

To: Economic Affairs Interim Committee  
From: Judy Bovington, Department of Labor and Industry  
Date: January 8, 2020  
Re: Proposed New Rule I, Denturist Scope of Practice - Dentures Over Implants, MAR Notice No. 24-138-77

The purpose of this memo is to inform the EAIC regarding the status of the Board of Dentistry's actions on the issue of dentures over implants. As Board member Dr. George Johnston informed the EAIC during its November 7th meeting, the Board voted on November 6 not to proceed with a more restrictive proposed rule after considering public comment. On December 6, 2019, the Board met to reconsider the issue of rulemaking regarding denturists fitting dentures over implants. At that meeting, the Board crafted the language below and voted to proceed with rulemaking. This language allows a denturist to make and fit a denture over an implant after written referral from a dentist.

On January 7, 2020, this proposed rule, as part of a larger package, was filed with Montana Secretary of State. The Department anticipates that it will hold a public hearing in Helena on February 7, 2020, and that public comment will be open from approximately January 17, 2020 until mid-February 2020. The Board of Dentistry will likely meet on or before March 6, 2020 to consider the public comments offered and make a decision on whether or how to proceed with the final rulemaking. If the Board makes no substantive changes to the language and adopts it as written, the new language may be effective as early as late March 2020. The Board has received input from stakeholders concerned about this issue that they largely agree on the substance of the language below.

**NEW RULE I DENTURIST SCOPE OF PRACTICE – DENTURES OVER IMPLANTS (1) A denturist may make and fit dentures over implants under the following conditions:**

- (a) The fitting must be performed after written referral from a Montana-licensed dentist;
  - (b) The denturist may not refer directly for implant placement;
  - (c) The denture must be fully soft-tissue supported; and
  - (d) The denture must be manually removable without tools.
- (2) A denturist may not cut, surgically remove, or surgically reduce any tissue or natural teeth in the process of making and fitting an implant-retained denture.
- (3) A denturist may not fit or adjust any abutment or otherwise adjust any appurtenance to a dental implant, except on the denture itself.
- (4) A denturist may reline or rebase the original implant-retained denture.

**24.138.2302 UNPROFESSIONAL CONDUCT FOR DENTURISTS (1) The board defines "unprofessional conduct" as follows:**

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- (1) making and fitting dentures over dental implants in violation of board rules.