S T A T E O F N E W Y O R K

3673

2009-2010 Regular Sessions

I N S E N A T E

March 27, 2009

Introduced by Sen. FLANAGAN -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law and the education law, in relation to the place of manufacture of dental prosthetics

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The article heading of article 4-B of the public health law, as added by chapter 514 of the laws of 2004, is amended to read as follows:

[TONGUE-SPLITTING] MISCELLANEOUS

S 2. The public health law is amended by adding a new section 471 to read as follows:

S 471. DENTAL PROSTHETICS. 1. FOR PURPOSES OF THIS ACT, THE TERM "DENTIST" MEANS A PERSON WHO PRACTICES DENTISTRY AS DEFINED IN SECTION SIX THOUSAND SIX HUNDRED ONE OF THE EDUCATION LAW.

2. A DENTIST LICENSED AND PRACTICING DENTISTRY IN NEW YORK STATE SHALL PROVIDE TO HIS OR HER PATIENT A WRITTEN DISCLOSURE OF THE PLACE OF MANUFACTURE OF ANY PROSTHETIC DENTAL DEVICE, RESTORATIVE APPLIANCE, AND/OR DENTAL MATERIAL PRIOR TO THE DENTIST PROVIDING THESE DENTAL DEVICES OR MATERIALS TO THE PATIENT. THE DENTAL DEVICES, APPLIANCES, AND MATERIALS REFERENCED IN THIS SUBDIVISION INCLUDE, BUT ARE NOT LIMITED TO, FILLING MATERIALS, CROWNS, BRIDGES, VENEERS, CAPS, DENTURES, PARTIAL DENTURES, IMPLANTS AND ABUTMENTS.

3. A DENTAL LABORATORY OR MANUFACTURER THAT PRODUCES OR PROVIDES A DENTAL PROSTHETIC DEVICE, RESTORATIVE APPLIANCE, AND/OR DENTAL MATERIAL TO A DENTIST LICENSED AND PRACTICING DENTISTRY IN NEW YORK STATE SHALL PROVIDE TO THE DENTIST A WRITTEN DISCLOSURE OF THE PLACE OF MANUFACTURE OF THESE DENTAL DEVICES, APPLIANCES, OR MATERIALS PRIOR TO PROVIDING SUCH DENTAL DEVICES, APPLIANCES, OR MATERIALS TO THE DENTIST. THE DENTAL DEVICES, APPLIANCES, AND MATERIALS REFERENCED IN THIS SUBDIVISION

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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INCLUDE, BUT ARE NOT LIMITED TO, FILLING MATERIALS, CROWNS, BRIDGES, VENEERS, CAPS, DENTURES, PARTIAL DENTURES, IMPLANTS, AND ABUTMENTS.

4. ANY PERSON OR CORPORATION, OR OFFICER THEREOF, WHO VIOLATES THE PROVISIONS OF THIS SECTION SHALL BE GUILTY OF A VIOLATION PUNISHABLE BY A FINE OF UP TO ONE THOUSAND DOLLARS.

S 3. Section 6509 of the education law is amended by adding a new subdivision 15 to read as follows:

(15) FAILING TO PROVIDE THE DISCLOSURE INFORMATION REQUIRED PURSUANT TO SECTION FOUR HUNDRED SEVENTY-ONE OF THE PUBLIC HEALTH LAW.

S 4. This act shall take effect on the ninetieth day after it shall have become a law.