

BEFORE THE COMMISSIONER OF LABOR AND INDUSTRY  
THE DEPARTMENT OF LABOR AND INDUSTRY  
OF THE STATE OF MONTANA

NOTICE OF PUBLIC HEARING

In the matter of the Commissioner's active supervision of the Board of Dentistry, regarding ARM 24.138.416 and 24.138.2302, related to obligations pertaining to partial denture and prosthesis.

TO: All Concerned Persons

1. On November 3, 2017, at 9:00 a.m., the Commissioner of Labor and Industry (Commissioner) will hold a public hearing in Room 107 of the Sanders Building (DPHHS building), 111 North Sanders Street, Helena, Montana, to take public comment regarding whether ARM 24.138.416 and ARM 24.138.2302(1)(j) are reasonable and necessary to protect the public health, safety, and welfare pursuant to 37-1-121(1)(d), MCA.

2. The rules upon which public comment is sought provide as follows:

24.138.416 PRIOR REFERRAL FOR PARTIAL DENTURES

(1) The board of dentistry interprets 37-29-403 (1) (b) , MCA, to mean that all partial denture patients shall be referred to a dentist to determine what is needed prior to the denturist starting his services.

24.138.2302 UNPROFESSIONAL CONDUCT FOR DENTURISTS

(1) The board defines "unprofessional conduct" as follows:

(a) . . .

(b) . . .

. . .

(j) fitting, attempting to fit or advertising to fit a prosthesis on or over a dental implant; and

(k) . . . .

3. After public comment has been received, the Commissioner will issue a decision recommending that the Board of Dentistry continue enforcing the administrative rules, amend the rules, or repeal the rules.

4. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to: Jordon Dyrdaahl-Roberts, Department of Labor and Industry, P.O. Box 1728 Helena, MT 59624-1728, or by e-mail to: jordonroberts@mt.gov, and must be received no later than 5:00 p.m., on November 9, 2017.

5. The department will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative

accessible format of this notice. If you require an accommodation, contact the department no later than 5:00 p.m., on October 31, 2017, to advise us of the nature of the accommodation that you need. Please contact Jordon DyrdaHL-Roberts, Department of Labor and Industry, P.O. Box 1728 Helena, MT 59624-1728, telephone 406.444.4493, fax 406.444.1394, or by e-mail [jordonroberts@mt.gov](mailto:jordonroberts@mt.gov),

/s/ GALEN HOLLENBAUGH  
Galen Hollenbaugh, Acting Commissioner  
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State October 18, 2017.