

LEGISLATURE OF NEBRASKA  
NINETY-NINTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 89**  
FINAL READING

Introduced by Byars, 30; Jensen, 20

Read first time January 6, 2005

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to dentists; to amend section 71-183.01,  
2 Reissue Revised Statutes of Nebraska; to provide an  
3 exemption from licensure requirements; and to repeal the  
4 original section.  
5 Be it enacted by the people of the State of Nebraska,

1                   Section 1.   Section 71-183.01, Reissue Revised Statutes  
2 of Nebraska, is amended to read:

3                   71-183.01.   Nothing in section 71-183 shall apply to:  
4 ~~the following practices, acts, and operations:~~

5                   (1) ~~To the~~ The practice of his or her profession by a  
6 physician or surgeon licensed as such under the laws of this state  
7 unless he or she practices dentistry as a specialty;

8                   (2) ~~To the~~ The giving by a qualified anesthetist or  
9 registered nurse of an anesthetic for a dental operation under the  
10 direct supervision of a licensed dentist or physician;

11                   (3) The practice of dentistry in the discharge of their  
12 official duties by graduate dentists or dental surgeons in the  
13 United States Army, Navy, Public Health Service, Coast Guard, or  
14 Department of Veterans Affairs;

15                   (4) The practice of dentistry by a licensed dentist of  
16 other states or countries at meetings of the Nebraska Dental  
17 Association or components thereof, or other like dental  
18 organizations approved by the Board of Dentistry, while appearing  
19 as clinicians;

20                   (5) The practice of dentistry by a person duly licensed  
21 to practice dentistry in another state who has been recommended by  
22 the secretary of the board of examiners in the state of licensure  
23 and who has been granted temporary practice rights by the Board of  
24 Dentistry, with the approval of the department, for a period not to  
25 exceed three months in any twelve-month period, if the requirements  
26 regarding education and examination for licensure in the state of  
27 licensure are equal to or exceed the requirements regarding  
28 education and examination for licensure in Nebraska;

1           (6) The ~~To the~~ filling of work authorizations of a  
2 licensed and registered dentist as provided in this subdivision by  
3 any person or persons, association, corporation, or other entity  
4 for the construction, reproduction, or repair of prosthetic  
5 dentures, bridges, plates, or appliances to be used or worn as  
6 substitutes for natural teeth if such person or persons,  
7 association, corporation, or other entity does not solicit or  
8 advertise, directly or indirectly by mail, card, newspaper,  
9 pamphlet, radio, or otherwise, to the general public to construct,  
10 reproduce, or repair prosthetic dentures, bridges, plates, or other  
11 appliances to be used or worn as substitutes for natural teeth;

12           ~~(6) To the~~ (7) The use of roentgen or X-ray machines or  
13 other rays for making radiograms or similar records of dental or  
14 oral tissues under the supervision of a licensed dentist or  
15 physician if such service is not advertised by any name whatever as  
16 an aid or inducement to secure dental patronage, and no person  
17 shall advertise that he or she has, leases, owns, or operates a  
18 roentgen or X-ray machine for the purpose of making dental  
19 radiograms of the human teeth or tissues or the oral cavity or  
20 administering treatment thereto for any disease thereof;

21           ~~(7) To the~~ (8) The performance by a licensed dental  
22 hygienist, under the supervision of a licensed dentist, of the oral  
23 prophylaxis procedure which shall include the scaling and polishing  
24 of teeth and such additional procedures as are prescribed in  
25 accordance with rules and regulations adopted by the department;

26           ~~(8) To the~~ (9) The performance by a dental assistant,  
27 under the supervision of a licensed dentist, of duties prescribed  
28 in accordance with rules and regulations adopted by the department;

1 or

2           ~~(9) To the~~ (10) The performance by a licensed dental  
3 hygienist, by virtue of training and professional ability, under  
4 the supervision of a licensed dentist, of taking dental  
5 roentgenograms. Any other person is hereby authorized, under the  
6 supervision of a licensed dentist, to take dental roentgenograms  
7 but shall not be authorized to do so until he or she has  
8 satisfactorily completed a course in dental radiology recommended  
9 by the board and approved by the department.

10           Sec. 2. Original section 71-183.01, Reissue Revised  
11 Statutes of Nebraska, is repealed.