

ASSEMBLY, No. 849

(Chapter 161, P. L. 1924, page 365.)

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 21, 1927.

By Mr. OTTO.

Referred to Committee on Public Health.

AN ACT to amend an act entitled "An act to regulate the practice of dentistry in the State of New Jersey and to repeal certain acts now relating to the same," approved March thirty-first, one thousand nine hundred and fifteen.

1 BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1 1. Section eight of the act of which this act is an amendment be and the same  
2 hereby is amended so that the same shall read as follows:

3 8. Every licensed dentist shall procure from the secretary-treasurer of said  
4 board on or before the first day of November, one thousand nine hundred and fif-  
5 teen, and on or before the first day of November annually thereafter, an annual cer-  
6 tificate of registration; such certificate shall be issued by the secretary-treasurer upon  
7 payment of a fee of two dollars; all certificates so issued shall be prima facie evi-  
8-9 dence of the right of the holder to practice dentistry in this State. It shall be the  
10 duty of the secretary-treasurer of the board to mail to each licensed dentist in this  
11 State, at his last known post office address as disclosed by the files of said board,  
12 on or before the first day of October, one thousand nine hundred and fifteen, and on  
13 or before the first day of October annually thereafter, a printed blank form to be  
14 filled out by such licensed person, which form shall be returned by such licensed  
15 person to the secretary-treasurer of said board, properly filled out, together with  
16 the fee herein fixed for such annual registration. Upon receipt of such form and  
17 fee, the annual certificate of registration shall be issued and transmitted. The  
18 board shall cause a notice to be inserted in not less than three newspapers; one in

19 the city of Trenton, one in the city of Camden, and one in the city of Newark, to  
 20 the effect that such annual registration will be required. Such notice shall be  
 21 printed in such papers, once a week for three consecutive weeks between the first  
 22 day of September and the first day of October, one thousand nine hundred and fif-  
 23 teen, and during the same period annually thereafter. [Every licensed dentist who  
 24 shall continue or engage in the practice of dentistry after having failed to procure  
 25 any annual certificate of registration at the time and in the manner required by  
 26 this section shall be subject to a penalty of three hundred dollars for a first offense  
 27 and six hundred dollars for a second and each subsequent offense.] The license to  
 28 practice dentistry of every person who shall fail to procure any annual certificate of  
 29 registration at the time and in the manner required by this section may be suspended  
 30 by the board in the manner provided by section seven hereof. Any license so sus-  
 31 pending shall be reinstated at any time within three years from the date of such sus-  
 32 pension upon the payment of all past due annual registration fees and an additional  
 33 reinstatement fee of twenty-five dollars. Any person whose license shall have been  
 34 suspended for such cause shall, during the period of such suspension, be regarded as  
 35 an unlicensed person and, in case he shall continue or engage in the practice of den-  
 36 tistry during such period, shall be liable to the penalties prescribed by section eleven  
 37 of this act for practicing dentistry without a license.

1 2. Section ten of the act of which this act is an amendment be and the same  
 2 hereby is amended so that the same shall read as follows:

3 10. No corporation shall practice or continue to practice, offer or undertake to  
 4 practice or hold itself out or continue to hold itself out as practicing dentistry. No  
 5 person shall practice or continue to practice dentistry as an officer, agent or em-  
 6 ployee of any corporation or under the name of any corporation. No person shall  
 7 practice or continue to practice dentistry or offer or undertake to practice or hold  
 8 himself out or continue to hold himself out as practicing dentistry under  
 8½ any firm name or trade name or under any name other than his true  
 9 name; *provided*, that nothing herein contained shall prohibit the prac-  
 10 tice of dentistry by a partnership under a firm name containing noth-  
 11 ing but the surname of every member of said partnership; *and provided, fur-*  
 12 *ther*, that nothing herein contained shall prohibit a licensed dentist from practicing

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13 dentistry as the employee of a licensed dentist practicing under his own name or  
 14 under a firm name containing only the surnames of each member of such firm.  
 15 Every person or corporation violating any of the foregoing provisions of this sec-  
 16 tion shall be subject to a penalty of three hundred dollars for the first offense and  
 17 ~~six~~ five hundred dollars for the second and each subsequent offense. Every  
 18 person practicing dentistry under a firm name as herein authorized and every per-  
 19 son practicing dentistry as an employee of another shall cause his name to be conspicu-  
 20 ously displayed and kept in a conspicuous place at the entrance of the place where  
 21 such practice shall be conducted, and any person who shall neglect to cause his name  
 22 to be displayed as herein required shall be liable to a penalty of one hundred  
 23 dollars.

1 3. Section eleven of the act of which this act is an amendment be and the same  
 2 hereby is amended so that the same shall read as follows:

3 11. No person shall practice dentistry within the meaning of this act, unless  
 4 licensed so to do. No person shall employ for a stated salary or otherwise, or give  
 5 aid or assist any person not regularly licensed to practice dentistry to perform  
 6 any dental operation upon human beings in this State. Any person who shall  
 7 violate any of the provisions of this section shall be subject to a penalty of three  
 8 hundred dollars for the first offense and of ~~six~~ five hundred dollars for the second  
 9 and each subsequent offense.

1 4. Section twelve of the act of which this act is an amendment be and the same  
 2 hereby is amended so that the same shall read as follows:

3 12. This act shall not be construed to prohibit an unlicensed person from per-  
 4 forming mechanical work upon inert matter in a dental office or laboratory; or to  
 5 prohibit a duly licensed physician from treating the diseases of the mouth or per-  
 6 forming operations in oral surgery; nothing in the provisions of this act shall be  
 7 construed to permit the performance of dental operations by any unlicensed person  
 8 under cover of the name of a registered practitioner; any person shall be regarded  
 9 as practicing dentistry within the meaning of this act who shall advertise by sign,  
 10 card, circular, pamphlet or newspaper, or otherwise indicate that he will perform by  
 11 himself or his agents or servants any operation on, or make examination of, with  
 12 intent of performing or causing to be performed any operation on the human teeth

13 or jaws, or who is manager, proprietor or conductor of a place where dental opera-  
14 tions are performed, or who shall use the words or letters, "Doctor of Dental Sur-  
15 gery," or "D.D.S." or "D.M.D." or the terms "Mechanical Dentist" or "Prosthetic  
16 Dentist" or the use of the word "Dentist" in English or any foreign language,  
17 or in any way in connection with his or her name, or any other title intended to  
18 imply or designate him or her as a practitioner of dentistry, or who, in connection  
19 with such title or titles, or without the use of such title, or any of them, shall  
20 treat or profess to treat, either by himself or his agent or servant, or as agent or  
21 servant of another, any of the diseases or lesions of human teeth or jaws, or ex-  
22 tract teeth, or shall prepare or fill cavities in human teeth, or correct the malposi-  
23 tion of teeth or supply and insert artificial dentures, crowns or bridges as sub-  
24 stitutes for natural teeth, or take any impression of the human gums in connection  
25 with the manufacture of artificial dentures, or perform any operation or make  
26 examination of with the intent of performing or causing to be performed any  
27 operation on the human teeth or jaws.

1 5. This act shall take effect immediately.

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#### STATEMENT.

The purpose of this act is to amend the dentistry law in several respects.

First, by providing a method by which dentists who have failed to annually register may have their licenses reinstated upon application by the payment of a reinstatement fee of twenty-five dollars. Under the present law such dentists are liable to severe penalties if they continue practicing.

Second, by reducing the penalties for a second offense for violation of the dentistry act from six hundred dollars to five hundred dollars so as to give the District Court jurisdiction.

Third, by prohibiting the use of the terms "Mechanical Dentist" or "Prosthetic Dentist" or the use of the word "Dentist" by an unlicensed person.

The purpose of this latter amendment is to prevent imposition upon the public by the use of the word "Dentist" by a person not qualified to practice dentistry.