Chapter 680 — Dental Hygienists; Denturists

2001 EDITION

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DENTAL HYGIENISTS

(Generally)

680.010 Definitions for ORS 680.010 to 680.205. As used in ORS 680.010 to 680.205, unless the context requires otherwise, words shall have the meanings assigned by ORS 679.010. [Amended by 1963 c.266 §1; 1983 c.169 §18]

680.020 Practice of dental hygiene without license prohibited; applicability of dental hygiene license requirement. (1) It shall be unlawful for any person not otherwise authorized by law to practice dental hygiene or purport to be a dental hygienist without a valid license to practice dental hygiene issued by the Oregon Board of Dentistry.

(2) The requirements of this section shall not apply to:

(a) Dental hygienists licensed in another state making a clinical presentation sponsored by a bona fide dental or

dental hygiene society or association or an accredited dental or dental hygiene education program approved by the board.

(b) Bona fide full-time students of dental hygiene who, during the period of the student's enrollment and as a part of the course of study in an Oregon dental hygiene education program accredited by the Commission on Accreditation of the American Dental Association, or its successor agency, if any, which must have been approved by the board, engage in clinical studies on the premises of such program or in a clinical setting located off the premises if the facility, the instructional staff, and the course of study at the off-premises location meet minimum requirements prescribed by the rules of the board and the clinical study is performed under the direct supervision of a member of the faculty.

(c) Candidates who are preparing for licensure examination to practice dental hygiene and whose application has been accepted by the board or its agent, if such clinical preparation is conducted in a clinic located on premises approved for that purpose by the board and if the procedures are limited to examination only.

(d) Dental hygienists practicing in the discharge of official duties as employees of the United States Government and any of its agencies.

(e) Instructors of dental hygiene, whether full- or part-time, while exclusively engaged in teaching activities and while employed in accredited dental hygiene educational institutions.

(f) Dental hygienists employed by public health agencies who are not engaged in direct delivery of clinical dental hygiene services to patients. [Amended by 1963 c.266 §2; 1983 c.169 §19]

680.025 [1971 c.48 §3; 1975 c.323 §1; repealed by 1983 c.169 §34]

680.030 [Amended by 1963 c.266 §3; repealed by 1983 c.169 §34]

(Licensing)

680.040 Qualifications of applicants for dental hygiene licensure examination. (1) An applicant for a dental hygiene license shall be entitled to take the examination to practice dental hygiene in Oregon if the applicant:

(a) Is 18 years of age or older; and

(b) Is a graduate of a dental hygiene program accredited by the Commission on Dental Accreditation of the American Dental Association or its successor agency, if any, which must have been approved by the Oregon Board of Dentistry.

(2) Foreign trained graduates of dental hygiene programs may apply for the dental hygiene licensure examination, providing the applicant meets the board's requirements, by rule, as will reasonably assure that an applicant's training and education are sufficient for licensure. [Amended by 1963 c.266 §4; 1973 c.122 §1; 1975 c.323 §2; 1979 c.526 §1; 1983 c.169 §20]

680.050 Application for examination; fees; grounds for refusal to issue or renew license. (1) Any person desiring to practice dental hygiene in this state shall file an application for examination with the Oregon Board of Dentistry at least 45 days before the date set for the beginning of the examination.

(2) At the time of making application, the applicant shall:

(a) Pay to the board the required examination fee.

(b) Furnish the board with evidence satisfactory to the board of details of any convictions recorded in any police records. Such details are subject to the findings required by ORS 670.280.

(c) Present to the board a diploma or evidence satisfactory to the board of having graduated from an accredited dental hygiene program approved by the board.

(3) If an applicant has been in practice in another state or states the applicant shall furnish an affidavit from the board of dental examiners or similar body of such state or states that the applicant has been engaged in the legal practice of dental hygiene in such state or states for a period of time prescribed by the rules of the board.

(4) The board may refuse to issue or renew a license to an applicant who has been convicted of an offense or been disciplined by a dental licensing body in a manner that bears, in the judgment of the board, a demonstrable relationship to the ability of the applicant to practice dental hygiene in accordance with the provisions of this chapter, or who has falsified an application for licensure, or any person for any cause described under ORS 679.140 or 679.170.

(5) Examination fees paid are not refundable. [Amended by 1963 c.266 §5; 1967 c.90 §1; 1973 c.122 §2; 1983 c.169 §21; 1985 c.323 §16; 1995 c.199 §5]

680.060 Examination; scope and conduct; results of national standardized examination, regional testing agencies or clinical board examinations administered in other states in lieu of examination. (1) The Oregon Board of Dentistry may administer written, laboratory or clinical examinations to test professional knowledge and skills.

(2) The examination shall be sufficiently thorough to test the fitness of the applicant to practice dental hygiene. It shall include, written in the English language, questions on any subjects pertaining to dental hygiene. The written examination may be supplemented by oral examination. Demonstrations of the applicant's skill in clinical dental hygiene also may be required. The examination shall be conducted under oath or affirmation before the board, and any member of the board may administer the necessary oath or affirmation.

(3) The board may accept the results of national standardized examinations in satisfaction of the written examination as authorized by this section, and may accept the results of regional testing agencies or of clinical board examinations administered by other states in satisfaction of the clinical examination authorized under this section.

(4) The board shall accept the results of regional testing agencies or of clinical board examinations administered by other states in satisfaction of the examinations authorized under this section for applicants who have engaged in the active practice of dental hygiene in other states or in the Armed Forces of the United States, the United States Public Health Service or the United States Department of Veterans Affairs for a period of at least 3,500 hours in the five years immediately preceding application and who meet all other requirements for licensure. [Amended by 1963 c.266 §6; 1983 c.169 §22; 2001 c.193 §2]

680.070 Subsequent examinations. Any person failing to pass the first examination may apply for a second and third regularly scheduled examination by the Oregon Board of Dentistry. The applicable fee and application for reexamination shall be submitted to the board at least 45 days before such examination. If the applicant fails to pass the third examination, the applicant will not be permitted to take any further examination until the applicant has attended and successfully passed a remedial program prescribed by a dental hygiene school and approved by the board. [Amended by 1963 c.266 §7; 1967 c.90 §2; 1971 c.34 §3; 1977 c.444 §4; 1979 c.526 §2; 1981 c.232 §3; 1983 c.169 §23]

680.072 Issuing license. The Oregon Board of Dentistry shall, upon the applicant's satisfactory completion of the educational requirements and written, laboratory and clinical examinations authorized under ORS 680.060 and upon receipt of the requisite fees, issue or renew the appropriate dental hygiene license. [1983 c.169 §26]

680.075 License fees; waiver; reinstatement of inactive status license; notice of change of address, employer or practice status. (1) The Oregon Board of Dentistry may impose application fees for the following:

(a) Examinations;

(b) Biennial dental hygiene license, active;

(c) Biennial dental hygiene license, inactive;

(d) Permits and certificates; and

(e) Delinquency.

(2) Subject to prior approval of the Oregon Department of Administrative Services and a report to the Emergency Board prior to adopting the fees and charges, the fees and charges established under this section and ORS chapter 679 shall not exceed the costs of administering the regulatory program of the board as authorized by the Legislative Assembly within the board budget, as the budget may be modified by the Emergency Board.

(3)(a) The board may waive the payment of the license fee in the case of any licensee who furnishes satisfactory evidence that the licensee has discontinued the actual practice of dental hygiene because of retirement.

(b) Application to reinstate a license retired under paragraph (a) of this subsection or to convert an inactive status license to an active status license shall be made in accordance with the rules of the board and with the submission of the license fee prescribed for such license; provided, however, that if more than one year has expired since the license was retired or inactivated, satisfactory evidence of clinical competence must be submitted to the board.

(4) Every dental hygienist shall advise the board within 30 days of any change of address.

(5) Each dental hygienist must renew the hygienist's license every two years through submitting a renewal application and paying the license fee.

(6) Dental hygienists licensed in even-numbered years must renew by September 30 of each even-numbered year. Dental hygienists licensed in odd-numbered years must renew by September 30 of each odd-numbered year.

(7) A reasonable charge may be made in the event that the license fee or renewal application is more than 10 days

delinquent.

(8) Fees paid are not refundable. [1983 c.169 §25; 1985 c.323 §17; 1989 c.338 §9; 1991 c.703 §26]

680.080 [Amended by 1963 c.266 §8; 1973 c.122 §3; 1975 c.323 §3; 1979 c.526 §3; 1983 c.169 §27; 1991 c.67 §183; repealed by 1999 c.578 §6]

680.082 Licensure of dental hygiene instructor; rules. (1) Notwithstanding any other provision of ORS 680.010 to 680.205, the Oregon Board of Dentistry shall issue a dental hygiene instructor's license to any person who:

(a) Is or will be a full-time instructor of dental hygiene engaged in the practice of dental hygiene, including but not limited to participation in a faculty practice plan within the scope of the applicant's employment at the Oregon Health and Science University;

(b) Is a graduate of a dental hygiene program accredited by the Commission on Dental Accreditation of the American Dental Association or its successor agency, if any; and

(c) Is licensed to practice dental hygiene in another state or a Canadian province.

(2) The board shall by rule establish standards, procedures and fees for the issuance, suspension, revocation and renewal of a dental hygiene instructor's license.

(3) The board may refuse to issue or renew a dental hygiene instructor's license to an applicant or licensee:

(a) Who has been convicted of an offense or disciplined by a dental licensing body in a manner that bears, in the judgment of the board, a demonstrable relationship to the ability of the applicant or licensee to practice dental hygiene in accordance with the provisions of ORS 680.010 to 680.205;

(b) Who has falsified an application for licensure; or

(c) For cause as described under ORS 679.140 or 679.170.

(4) An applicant who receives a dental hygiene instructor's license is restricted to the practice of dental hygiene in a facility devoted to dental care on the campus of the Oregon Health and Science University.

(5) An applicant who receives a dental hygiene instructor's license is subject to the professional ethics, standards and discipline of ORS 680.010 to 680.205. [2001 c.193 §4]

Note: 680.082 was added to and made a part of 680.010 to 680.205 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

680.090 [Repealed by 1983 c.169 §34]

680.100 Discipline of dental hygienist; grounds; method; procedure. (1) The Oregon Board of Dentistry may discipline any dental hygienist for any of the causes for which a dentist may be disciplined under ORS 679.140 and may impose any or all of the methods of discipline, modify such methods and reinstate dental hygiene licenses as provided in ORS 679.140 for dentists.

(2) The provisions of ORS 679.160 and 679.250 apply to proceedings by the board for the revocation or suspension of or refusal to renew a license issued pursuant to ORS 680.010 to 680.205. [Amended by 1963 c.266 §9; 1975 c.323 §4; 1977 c.745 §52; 1983 c.169 §28; 1983 c. 338 §963; 1999 c.578 §5]

680.110 Disposition of receipts. All moneys paid by applicants to the Oregon Board of Dentistry as examination and licensing fees under ORS 680.010 to 680.205 shall be used for the same purposes and accounted for by the board in the same manner as moneys obtained as fees from applicants for license to practice dentistry in Oregon.

680.150 Employment of dental hygienist; supervision. (1) Any dentist may employ a dental hygienist who may engage in the practice of dental hygiene in the office of such dentist under the general supervision of a dentist.

(2) Any public institution, health care facility or health maintenance organizations, as those terms are defined in ORS 442.015, may employ a dental hygienist who may engage in the practice of dental hygiene under the general supervision of a dentist.

(3) A dental hygienist under the general supervision of a dentist may engage in the practice of dental hygiene in any place where limited access patients are located.

(4) The Oregon Board of Dentistry may adopt rules specifying other locations where dental hygienists may work and shall specify in its rules the degree of supervision a dentist must exercise over the procedures the hygienist performs. [Amended by 1963 c.266 §10; 1973 c.122 §4; 1979 c.526 §4; 1985 c.323 §9; 1991 c.476 §1]

680.160 [Amended by 1973 c.122 §5; 1975 c.323 §5; 1979 c.526 §5; repealed by 1991 c.476 §2]

(Miscellaneous)

680.165 Monitoring performance; information available to monitor; confidentiality; liability. (1) The Oregon Board of Dentistry may appoint a consultant or a committee or committees, each consisting of one or more licensed dental hygienists in this state, to study and report to the board the condition of and dental hygiene treatment rendered to any person or persons by any licensed dental hygienist in this state, or by any person purporting to practice dental hygiene in this state. Any person, hospital, sanitarium, professional grievance committee, nursing or rest home or other organization may, subject to the laws governing privileged or confidential communications, provide information, interviews, reports, statements, memoranda or other data relating to the condition and treatment of any person, to any such consultant, committee or the board, to be used in the course of any study for the purpose of improving the standards of dental hygiene practice, or to enable the board to assess the desirability of disciplinary action relating thereto. No liability of any kind or character for damages or other relief shall arise or be enforced against any such person or organization by reason of having provided such information or material, or arise or be enforced against any consultant or member of such committee by reason of having released or published the findings and conclusions of such consultants or committees to advance dental hygiene science and dental hygiene education, or by reason of having released or published generally a summary of such studies. Testimony given to and the proceedings, reports, statements, opinions, findings and conclusions of such consultants and committees and the board shall be confidential but this shall not preclude the use of the subpoena power with respect to the actual records of dentists, dental hygienists, patients, hospitals, sanitaria, nursing or rest homes.

(2) There shall be no monetary liability on the part of, and no cause of action for damages shall arise against, any consultant or member of a duly appointed committee for any act or proceeding undertaken or performed within the scope of the functions of any such consultant or committee, if such consultant or committee member acts without malice, has made a reasonable effort to obtain the facts of the matter as to which the member acts, and acts in a reasonable belief that the action taken is warranted by the facts known after such reasonable effort to obtain the facts. [1985 c.323 §19]

680.170 [Repealed by 2001 c.11 §1]

(Limited Access Permits)

680.200 Issuing permit. (1) Upon application accompanied by the fee established by the Oregon Board of Dentistry, the board shall grant a permit to practice as a limited access permit dental hygienist to any applicant who:

(a) Holds a valid, unrestricted Oregon dental hygiene license;

(b) Presents evidence satisfactory to the board of at least 5,000 hours of supervised dental hygiene clinical practice within the previous five years;

(c) Presents proof of current professional liability insurance coverage; and

(d) Presents documentation satisfactory to the board of successful completion of a total of 40 classroom hours of courses from a formal, post-secondary educational institution accredited by the Commission on Dental Accreditation of the American Dental Association or its successor agency and approved by the board, including but not limited to:

(A) General medicine and physical diagnosis;

(B) Pharmacology;

(C) Medical emergencies and cardiopulmonary resuscitation;

(D) Oral pathology;

(E) Management and psychology of geriatric and disabled patients; and

(F) Jurisprudence relating to unsupervised practice with limited access patients.

(2) All permits issued pursuant to subsection (1) of this section expire two years following the date of issuance unless renewed on or before that date by:

(a) Payment of the renewal fee as set by the board;

(b) Submission to the board of satisfactory evidence of completion of at least 36 hours of continuing education, 12 hours of which shall be in the coursework areas required in subsection (1) of this section; and

(c) Presentation to the board of proof of professional liability insurance coverage.

(3) The board may refuse to issue or renew a limited access permit or may suspend or revoke the permit of a limited access permit dental hygienist who has been convicted of an offense or been disciplined by a dental licensing body in a manner that bears, in the judgment of the board, a demonstrable relationship to the ability of the applicant to practice limited access permit dental hygiene in accordance with the provisions of this chapter or ORS chapter 679, or who has falsified an application for permit, or any person for any cause described under ORS 679.140 or 679.170. [1997 c.251 §2]

680.205 Services rendered under permit. (1) A dental hygienist issued a permit to act as a limited access permit dental hygienist under ORS 680.200 shall be authorized to render all services within the scope of practice of dental hygiene as defined in ORS 679.010 and as authorized by the limited access permit to:

(a) Patients or residents of the following facilities or programs who, due to age, infirmity or disability, are unable to receive regular dental hygiene treatment:

(A) Nursing homes as defined in ORS 678.710;

(B) Adult foster homes as defined in ORS 443.705;

(C) Residential care facilities as defined in ORS 443.400;

(D) Adult congregate living facilities as defined in ORS 441.525;

(E) Mental health residential programs administered by the Department of Human Services;

(F) Facilities for mentally ill persons, as defined in ORS 426.005;

(G) Facilities for persons with mental retardation, as defined in ORS 427.005; or

(H) Local correctional facilities and juvenile detention facilities as those terms are defined in ORS 169.005, regional correctional facilities as defined in ORS 169.620, youth correction facilities as defined in ORS 420.005, youth care centers as defined in ORS 420.855, and Department of Corrections institutions as defined in ORS 421.005.

(b) Students or enrollees of nursery schools and day care programs, Job Corps and other similar employment training facilities and primary and secondary schools, including private schools and public charter schools.

(2) At least once each calendar year, a dental hygienist issued a permit to act as a limited access permit dental hygienist shall refer each patient or resident to a dentist who is available to treat the patient or resident.

(3) Nothing in this section shall be construed to authorize a limited access permit dental hygienist to administer local anesthesia, to provide sealants, denture soft lines, temporary restorations and radiographs except under the general supervision of a dentist licensed under ORS chapter 679, or to administer nitrous oxide except under the indirect supervision of a dentist licensed under ORS chapter 679.

(4) The Oregon Board of Dentistry may not expand the scope of unsupervised practice of a limited access dental hygienist by rule.

(5) A person granted a limited access permit under ORS 680.200 shall also procure all other permits or certificates required by the board under ORS 679.250. [1997 c.251 §3; 2001 c.592 §1]

DENTURISTS

(Generally)

680.500 Definitions for ORS 680.500 to 680.572. As used in ORS 680.500 to 680.572, unless the context requires otherwise:

(1) “Agency” means the Health Licensing Office.

(2) “Board” means the policy-making body known as the State Board of Denture Technology.

(3) “Denture” means any removable full upper or lower prosthetic dental appliance to be worn in the human mouth.

(4) “Denturist” means a person licensed under ORS 680.500 to 680.572 to engage in the practice of denture technology.

(5) “Practice of denture technology” means:

(a) Constructing, repairing, relining, reproducing, duplicating, supplying, fitting or altering any denture in respect of which a service is performed under paragraph (b) of this subsection; and

(b) The taking of impressions, bite registrations, try-ins, and insertions of or in any part of the human oral cavity for any of the purposes listed in paragraph (a) of this subsection. [1979 c.1 §1; 1991 c.921 §1; 1993 c.142 §2; 1999 c.885 §26]

680.505 Practice of denture technology prohibited without license; use of title "denturist." Unless the person holds a valid license issued under ORS 680.500 to 680.572, a person shall not:

(1) Engage, or offer to engage, in the practice of denture technology; or

(2) Use in connection with the name of the person the word "denturist" or any other words, letters or abbreviations or insignia tending to indicate that such person is engaged in the practice of denture technology. [1979 c.1 §2; 1993 c.142 §3]

680.510 Application of ORS 680.500 to 680.572. The prohibitions of ORS 680.500 to 680.572 do not apply to:

(1) Any activity described in ORS 680.500 (5)(a) by a person acting under the supervision of a denturist.

(2) The practice of dentistry or medicine by persons authorized to do so by this state, or any other practices allowed under ORS chapters 677 and 679.

(3) A student of denture technology in pursuit of clinical studies under an approved school program, or a person having met the formal educational requirements, who is operating, for no more than two years, under the direct supervision of a denturist or a licensed dentist in pursuit of practical clinical experience as required for licensure by ORS 680.515 (1)(a) or (b). [1979 c.1 §3; 1981 c.313 §1; 1989 c.694 §1; 1993 c.142 §4]

(Licenses)

680.515 Application for license; qualifications of applicants. (1) Upon application, accompanied by the fee established by the State Board of Denture Technology, the Health Licensing Office shall grant a license to practice denture technology to any applicant who:

(a) Furnishes satisfactory evidence that the applicant has successfully completed an associate degree program in denture technology, or the equivalent in formal, post-secondary education, approved by the Health Licensing Office in consultation with the Oregon Student Assistance Commission and the Department of Education. The educational program shall include pertinent courses in anatomy, including histology, microbiology, physiology, pharmacology, pathology emphasizing periodontology, dental materials, medical emergencies, geriatrics, professional ethics, clinical denture technology and denture laboratory technology;

(b) Furnishes satisfactory evidence that the applicant has successfully completed, during or after post-secondary study, a minimum of 1,000 hours in the practice of denture technology under direct supervision of an approved school or has completed the equivalent supervised experience, as determined by the Health Licensing Office in consultation with the Oregon Student Assistance Commission and the Department of Education; and

(c) Performs to the satisfaction of the Health Licensing Office on a written and a practical examination prescribed by the board and given at least annually between June 15 and August 15. An applicant who fails the practical examination must complete an additional 1,000 hours of clinical and laboratory training in an approved work experience program, as determined by the board, to qualify for reexamination.

(2) Notwithstanding subsection (1)(a) of this section, the board may accept educational training obtained in any other state or country if, upon review of satisfactory evidence, the Health Licensing Office determines that the educational program in the other state or country meets the educational standards prescribed under this section. [1979 c.1 §4; 1981 c.313 §2; 1989 c.694 §2; 1991 c.921 §2; 1993 c.142 §5; 1997 c.652 §39]

680.520 Examination of applicants. (1) Examinations of applicants for licensure under ORS 680.500 to 680.572 shall be held at least once a year at such times and places as the State Board of Denture Technology may determine. Timely and appropriate notice shall be given to each applicant.

(2) The examination shall be sufficiently thorough to determine the qualifications, fitness and ability of the applicant to practice denture technology. The examination may be in the form of written, oral or practical demonstration of skills, or a combination of any such types. The examination shall cover at least subjects listed in ORS 680.515 (1)(a). [1979 c.1 §5; 1981 c.313 §3; 1991 c.921 §3; 1993 c.142 §6]

680.525 Fees; how determined. (1) The State Board of Denture Technology shall determine fees, subject to the approval of the Health Licensing Office, for the following:

(a) Application;

(b) Examinations;

(c) License;

(d) License renewal;

(e) License restoration;
(f) Replacement or duplicate license; and
(g) Delinquency.
(2) The fees established under ORS 680.500 to 680.572 shall not exceed the costs of administering the regulatory program of the board as authorized by the Legislative Assembly for the board budget, as modified by the Emergency Board or future sessions of the Legislative Assembly. [1979 c.1 §6; 1981 c.313 §8; 1991 c.921 §4; 1993 c.142 §7; 1999 c.885 §27]

680.530 Expiration of license; renewal; rules. (1)(a) Licenses to practice denture technology issued by the Health Licensing Office shall expire one year from the date of issuance unless renewed on or before the expiration date by payment of the required renewal fee and submission of satisfactory evidence of completion of continuing education courses as specified by rule.
(b) Notwithstanding paragraph (a) of this subsection, the office may vary the renewal date of a license by giving the applicant written notice of the renewal date being assigned and by making prorated adjustments to the renewal fee.
(2) A license that has expired less than one year before the date of application for renewal may be renewed upon application therefor and payment of the required renewal fee and delinquency fee and upon submission of satisfactory evidence of completion of continuing education as specified by rule.
(3) A license that has expired more than one year before the date of application for renewal but less than three years may be renewed upon application therefor and payment of the required renewal fee and restoration fee and upon submission of satisfactory evidence of completion of continuing education as specified by rule.
(4) A license that has expired more than three years before the date of application for renewal may be reinstated upon application therefor, payment of the prescribed license fee and submission of evidence satisfactory to the Health Licensing Office of clinical competence as determined by rule of the State Board of Denture Technology.
(5) The Health Licensing Office may refuse to grant or renew the license of a denturist whose license has been denied, suspended or revoked and not renewed under ORS 680.535 for up to one year from the date of denial of the license or the renewal or the date of the order of suspension or revocation. [1979 c.1 §7; 1989 c.694 §3; 1991 c.921 §5; 1993 c.142 §8; 2001 c.274 §1]

680.535 Grounds for refusal, suspension or revocation of license, or probation, reprimand or censure of holder. In the manner prescribed in ORS 183.310 to 183.550 for contested cases, the Health Licensing Office shall refuse to issue, suspend or revoke a license, or shall place a licensed person on probation for a period specified by the Health Licensing Office for any of the following causes:
(1) Conviction of crime where such crime bears a demonstrable relationship to the practice of denture technology.
(2) Incompetence or gross negligence in the practice of denture technology.
(3) Fraud or misrepresentation in the practice of denture technology or in the admission of such practice.
(4) Use of any narcotic or dangerous drug or intoxicating liquor to an extent that such use impairs the ability to conduct safely the practice of denture technology.
(5) Violation of any provision of ORS 680.500 to 680.572 or rules adopted thereunder.
(6) Use of any advertising statements of a nature that would deceive or mislead the public or that are untruthful. [1979 c.1 §8; 1991 c.921 §6; 1993 c.142 §9]

(Practice)

680.540 Health Licensing Office to investigate complaints. The Health Licensing Office shall investigate complaints made regarding the practice of denture technology and may revoke the license issued under ORS 680.500 to 680.572 in the manner prescribed in ORS 183.310 to 183.550 for a contested case. [1979 c.1 §18; 1981 c.313 §4; 1991 c.921 §7; 1993 c.142 §10]

680.542 [1997 c.791 §29; repealed by 2001 c.274 §5]

680.545 Statement of dentist or physician before treatment by denturist; exceptions; oral pathology indorsement. (1) Denturists shall not treat any person without having first received a statement, dated within 30 days of the date of treatment and signed by a dentist or a physician, that such person’s oral cavity is substantially free from disease and mechanically sufficient to receive a denture.

(2) Notwithstanding subsection (1) of this section, statements from a dentist or physician are not required:
(a) For the purpose of repairing a denture;
(b) For the purpose of relining a denture;
(c) For the purpose of replacing a denture fitted within the prior year; or
(d) If the denturist providing the work has successfully completed special training in oral pathology prescribed by the Health Licensing Office whether as part of an approved associate degree program or equivalent training and the person has applied for and received an oral pathology indorsement.
(3) To qualify for an oral pathology indorsement, a denturist who is not described in subsection (2)(d) of this section must successfully complete special training or the equivalent and pass an examination prescribed by the State Board of Denture Technology in consultation with the Oregon Student Assistance Commission. [1979 c.1 §13; 1981 c.313 §5; 1989 c.694 §4; 1991 c.921 §8; 1993 c.142 §10a; 1997 c.652 §40]

680.550 Board to establish policies and criteria for assessment. The State Board of Denture Technology shall establish policies and criteria for the assessment of the quality of the practice of denture technology based on practice standards subject to the approval of the Health Licensing Office. [1979 c.1 §19; 1991 c.921 §9; 1993 c.142 §11]

680.555 [1979 c.1 §9; 1989 c.694 §5; repealed by 1991 c.921 §22]

(State Board)

680.556 State Board of Denture Technology; membership; compensation and expenses. (1) There is established, within the Health Licensing Office, the State Board of Denture Technology.
(2) The board shall consist of seven members appointed by the Governor.
(3) Four members shall be active licensed denturists, one member shall be an Oregon licensed dentist in active practice and two members shall be public members who do not possess the professional qualifications of other members.
(4) The term of office of each member is three years, but a member serves at the pleasure of the Governor. Before the expiration of the term of a member, the Governor shall appoint a successor whose term begins on July 1 next following. A member is eligible for reappointment, but no member shall serve more than two consecutive terms. If there is a vacancy for any cause, the Governor shall make an appointment to become immediately effective for the unexpired term.
(5) The Health Licensing Office shall provide the board with such administrative services and employees as the board requires to carry out its duties for the administration of ORS 680.500 to 680.572 and 680.990 (2).
(6) The Health Licensing Office shall not prescribe minimum educational or training requirements in excess of those specified in ORS 680.515.
(7) Members of the board, or its appointed committees, shall be entitled to compensation and expenses as provided in ORS 292.495 from funds available under ORS 680.570. [1991 c.921 §11; 1993 c.142 §12; 1999 c.885 §28]

680.560 Board meetings; administrator; ministerial functions by Director of Health Licensing Office. (1) The State Board of Denture Technology shall hold a meeting at least once each year and shall annually elect a chairperson from its members.
(2) The Director of the Health Licensing Office or a representative appointed by the director shall serve without voting rights as administrator to the board. The administrator shall keep records of the transactions of the board and have custody of the records, documents and other related property.
(3) At the direction of the board, all other ministerial functions associated with carrying on the duties, functions and powers of the board, including, but not limited to, secretarial, clerical, investigative and fiscal, shall be performed by the administrator, or by employees of the Health Licensing Office. [1979 c.1 §10; 1981 c.313 §6; 1991 c.921 §13; 1993 c.142 §13; 1999 c.885 §29]

680.565 Authority of Health Licensing Office and director; rules; issuance of license. (1) The Health Licensing Office has such authority as is reasonably necessary to administer ORS 680.500 to 680.572 and 680.990 (2), including the authority to adopt rules pursuant to ORS 183.310 to 183.550.
(2) The Director of the Health Licensing Office shall keep a record of all proceedings of the State Board of Denture Technology including a register of all persons licensed to practice denture technology.

(3) When the agency is satisfied that the applicant for licensure under ORS 680.500 to 680.572 has complied with all the requirements, it shall issue to such applicant an appropriate license under ORS 680.500 to 680.572. [1979 c.1 §11; 1981 c.313 §7; 1991 c.921 §14; 1993 c.142 §14; 1999 c.885 §30]

680.567 Enforcement of ORS 680.500 to 680.572. (1) If the State Board of Denture Technology determines that a person has engaged in an activity that is in violation of any provision of ORS 680.500 to 680.572, at the direction of the board, the Health Licensing Office, without bond, may institute a proceeding in an appropriate circuit court to restrain the activity.

(2) A court may issue an injunction under this section. An injunction issued under this section does not relieve a person from any prosecution or Health Licensing Office action taken for violation of ORS 680.500 to 680.572. [1993 c.142 §17]

680.570 Disposition of receipts. All moneys received by the Health Licensing Office under ORS 679.025, 680.500 to 680.572 and 743.713 shall be paid into the General Fund in the State Treasury and placed to the credit of the Health Licensing Office Account, and such moneys hereby are appropriated continuously and shall be used only for the administration and enforcement of ORS 679.025, 680.500 to 680.572, 680.990 (2) and 743.713. [1979 c.1 §12; 1999 c.885 §31]

PENALTIES

680.572 Civil penalty. (1) In addition to any other penalty provided by law, a person who violates ORS 680.500 to 680.572 or any rule adopted thereunder shall be subject to a civil penalty imposed by the Health Licensing Office. The Health Licensing Office may take any other disciplinary action at its discretion that it finds proper, including assessment of costs of the disciplinary proceedings and assessment of penalties not to exceed $5,000.

(2) Civil penalties under this section shall be imposed in the manner provided by ORS 183.090.

(3) The moneys received by the State Board of Denture Technology from civil penalties under this section shall be deposited and accounted for as are other moneys received by the board and shall be used for the administration and enforcement of the laws the board is charged with administering and enforcing. [1991 c.921 §18]

680.990 Criminal penalties. (1) Violation of any of the provisions of ORS 680.010 to 680.205 is a Class C misdemeanor.

(2) Violation of any provision of ORS 680.500 to 680.572 and 743.713 is a Class C misdemeanor. [Amended by 1977 c.192 §11; subsection (2) enacted as 1979 c.1 §17; 1983 c.169 §32]