

*performing the duties of his or her position or office. Once a year, the board of pensions may require a disability pensioner to undergo a medical examination by three physicians appointed by the board and should such physicians thereupon report and certify to the board that such beneficiary is no longer incapacitated, and should the pension board concur in such report, the pension payments to such beneficiary shall be discontinued.*

APPROVED—The 13th day of May, A. D. 1959.

DAVID L. LAWRENCE

No. 59

### AN ACT

Amending the act of May 1, 1933 (P. L. 216), entitled "An act relating to dentistry; defining and providing for the licensing and registration of dentists and dental hygienists, and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction; providing penalties; and repealing existing laws," changing the definition of the "practice of dentistry," authorizing application of certain medicaments by dental hygienists, and changing penalties relating to dental technicians.

#### The Dental Law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 2, act of  
May 1, 1933,  
P. L. 216,  
amended July 6,  
1951, P. L. 1004,  
further amended.

Section 1. Section 2, act of May 1, 1933 (P. L. 216), known as "The Dental Law," amended July 6, 1951 (P. L. 1004), is amended to read:

Section 2. Definitions.—A person engages in the "Practice of Dentistry," within the meaning of this act, who diagnoses, treats, operates on, or prescribes for any disease, pain or injury, or regulates any deformity or physical condition, of the human teeth, jaws, or [overlying tissues] *associated structures, or conducts a physical evaluation, or administers anesthetic agents,* or who fits, constructs, and inserts any artificial appliance, plate, or denture for the human teeth or jaws, or who holds himself or herself out as being able or legally authorized to do so. The term "Practice of Dentistry" does not include:

(a) The practice of any of the healing arts by duly licensed practitioners.

(b) The extracting of teeth or relieving pain by a licensed physician or surgeon in emergencies, or the making of applications for such purposes.

(c) The taking of X-ray pictures of the human teeth, jaws or adjacent structures.

(d) The calling into this Commonwealth [, for consultation,] of a duly licensed practitioner of dentistry of any other state or country, *for consultation* with respect to any case under treatment, or *for demonstrating* before any duly authorized dental society, in this Commonwealth, or *for the purpose of teaching in any dental school approved by the board in the Commonwealth.*

(e) The practice of dentistry by bona fide students of dentistry in clinical departments and laboratories of approved dental colleges.

(f) The practice of dentistry in a dental clinic operated not for profit and under the direct supervision of a licensed and registered dentist during a period of internship, not to exceed two (2) years, by persons having acquired the preliminary and professional education required for licensure to practice dentistry in this Commonwealth, after notification to the board.

A "Dental Hygienist" is one who is legally licensed as such by the said dental council and examining board to remove tartar deposits, accretions, and stains from the exposed surfaces of the teeth and directly beneath the free margin of the gums, and to make application of [sodium fluoride as defined] *medicaments, as defined and approved* by the board, to the exposed surfaces of the teeth for the prevention of dental caries, in the office of a dentist or any public or private institutions such as schools, hospitals, orphan asylums, and \*sanatoriums or State health cars, under the general supervision of a licensed and registered dentist, and not otherwise, and who does not perform any other operation or work on the teeth, jaws, gums or mouth whatever.

The word "board," as used in this act, means the State Dental Council and Examining Board.

Section 2. Section 11.1 of the act, added May 31, 1957 (P. L. 242), is amended to read:

Section 11.1. Dental Technicians; Prescription.—

(a) As used in this section, "dental technician" means any person not licensed to practice dentistry in this State engaged in the business of constructing, altering, repairing or duplicating dentures, plates, partial plates, bridges, splints and orthodontic or prosthetic appliances.

(b) Any dentist who uses the services of a dental technician in this State shall furnish him with a written prescription on forms prescribed by the board, which shall

Section 11.1, act of May 1, 1933, P. L. 216, added May 31, 1957, P. L. 242, amended.

\* "sanitoriums" in original.

contain: (1) the name and address of the dental technician; (2) The patient's name or identification number. If a number is used the patient's name shall be written upon the duplicate copy of the prescription retained by the dentist; (3) The date on which the \*prescription was written; (4) A prescription of the work to be done, with diagrams if necessary; (5) A specification of the type and quality of materials to be used; (6) The signature of the dentist and his license number.

The dental technician shall retain the original prescription, and the dentist shall retain a duplicate copy thereof for inspection by the board or its agent for a period of two years.

(c) It shall be unlawful for any dentist to —(1) Use the services of a dental technician without first furnishing him with a prescription; (2) Fail to retain a duplicate copy of the prescription for two years; (3) Refuse to allow the board or its agent to inspect his files of prescriptions.

(d) It shall be unlawful for any dental technician to furnish services to any dentist without first obtaining a prescription therefor from him, or to fail to retain the original prescription for two years, or to refuse to allow the board or its agent to inspect his files.

(e) Any person violating any of the provisions of this section shall [upon summary conviction thereof be sentenced to pay a fine not exceeding fifty dollars (\$50) and cost of prosecution and in default of the payment thereof shall undergo imprisonment for not more than thirty days] *be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars (\$500) or to suffer imprisonment not exceeding six months, or both.*

APPROVED—The 13th day of May, A. D. 1959.

DAVID L. LAWRENCE

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No. 60

AN ACT

Amending the act of May 5, 1933 (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be ad-

\* "prescription" in original.