

**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;

- 26           (7) Administers an anesthetic in connection with  
27 dental services or dental operations or dental surgery;
- 28           (8) Undertakes to or does remove hard and soft  
29 deposits from or polishes natural and restored surfaces of  
30 teeth;
- 31           (9) Uses or permits to be used for the person's  
32 benefit or for the benefit of any other person or other  
33 entity the following titles or words in connection with the  
34 person's name: "Doctor", "Dentist", "Dr.", "D.D.S.", or  
35 "D.M.D.", or any other letters, titles, degrees or  
36 descriptive matter which directly or indirectly indicate or  
37 imply that the person is willing or able to perform any type  
38 of dental service for any person or persons, or uses or  
39 permits the use of for the person's benefit or for the  
40 benefit of any other person or other entity any card,  
41 directory, poster, sign or any other means by which the  
42 person indicates or implies or represents that the person is  
43 willing or able to perform any type of dental services or  
44 operation for any person;
- 45           (10) Directly or indirectly owns, leases, operates,  
46 maintains, manages or conducts an office or establishment of  
47 any kind in which dental services or dental operations of  
48 any kind are performed for any purpose; but this section  
49 shall not be construed to prevent owners or lessees of real  
50 estate from lawfully leasing premises to those who are  
51 qualified to practice dentistry within the meaning of this  
52 chapter;
- 53           (11) Controls, influences, attempts to control or  
54 influence, or otherwise interferes with the dentist's  
55 independent professional judgment regarding the diagnosis or  
56 treatment of a dental disease, disorder, or physical  
57 condition except that any opinion rendered by any health  
58 care professional licensed under this chapter or chapter

59 330, 331, 334, 335, 336, 337, or 338 regarding the  
60 diagnosis, treatment, disorder, or physical condition of any  
61 patient shall not be construed to control, influence,  
62 attempt to control or influence or otherwise interfere with  
63 a dentist's independent professional judgment;

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

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

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

87 (15) Undertakes to do or perform any physical  
88 evaluation of a patient in the person's office or in a  
89 hospital, clinic, or other medical or dental facility prior  
90 to or incident to the performance of any dental services,  
91 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.