

## LEGISLATIVE BILL 89

Approved by the Governor March 9, 2005

Introduced by Byars, 30; Jensen, 20

AN ACT relating to dentists; to amend section 71-183.01, Reissue Revised Statutes of Nebraska; to provide an exemption from licensure requirements; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 71-183.01, Reissue Revised Statutes of Nebraska, is amended to read:

71-183.01. Nothing in section 71-183 shall apply to: ~~the following practices, acts, and operations:~~

(1) ~~To the~~ The practice of his or her profession by a physician or surgeon licensed as such under the laws of this state unless he or she practices dentistry as a specialty;

(2) ~~To the~~ The giving by a qualified anesthetist or registered nurse of an anesthetic for a dental operation under the direct supervision of a licensed dentist or physician;

(3) The practice of dentistry in the discharge of their official duties by graduate dentists or dental surgeons in the United States Army, Navy, Public Health Service, Coast Guard, or Department of Veterans Affairs;

(4) The practice of dentistry by a licensed dentist of other states or countries at meetings of the Nebraska Dental Association or components thereof, or other like dental organizations approved by the Board of Dentistry, while appearing as clinicians;

(5) The practice of dentistry by a person duly licensed to practice dentistry in another state who has been recommended by the secretary of the board of examiners in the state of licensure and who has been granted temporary practice rights by the Board of Dentistry, with the approval of the department, for a period not to exceed three months in any twelve-month period, if the requirements regarding education and examination for licensure in the state of licensure are equal to or exceed the requirements regarding education and examination for licensure in Nebraska;

(6) ~~The~~ ~~To the~~ filling of work authorizations of a licensed and registered dentist as provided in this subdivision by any person or persons, association, corporation, or other entity for the construction, reproduction, or repair of prosthetic dentures, bridges, plates, or appliances to be used or worn as substitutes for natural teeth if such person or persons, association, corporation, or other entity does not solicit or advertise, directly or indirectly by mail, card, newspaper, pamphlet, radio, or otherwise, to the general public to construct, reproduce, or repair prosthetic dentures, bridges, plates, or other appliances to be used or worn as substitutes for natural teeth;

~~(6)~~ ~~To the~~ (7) The use of roentgen or X-ray machines or other rays for making radiograms or similar records of dental or oral tissues under the supervision of a licensed dentist or physician if such service is not advertised by any name whatever as an aid or inducement to secure dental patronage, and no person shall advertise that he or she has, leases, owns, or operates a roentgen or X-ray machine for the purpose of making dental radiograms of the human teeth or tissues or the oral cavity or administering treatment thereto for any disease thereof;

~~(7)~~ ~~To the~~ (8) The performance by a licensed dental hygienist, under the supervision of a licensed dentist, of the oral prophylaxis procedure which shall include the scaling and polishing of teeth and such additional procedures as are prescribed in accordance with rules and regulations adopted by the department;

~~(8)~~ ~~To the~~ (9) The performance by a dental assistant, under the supervision of a licensed dentist, of duties prescribed in accordance with rules and regulations adopted by the department; or

~~(9)~~ ~~To the~~ (10) The performance by a licensed dental hygienist, by virtue of training and professional ability, under the supervision of a licensed dentist, of taking dental roentgenograms. Any other person is hereby authorized, under the supervision of a licensed dentist, to take dental roentgenograms but shall not be authorized to do so until he or she has satisfactorily completed a course in dental radiology recommended by the board and approved by the department.

Sec. 2. Original section 71-183.01, Reissue Revised Statutes of Nebraska, is repealed.

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