

SENATE, No. 10

(Revised Statutes, section 45:6-19)

STATE OF NEW JERSEY

INTRODUCED JANUARY 19, 1942

By Mr. SUMMERILL

Referred to Committee on Public Health

AN Act concerning the practice of dentistry, and amending section 45:6-19 of
the Revised Statutes.

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

1 1. Section 45:6-19 of the Revised Statutes is amended to read as follows:
2 45:6-19. Any person shall be regarded as practicing dentistry within
3 the meaning of this chapter who

4 (1) Uses a dental degree, or the terms "mechanical dentist" or the
5 use of the word "dentist" in English or any foreign language, or desig-
6 nation, or card, device, directory, poster, sign, or other media whereby
7 he represents himself as being able to diagnose, treat, prescribe or
8 operate for any disease, pain, deformity, deficiency, injury, or physical
9 condition of the human tooth, teeth, alveolar process, gums, cheek, or
10 jaws, or oral cavity and associated tissues; or

11 (2) Is a manager, proprietor, operator, or conductor of a place
12 where dental operations are performed; or

13 (3) Performs dental operations of any kind gratuitously, or for a
14 fee, gift, compensation or reward, paid or to be paid, either to himself
15 or to another person or agency; or

16 (4) Uses himself or by any employee, uses a Roentgen or X-ray
17 machine for dental treatment, dental radiograms, or for dental diagnostic
18 purposes; or

19 (5) Extracts a human tooth or teeth, or corrects or attempts to
20 correct malpositions of the human teeth or jaws; or

21 (6) Offers and undertakes, by any means or method, to diagnose,
22 treat or remove stains or concretions from human teeth or jaws; or

23 (7) Uses or administers local or general anesthetics in the treat-
24 ment of dental or oral diseases or in any preparation incident to a dental
25 operation of any kind or character; or

26 (8) Takes impressions of the human tooth, teeth, jaws, or performs
27 any phase of any operation incident to the replacement of a part of a
28 tooth, teeth, or associated tissues; or

29 (9) Performs any clinical operation included in the curricula of
30 recognized dental schools or colleges.

31 The terms manager, proprietor, operator or conductor as used in this
32 chapter shall be deemed to include any person who

33 (1) Employs operators or assistants; or

34 (2) Places in the possession of any operator, assistant, or other
35 agent such dental material or equipment as may be necessary for the
36 management of a dental office on the basis of a lease or any other agree-
37 ment for compensation for the use of such material, equipment or office;
37½ or;

38 (3) Retains the ownership or control of dental material, equipment
39 or office and makes the same available in any manner for the use by
40 operators, assistants or other agents; *provided, however*, that the above
41 shall not apply to bona fide sales of dental material or equipment
42 secured by chattel mortgage.

43 The following practices, acts and operations shall not be regarded as
44 practicing dentistry within the meaning of this chapter:

45 (1) 【The rendering of dental relief in emergency cases】 The
46 treatment of the diseases of the mouth and practice of oral surgery, in
47 the practice of his profession, by a physician or surgeon, licensed as
48 such under the laws of this State, unless he undertakes to reproduce or

49 reproduces lost parts of the human teeth in the mouth or to restore or
50 replace lost or missing teeth in the mouth; or

51 (2) The practice of dentistry in the discharge of their duties by
52 dentists in the United States Army, Navy, Public Health Service or
53 Veterans Bureau; or

54 (3) The operation of a dental school or college as now conducted
55 and approved, or as may be approved, by the Board of Dental Ex-
56 aminers; and the practice of dentistry by students in any such dental
57 school or college approved by the board, when acting under the direction
58 and supervision of any registered and licensed dentist acting as instruc-
59 tor; or

60 (4) The practice of dentistry by licensed dentists of other States or
61 countries at meetings of the American Dental Association or component
62 parts thereof, or any other like dental organizations, while appearing as
63 clinicians; or

64 (5) The practice of dentistry by accredited internes operating in
65 hospitals under the supervision of registered and licensed dentists; or

66 (6) The use of Roentgen or other rays for making radiograms or
67 similar records of dental or oral tissues under the supervision of a
68 licensed dentist or physician; *provided, however,* that such services
69 shall not be advertised, by any name whatsoever, as an aid or induce-
70 ment to secure dental patronage; *and provided, further,* that no cor-
71 poration shall advertise that it has, leases, owns or operates a Roentgen
72 or X-ray machine for the purpose of making dental radiograms of the
73 human teeth or tissues of the oral cavity, or administering treatment
74 thereto for any disease thereof; or

75 (7) The making of artificial restorations, substitutes, or appliances
76 for the correction of disease, loss, deformity, malposition, dislocation,
77 fracture, or injury to the jaws, teeth, lips, gums, cheeks, palate, or
78 cases, models, or from impressions furnished by a licensed and regis-
79 tered dentist, on written prescription only; *provided,* that such pros-
80 thetic or orthodontic appliances, or the services rendered in the construc-

81 tion, repair, or alteration thereof, shall not be advertised, sold or
82 delivered, directly or indirectly, to the public by the dental technician
83 or dental laboratory as principal or agent.
1 2. This act shall take effect immediately.

STATEMENT

The purpose of this act is stated in its title.

[OFFICIAL COPY REPRINT]

(Revised Statutes, section 45:6-19)

SENATE, No. 10

STATE OF NEW JERSEY

INTRODUCED JANUARY 19, 1942

By Mr. SUMMERILL

Referred to Committee on Public Health

AN ACT concerning the practice of dentistry, and amending section 45:6-19 of
the Revised Statutes.

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

1 1. Section 45:6-19 of the Revised Statutes is amended to read as follows:
2 45:6-19. Any person shall be regarded as practicing dentistry within
3 the meaning of this chapter who

4 (1) Uses a dental degree, or the terms "mechanical dentist" or the
5 use of the word "dentist" in English or any foreign language, or desig-
6 nation, or card, device, directory, poster, sign, or other media whereby
7 he represents himself as being able to diagnose, treat, prescribe or
8 operate for any disease, pain, deformity, deficiency, injury, or physical
9 condition of the human tooth, teeth, alveolar process, gums, cheek, or
10 jaws, or oral cavity and associated tissues; or

11 (2). Is a manager, proprietor, operator, or conductor of a place
12 where dental operations are performed; or

13 (3) Performs dental operations of any kind gratuitously, or for a
14 fee, gift, compensation or reward, paid or to be paid, either to himself
15 or to another person or agency; or

16 (4) Uses himself or by any employee, uses a Roentgen or X-ray
17 machine for dental treatment, dental radiograms, or for dental diagnostic
18 purposes; or

19 (5) Extracts a human tooth or teeth, or corrects or attempts to
20 correct malpositions of the human teeth or jaws; or

21 (6) Offers and undertakes, by any means or method, to diagnose,
22 treat or remove stains or concretions from human teeth or jaws; or

23 (7) Uses or administers local or general anesthetics in the treat-
24 ment of dental or oral diseases or in any preparation incident to a dental
25 operation of any kind or character; or

26 (8) Takes impressions of the human tooth, teeth, jaws, or performs
27 any phase of any operation incident to the replacement of a part of a
28 tooth, teeth, or associated tissues; or

29 (9) Performs any clinical operation included in the curricula of
30 recognized dental schools or colleges.

31 The terms manager, proprietor, operator or conductor as used in this
32 chapter shall be deemed to include any person who

33 (1) Employs operators or assistants; or

34 (2) Places in the possession of any operator, assistant, or other
35 agent such dental material or equipment as may be necessary for the
36 management of a dental office on the basis of a lease or any other agree-
37 ment for compensation for the use of such material, equipment or office;
37½ or;

38 (3) Retains the ownership or control of dental material, equipment
39 or office and makes the same available in any manner for the use by
40 operators, assistants or other agents; *provided, however*, that the above
41 shall not apply to bona fide sales of dental material or equipment
42 secured by chattel mortgage.

43 The following practices, acts and operations shall not be regarded as
44 practicing dentistry within the meaning of this chapter:

45 (1) The treatment of the diseases of the mouth and practice of oral
46 surgery, in the practice of his profession, by a physician or surgeon,
47 licensed as such under the laws of this State, unless he undertakes to re-
48 produce or reproduces lost parts of the human teeth in the mouth or to
49-50 restore or replace lost or missing teeth in the mouth; or

51 (2) The practice of dentistry in the discharge of their duties by
52 dentists in the United States Army, Navy, Public Health Service or
53 Veterans Bureau; or

54 (3) The operation of a dental school or college as now conducted
55 and approved, or as may be approved, by the Board of Dental Ex-
56 aminers; and the practice of dentistry by students in any such dental
57 school or college approved by the board, when acting under the direction
58 and supervision of any registered and licensed dentist acting as instruc-
59 tor; or

60 (4) The practice of dentistry by licensed dentists of other States or
61 countries at meetings of the American Dental Association or component
62 parts thereof, or any other like dental organizations, while appearing as
63 clinicians; or

64 (5) The practice of dentistry by accredited internes operating in
65 hospitals under the supervision of registered and licensed dentists; or

66 (6) The use of Roentgen or other rays for making radiograms or
67 similar records of dental or oral tissues under the supervision of a
68 licensed dentist or physician; *provided, however,* that such services
69 shall not be advertised, by any name whatsoever, as an aid or induce-
70 ment to secure dental patronage; *and provided, further,* that no cor-
71 poration shall advertise that it has, leases, owns or operates a Roentgen
72 or X-ray machine for the purpose of making dental radiograms of the
73 human teeth or tissues of the oral cavity, or administering treatment
74 thereto for any disease thereof; or

75 (7) The making of artificial restorations, substitutes, or appliances
76 for the correction of disease, loss, deformity, malposition, dislocation,

77 fracture, or injury to the jaws, teeth, lips, gums, cheeks, palate, or
78 cases, models, or from impressions furnished by a licensed and regis-
79 tered dentist, on written prescription only; *provided*, that such pros-
80 thetic or orthodontic appliances, or the services rendered in the construc-
81 tion, repair, or alteration thereof, shall not be advertised, sold or
82 delivered, directly or indirectly, to the public by the dental technician
83 or dental laboratory as principal or agent.

1 2. This act shall take effect immediately.