

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ Of \_\_\_\_\_

Amend SS/SCS/Senate Bill Nos. 12, et al., Page 10, Section 210.067, Line 6,

2 by inserting after all of said line the following:

3 "332.071. A person or other entity "practices

4 dentistry" within the meaning of this chapter who:

5 (1) Undertakes to do or perform dental work or dental  
6 services or dental operations or oral surgery, by any means  
7 or methods, including the use of lasers, gratuitously or for  
8 a salary or fee or other reward, paid directly or indirectly  
9 to the person or to any other person or entity;

10 (2) Diagnoses or professes to diagnose, prescribes for  
11 or professes to prescribe for, treats or professes to treat,  
12 any disease, pain, deformity, deficiency, injury or physical  
13 condition of human teeth or adjacent structures or treats or  
14 professes to treat any disease or disorder or lesions of the  
15 oral regions;

16 (3) Attempts to or does replace or restore a part or  
17 portion of a human tooth;

18 (4) Attempts to or does extract human teeth or  
19 attempts to or does correct malformations of human teeth or  
20 jaws;

21 (5) Attempts to or does adjust an appliance or  
22 appliances for use in or used in connection with malposed  
23 teeth in the human mouth;

24 (6) Interprets or professes to interpret or read  
25 dental radiographs;

(7) Administers an anesthetic in connection with dental services or dental operations or dental surgery;

(8) Undertakes to or does remove hard and soft deposits from or polishes natural and restored surfaces of teeth;

(9) Uses or permits to be used for the person's benefit or for the benefit of any other person or other entity the following titles or words in connection with the person's name: "Doctor", "Dentist", "Dr.", "D.D.S.", or "D.M.D.", or any other letters, titles, degrees or descriptive matter which directly or indirectly indicate or imply that the person is willing or able to perform any type of dental service for any person or persons, or uses or permits the use of for the person's benefit or for the benefit of any other person or other entity any card, directory, poster, sign or any other means by which the person indicates or implies or represents that the person is willing or able to perform any type of dental services or operation for any person;

(10) Directly or indirectly owns, leases, operates, maintains, manages or conducts an office or establishment of any kind in which dental services or dental operations of any kind are performed for any purpose; but this section shall not be construed to prevent owners or lessees of real estate from lawfully leasing premises to those who are qualified to practice dentistry within the meaning of this chapter;

(11) Controls, influences, attempts to control or influence, or otherwise interferes with the dentist's independent professional judgment regarding the diagnosis or treatment of a dental disease, disorder, or physical condition except that any opinion rendered by any health care professional licensed under this chapter or chapter

330, 331, 334, 335, 336, 337, or 338 regarding the diagnosis, treatment, disorder, or physical condition of any patient shall not be construed to control, influence, attempt to control or influence or otherwise interfere with a dentist's independent professional judgment;

(12) Constructs, supplies, reproduces or repairs any prosthetic denture, bridge, artificial restoration, appliance or other structure to be used or worn as a substitute for natural teeth, except when one, not a registered and licensed dentist, does so pursuant to a written uniform laboratory work order, in the form prescribed by the board, of a dentist registered and currently licensed in Missouri and which the substitute in this subdivision described is constructed upon or by use of casts or models made from an impression furnished by a dentist registered and currently licensed in Missouri;

(13) Attempts to or does place any substitute described in subdivision (12) of this section in a human mouth or attempts to or professes to adjust any substitute or delivers any substitute to any person other than the dentist upon whose order the work in producing the substitute was performed;

(14) Advertises, solicits, or offers to or does sell or deliver any substitute described in subdivision (12) of this section or offers to or does sell the person's services in constructing, reproducing, supplying or repairing the substitute to any person other than a registered and licensed dentist in Missouri;

(15) Undertakes to do or perform any physical evaluation of a patient in the person's office or in a hospital, clinic, or other medical or dental facility prior to or incident to the performance of any dental services, dental operations, or dental surgery;

92           (16) Reviews examination findings, x-rays, or other  
93 patient data to make judgments or decisions about the dental  
94 care rendered to a patient in this state;

95           (17) Prescribes and administers vaccines.

96           332.368. 1. A dentist may prescribe and administer  
97 vaccines to a person with whom the dentist has established a  
98 patient relationship and vaccines directly related to an  
99 emergency as defined in section 44.045. No dentist shall be  
100 required to prescribe or administer vaccines.

101           2. The board shall recognize a training course, which  
102 includes training regarding appropriate vaccine storage,  
103 proper administration, and addressing contraindications and  
104 adverse reactions, offered by the Centers for Disease  
105 Control and Prevention, the American Dental Association or  
106 its successor organization, and other similar federal or  
107 state agencies or professional organizations deemed  
108 qualified by the board.

109           3. The dentist shall:

110           (1) Inform the patient that the administration of the  
111 vaccine will be entered into the ShowMeVax system, as  
112 administered by the department of health and senior  
113 services. The patient shall attest to the inclusion of such  
114 information in the system by signing a form provided by the  
115 dentist. If the patient indicates that he or she does not  
116 want such information entered into the ShowMeVax system, the  
117 dentist shall provide a written report within fourteen days  
118 of administration of a vaccine to the patient's primary  
119 health care provider, if provided by the patient, containing:

120           (a) The identity of the patient;

121           (b) The identity of the vaccine or vaccines  
122 administered;

123           (c) The route of administration;

124           (d) The anatomic site of the administration;

125       (e) The dose administered; and  
126       (f) The date of administration;  
127       (2) Prior to administering a vaccine, review the  
128 patient's vaccination history in the ShowMeVax system;  
129       (3) Obtain a certificate of successful completion from  
130 the entity from whom the dentist received the training  
131 described in subsection 2 of this section and shall produce  
132 for the board upon their request; and  
133       (4) Comply with any applicable patient of care record  
134 keeping requirements.  
135       4. The dentist shall not delegate the administration  
136 of a vaccine. The board shall promulgate rules for the  
137 purpose of recognizing training entities listed in  
138 subdivision (2) of subsection 1 of this section. Any rule  
139 or portion of a rule, as that term is defined in section  
140 536.010, that is created under the authority delegated in  
141 this section shall become effective only if it complies with  
142 and is subject to all of the provisions of chapter 536 and,  
143 if applicable, section 536.028. This section and chapter  
144 536 are nonseverable and if any of the powers vested with  
145 the general assembly pursuant to chapter 536 to review, to  
146 delay the effective date, or to disapprove and annul a rule  
147 are subsequently held unconstitutional, then the grant of  
148 rulemaking authority and any rule proposed or adopted after  
149 August 28, 2021, shall be invalid and void."; and  
150       Further amend the title and enacting clause accordingly.