the responsible person or the name and license number of the dentist who  
15 supervises the dental laboratory;

16 “(d) An attestation by the responsible person or the dentist supervising  
17 the dental laboratory that the dental laboratory meets the infectious disease  
18 control requirements of the federal Occupational Safety and Health Admin-  
19 istration and the Centers for Disease Control and Prevention; and

20 “(e) An attestation by the responsible person or the dentist supervising  
21 the dental laboratory that the dental laboratory will comply with the re-  
22 quirements of section 11 of this 2024 Act.

23 “[*(2) To be eligible for registration under this section, the applicant must*  
24 *include with the application documentation that the applicant, or an employee*  
25 *of the applicant who works at least 30 hours per week in the dental*  
26 *laboratory:]*

27 “[*(a) Has successfully completed, during the 12 months immediately pre-*  
28 *ceding the application for registration, at least 12 hours of continuing educa-*  
29 *tion in dental laboratory technology approved or accepted by the National*  
30 *Board for Certification in Dental Laboratory Technology, or its successor or-*

1 *ganization, and by the Health Licensing Office;]*

2 *“[(b) Is a certified dental laboratory technician in good standing; or]*

3 *“[(c) Is a dentist.]*

4 **“(2)(a) To be eligible for registration under this section, the appli-**  
5 **cant must include with the application documentation that the dental**  
6 **laboratory:**

7 **“(A) Employs a certified dental laboratory technician who is in good**  
8 **standing with the National Board for Certification in Dental Labora-**  
9 **tory Technology, or its successor organization, and approved by the**  
10 **Health Licensing Office by rule, and who works at least 30 hours per**  
11 **week in the dental laboratory; or**

12 **“(B) Is operated under the supervision of a dentist who works at**  
13 **least 30 hours per week in the dental laboratory.**

14 **“(b) Paragraph (a) of this subsection does not apply to a dental**  
15 **laboratory that provides to the office documentation that the dental**  
16 **laboratory has been continuously owned and operated by the same**  
17 **individual since January 1, 2013.**

18 **“(3) The office shall assign a registration number to each registered**  
19 **dental laboratory. The dental laboratory shall include the dental laboratory**  
20 **registration number on all invoices and other correspondence of the dental**  
21 **laboratory.**

22 **“(4) A dental laboratory registered under this section shall maintain a**  
23 **qualified employee as described in subsection (2) of this section.**

24 **“(5) A dental laboratory registration is valid for one year.**

25 **“(6) The office may adopt rules to carry out this section.**

26 **“SECTION 16. ORS 679.176 is amended to read:**

27 **“679.176. (1) As used in this section:**

28 **“(a) ‘Sub-work order’ means a written instrument by which a dental**  
29 **laboratory registered under section 10 of this 2024 Act subcontracts all**  
30 **or part of the work directed to be done by a work order prescribed by**

1 a dentist licensed under ORS chapter 679.

2 “(b) ‘Work order’ has the meaning given that term in section 8 of  
3 this 2024 Act.

4 “[~~(1)~~] (2) [~~No~~] A dentist may **not** use the services of any person[,] **who**  
5 **is** not licensed to practice dentistry in this state[, *to construct, alter, repair,*  
6 *reline, reproduce or duplicate any prosthetic denture, bridge, appliance or any*  
7 *other structure to be worn in the human mouth,*] **to make, provide, repair**  
8 **or alter dental prosthetic appliances or other artificial materials or**  
9 **devices that are returned to a dentist and inserted into the human oral**  
10 **cavity, or that come into contact with the human oral cavity’s adja-**  
11 **cent structures and tissues, unless the dentist first [*furnishes to such*]**  
12 **provides to the person a [*written*] work order, in substantially the following**  
13 **form:**

14 “ \_\_\_\_\_  
15 (Date) \_\_\_\_\_, 2\_\_\_\_

16  
17 TO: (Name of dental [*technician or*] laboratory with address) (**Dental labo-**  
18 **ratory registration number**)

19 RE: (Name or number of patient)  
20 (Description of the work to be done, including diagrams if necessary, to-  
21 gether with specifications of the type of materials to be used.)

22 (Name of ordering dentist)  
23 (Address) \_\_\_\_\_  
24 (Current license number) \_\_\_\_

25 “ \_\_\_\_\_  
26 “(3) A person that receives a work order prescribed by a dentist  
27 **under subsection (1) of this section may not engage as a subcontractor**  
28 **another person that is not authorized to perform the services neces-**  
29 **sary to complete the work order unless the person that receives the**  
30 **work order first provides to the subcontractor a sub-work order in**

1 **substantially the following form:**

2 “ \_\_\_\_\_  
3 (Date) \_\_\_\_\_, 2\_\_\_\_

4  
5 **TO: (Name of subcontracted dental laboratory with address) (Subcon-**  
6 **tracted dental laboratory registration number, if applicable)**

7 **RE: (Name or number of patient)**

8 **(Description of the work to be done, including diagrams if neces-**  
9 **sary, together with specifications of the type of materials to be used.)**

10 **(Name of ordering dental laboratory)**

11 **(Address) \_\_\_\_\_**

12 **(Current dental laboratory registration number) \_\_\_\_\_**

13 “ \_\_\_\_\_

14 “[~~(2)~~] **(4)(a)** *[A duplicate copy of each such work order issued by the dentist*  
15 *shall be retained by each dentist for not less than two years. The Oregon*  
16 *Board of Dentistry or its agents shall be permitted to inspect, upon demand,*  
17 *the duplicate copies of all such work orders retained by each dentist.]* **A**  
18 **dentist shall retain for at least two years from the date of prescription**  
19 **a duplicate copy of each work order prescribed by the dentist.**

20 **“(b) A person described in subsection (3) of this section shall attach**  
21 **a duplicate copy of each sub-work order issued by the person to a du-**  
22 **plicate copy of the associated work order and shall retain the duplicate**  
23 **copies for at least two years from the date of issuance.**

24 **“(c) The Oregon Board of Dentistry, or an agent of the board, may**  
25 **inspect, upon demand, the duplicate copies of all work orders and**  
26 **sub-work orders retained the dentist pursuant to this subsection.**

27 **“(d) The Health Licensing Office, or an agent of the office, may**  
28 **inspect, upon demand, the duplicate copies of all work orders and**  
29 **sub-work orders retained by a person other than the dentist pursuant**  
30 **to this subsection.**

1       “(5) A work order or sub-work order may be transmitted or retained  
2 in an electronic format.

3       “[(3)] (6) [No] A work order [shall] **may not** permit or require the taking  
4 of impressions of any part of the human oral cavity by any person [*not a*  
5 *dentist licensed by the board*] **who is not a dentist licensed under ORS**  
6 **chapter 679 or a denturist licensed under ORS 680.500 to 680.565.**”.

7       On page 11, line 41, delete “and” and insert “or”.

8       On page 16, line 42, delete “January” and insert “July”.

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