

September 30, 2019

Mt Dept. of Labor & Industry  
Board of Dentistry  
301 South Park  
Helena MT 59601

Reference: Proposed "New Rule II" from  
MAR NOTICE 24-138-76

Dear Board of Dentistry Members,

I am writing in opposition to the proposed rule referenced above requiring direct supervision of Denturists by Dentists when providing implant retained overdentures.

Initiative 97, The Freedom of Choice in Denture Care Act was passed by the people of Montana to create a separately licensed profession, independent of dentists. The voters recognized that a separate dental specialty would provide enhanced access to care while at the same time providing a more economical option for denture patients and still remain safe.

As a Denturist, I work closely with a number of different healthcare providers, including general dentists, periodontists, and maxillofacial surgeons to ensure my patients receive the comprehensive care they deserve. These relationships include referrals between all these professionals and have been sufficient to protect the safety and health of our patients. While proposed Rule II is not only outside the scope of the Denturist Practice Act, therefore seemingly illegal, direct supervision by a dentist is clearly against the intent of the Initiative and it brings up a host of other problems.

Firstly, how many practitioners are willing to take on additional duties required to provide this direct supervision? Making time for this will take time away from an already busy practice. This in itself will create an unnecessarily long process in providing the patient a denture.

Secondly, have you considered the additional burden on both practitioners and the patient should all three be in different cities?

All of this will create an additional level of fees for the patient, which is also in opposition to the intent of I-97.

Is the Board of Dentistry going to promulgate rules indicating it is unprofessional conduct for a dentist to refuse or delay direct supervision? By requiring supervision, the implication is that the Board will provide a mechanism for this "direct supervision". Will the Board of Dentistry hold a

dentist liable if they are not available in the case of an emergency, such as a repair of a broken denture or the replacement of an attachment?

As is the case with current referrals, if a practitioner has a problem with the referral or some other issue arises with the procedure, an additional referral, additional information, or a simple phone call can rectify the situation.

Those promulgating and supporting the Rule seem to believe that dentists somehow have superior training than a denturist when it comes to providing a denture, whether over implants or not. As this board has learned, if they studied the training manuals provided by the Denturist Association of Montana, Denturists have hundreds of hours of health sciences, including oral pathology and radiographic pattern recognition and many, many more hours of clinical denture care than any general dentist graduating dental school.

Some have said that it is necessary to be able to diagnose in order to provide dentures over implants. It is not necessary to be able to "diagnose" an abnormality. It is necessary to recognize an abnormality and refer the patient to the appropriate practitioner, as Denturists do every day.

As far as this proposed rule having no or negligible small business impact, that is incorrect. The dentist office will have to be retrofitted with a commercial dental lab in order to process the denture while under supervision. The cost of the equipment alone is in the tens of thousands of dollars, if not more depending on the layout of a particular office. Additional staff time may be needed during this time, as well as for emergency repairs and adjustments, creating more costs for both offices. Therefore, your assumption that there will be no significant small business impact is false.

All of this of course, will prevent dentists from working with denturists, which I believe is the true intent of the Rule rather than some nebulous attempt to protect the health and safety of the public. In the other states where denturists are licensed as sole practitioners, they are allowed to fit dentures over implants without direct supervision from a dentist. Same in Canada.

For years Denturists have requested any evidence that this practice, which the Board now claims would imperil public safety, has actually caused any harm in those states and countries where this practice is commonplace. We have never been given any evidence to demonstrate such harm. If the Board is going to severely limit my practice and impose costs on the public it should be able to point to actual harm being caused by the practice it is trying to prohibit.

Thank you for your consideration in this matter.

Sincerely,



Allen L. Casteel, Licensed Denturist  
First Impressions Denture Clinic LLC

cc: Economic Affairs Interim Committee