



## **Sunrise Review: Request for Information from Interested Parties**

LD 1129 “Resolve, Directing the Commissioner of Professional and Financial Regulation to Conduct a Sunrise Review of Oral Health Care Issues”

**Department of Professional and Financial Regulation  
Office of the Commissioner  
June 21, 2007**

## *Sunrise Review Survey: Oral Health Issues*

Please return the completed survey to the Commissioner's Office by July 20, 2007. You may respond to any or all questions. The survey should be e-mailed to Doug Dunbar, Assistant to the Commissioner. The address is [doug.dunbar@maine.gov](mailto:doug.dunbar@maine.gov). An electronic version of the survey is available by contacting the Commissioner's Office.

### **General Information**

**1. Group or organization you represent (if any):**

**National Denturist Association/USA**

**2. Position on proposed legislation.** Does this group or organization support or oppose:

- Expanding the scope of practice of dental hygienists by creating a mid-level dental hygienist\* license category (LD 1246):
- Permitting dental hygienists to practice independently without supervision of a licensed dentist (LD 550):  
**The NDA/USA strongly supports this proposal.**
- Permitting dental graduates of foreign universities to become licensed in Maine pursuant to standards acceptable to the Maine Board of Dental Examiners (LD 1129):  
  
**The NDA/USA strongly supports this proposal.**
- Creating a new licensing board within the Department of Professional and Financial Regulation for denturists and dental hygienists separate from the Board of Dental Examiners (LD 1462):  
  
**The NDA/USA strongly supports this proposal.**

### **Evaluation Criteria (32 M.R.S.A. § 60-J)**

**1. Data on group proposed for regulation.** Please provide a description of the professional or occupational groups proposed for regulation, including:

- (a) The number of individuals or business entities that would be subject to regulation;  
**RDH's: 1200 +**  
**Denturists: 50+ Licensees, 15 practicing in Maine**  
**Foreign trained Dentists: Unknown**

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\* In this sunrise review, "mid-level dental hygienist" means a dental hygienist with an expanded scope of practice similar to the scope of practice proposed in LD 1246.

- (b) The names and addresses of associations, organizations and other groups representing potential licensees; and

**National Denturist Association/USA  
PO Box 308  
Tonawanda, PA 18848**

**Maine Society of Denturists  
81 Webster St.  
Lewiston, ME**

**International Federation of Denturists  
P.O. Box 46132 RPO Westdale  
Winnipeg MB  
R3R 3S3  
Canada**

- (c) An estimate of the number of potential licensees in each group.

**The generally accepted ratio of Denturists needed by the population is 1 in 25,000. This would suggest that Maine's population of 1.3 M should need 52 denturists.**

2. **Specialized skill.** Please describe whether the proposed law changes in the areas of oral health care outlined below require such a specialized skill that the public is not qualified to select a competent individual or entity without assurances that minimum qualifications have been met:

- a mid-level dental hygienist license category (LD 1246):

**The safety of the public requires testing of minimum qualifications.**

- dental hygienists practicing independently without supervision of a licensed dentist (LD 550):

**The safety of the public requires testing of minimum qualifications.**

- dental graduates of foreign universities becoming licensed in Maine pursuant to standards acceptable to the Maine Board of Dental Examiners (LD 1129):

**The safety of the public requires testing of minimum qualifications.**

3. **Threat to public health, safety, or welfare.** Please describe:

- (a) The nature and extent of potential harm to the public, if any, if regulation of the practitioners listed below is not expanded:

- a mid-level dental hygienist:
- dental hygienists practicing independently without supervision of a licensed dentist:

**There is a critical shortage of dentists and dental professionals in Maine and most of the USA. It is time for the monopoly enjoyed by dentists to end. RDH's are perfectly capable of expanded duties and are no less ethical than dentists. All dental professionals are required to refer patients to the appropriate health care practitioner when confronted with a condition beyond their competency.**

- dental graduates of foreign universities licensed in Maine pursuant to standards acceptable to the Maine Board of Dental Examiners:

**There is need for recognition of international qualifications beyond the jurisdiction of the Council on Dental Accreditation, which has not yet even recognized the profession of Denturism.**

- (b) The extent to which there is a threat to the public's health, safety or welfare (*Please provide evidence of the potential harm, including: a description of any complaints filed with state law enforcement authorities, courts, departmental agencies, other professional or occupational boards and professional and occupational associations that have been lodged against dental hygienists or dental graduates of foreign universities in this State within the past 5 years*).

**Unknown**

- 4. Voluntary and past regulatory efforts.** Please provide a description of the voluntary efforts made by dental hygienists or dental graduates of foreign universities to protect the public through self-regulation, private certifications, membership in professional or occupational associations or academic credentials and a statement of why these efforts are inadequate to protect the public.

**Unknown**

- 5. Costs and benefits of regulation.** Please describe the extent to which regulation or expanded regulation of the occupations (or proposed occupations) listed below will increase the cost of services provided by those practitioners, and the overall cost-effectiveness and economic impact of the proposed regulation, including the indirect costs to consumers.

- a mid-level dental hygienist:
- dental hygienists practicing independently without supervision of a licensed dentist:

**Monopolies tend to raise prices, competition tends to lower prices.**

- dental graduates of foreign universities licensed in Maine pursuant to standards acceptable to the Maine Board of Dental Examiners:

**Any possibility of an increase in the number of dentists should be investigated. Monopolies tend to raise prices, competition tends to lower prices.**

- a new licensing board within the Department of Professional and Financial Regulation for denturists and dental hygienists separate from the Board of Dental Examiners:

**No independent dental professional should be regulated by their competition. An independent board or governance through the Dept. of PFR would bring more Denturists into the state.**

- 6. Service availability under regulation.** Please describe the extent to which regulation or expanded regulation of the occupations (or proposed occupations) listed below would increase or decrease the availability of oral health services to the public.

- a mid-level dental hygienist:

**Would provide for better use of dentists' training and skills. Along with Denturists, mid-level RDH's would free up dentist's time to see more patients who may need the skills that only a dentist has now.**

- dental hygienists practicing independently without supervision of a licensed dentist:

**Would attract RDH's into the state to take advantage of a progressive delivery scheme.**

- dental graduates of foreign universities licensed in Maine pursuant to standards acceptable to the Maine Board of Dental Examiners:

**More dentists would certainly help ease the crisis in access to care.**

- a new licensing board within the Department of Professional and Financial Regulation for denturists and dental hygienists separate from the Board of Dental Examiners (LD 1462):

**Would attract Denturists and RDH's into the state to take advantage of a progressive delivery scheme.**

- 7. Existing laws and regulations.** Please discuss the extent to which existing legal remedies are inadequate to prevent or redress the kinds of harm potentially resulting from non-regulation and whether regulation can be provided through an existing state agency or in conjunction with presently regulated practitioners.

**No independent dental professional should be regulated by their competition. An independent board or governance through the Dept. of PFR would bring more Denturists and RDH's into the state.**

**8. Method of regulation.** Please describe why registration, certification, license to use the title, license to practice or another type of regulation is being proposed, why that regulatory alternative was chosen and whether the proposed method of regulation is appropriate.

**No independent dental professional should be regulated by their competition. An independent board or governance through the Dept. of PFR would be more appropriate.**

**9. Other states.** Please provide a list of other states that regulate the profession, the type of regulation, copies of other states' laws and available evidence from those states of the effect of regulation on commercial leasing agents in terms of a before-and-after analysis.

**All Canadian provinces allow full scope of practice and have denturist regulating bodies.**

**Oregon: Full scope of practice. Board of Denture Technology**

**Washington: Full scope of practice. Board of Denture Technology**

**Montana: Full dentures; Partial dentures with Oral Health Certificate. Board of Dentistry.**

**Idaho: Full dentures and partial denture repairs. Board of Denturistry**

**Arizona: Full scope of practice under general supervision. Board of Dentistry.**

**10. Previous efforts to regulate.** Please provide the details of any previous efforts in *this State* to implement regulation or expand regulation of the occupations (or proposed occupations) listed below:

- a mid-level dental hygienist:

**Unknown**

- dental hygienists practicing independently without supervision of a licensed dentist:

**Unknown**

- dental graduates of foreign universities:

**Unknown**

- a new licensing board within the Department of Professional and Financial Regulation for denturists and dental hygienists separate from the Board of Dental Examiners (LD 1462):

**Attempts to increase scope of practice and create a new board have been ongoing since 1995.**

- 11. Minimal competence.** Please describe whether the proposed requirements for regulation exceed the standards of minimal competence and what those standards are.

N/A

- 12. Financial analysis.** Please describe the method proposed to finance the proposed regulation and financial data pertaining to whether the proposed regulation can be reasonably financed by current or proposed licensees through dedicated revenue mechanisms.

**License fees would pay for any associated cost of regulation.**

- 13. Mandated benefits.** Please describe whether the profession or occupation plans to apply for mandated benefits.

**Unknown**

Date: August 21, 2007

Completed by:

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Name:

**Connie Gerrity**

Title:

**Executive Director,**

**National Denturist Association/USA**

Mailing Address:

**PO Box 308**

**Tonawanda, PA 18848**

E-mail address:

[denture@sosbbs.com](mailto:denture@sosbbs.com)