

No. 2004-101

AN ACT

HB 2298

Relating to the permanent identification labeling of dentures.

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

Section 1. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Rebasing.” The complete replacement of all the pink tissue portion of a removable full or partial denture.

Section 2. Permanent marking.

(a) General rule.—Every complete upper and lower denture, removable partial dental prosthesis and removable acrylic orthodontic appliance fabricated by a dentist licensed in this Commonwealth or fabricated pursuant to the dentist’s work order or under the dentist’s direction or supervision shall be marked with the name of the patient for whom the denture is intended. The markings shall be done during the fabrication and shall be permanent, legible and cosmetically acceptable. The dentist or the dental laboratory fabricating the upper and lower denture, removable partial dental prosthesis or removable acrylic orthodontic appliance shall determine the exact location of the markings and the methods used to apply or implant them.

(b) Exceptions.—

(1) If in the professional judgment of the dentist or the dental laboratory this identification is not practical because the name cannot be placed in an obscure area, identification may be shown with the initials of the patient.

(2) If in the professional judgment of the dentist or the dental laboratory during manufacture or repair of the denture it is determined that the forms of identification identified above are not safe for the patient, the identification requirement established by subsection (a) is waived.

(3) Full or removable dentures that are relined are not subject to the identification requirement established by subsection (a).

Section 3. Subsequent marking.

Any removable upper and lower denture, removable partial dental prosthesis or removable acrylic orthodontic appliance in existence before the effective date of this section that was not marked in accordance with section 1 at the time of its fabrication shall be marked at the time of any subsequent rebasing.

Section 4. Patient's exemption.

If the patient or legal guardian for the patient shall for reason of privacy or personal wishes refuse to have any upper and lower denture, removable partial dental prosthesis or removable acrylic orthodontic appliance covered under this act to be labeled, a signed and dated copy of a release to the effect shall accompany the denture to the laboratory fabricating the denture. The original signed and dated release shall be kept in the patient's dental record.

Section 5. Effective date.

This act shall take effect in 60 days.

APPROVED—The 19th day of November, A.D. 2004.

EDWARD G. RENDELL