

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.21607 Information to be provided by applicant; compliance with certain requirements; functional equipment; services not requiring presence of dentist.

Sec. 21607. (1) An applicant shall provide with the application for a permit under this part, and subsequently, within 10 days after a request from the department, all of the following information, as applicable:

(a) A list of each dentist, dental hygienist, and dental assistant who will provide care at or within the mobile dental facility, including, at a minimum, each individual's name, address, telephone number, and state occupational license number.

(b) A written plan and procedure for providing emergency follow-up care to each patient treated at the mobile dental facility.

(c) If the operator does not provide for follow-up services at a site within a reasonable distance for the patient and is not exempt under section 21611, a signed memorandum of agreement between the operator and at least 1 dentist or party who can arrange for or provide follow-up services at a site within a reasonable distance for the patient. The memorandum of agreement shall state that the contracting dentist or party will accept referrals of patients treated at the mobile dental facility. The agreement to accept a referral does not require the dentist or party to treat the patient.

(d) If the operator provides only preventative dental services and is not exempt under section 21611, a signed memorandum of agreement for referral for comprehensive dental services between the operator and at least 1 dentist or party who can arrange for or provide comprehensive dental services to the patient within a reasonable distance for the patient.

(e) Proof of general liability insurance covering the mobile dental facility that is issued by a licensed insurance carrier authorized to do business in this state.

(2) An operator shall meet all of the following requirements:

(a) Comply with all federal, state, and local laws, regulations, and ordinances applicable to the operation of a mobile dental facility, including, but not limited to, those concerning radiographic equipment, flammability, sanitation, zoning, and construction standards, including standards relating to required access for persons with disabilities.

(b) Maintain continuously available at the mobile dental facility a communication device for making and receiving telephone calls and summoning emergency services.

(c) Make immediately available, upon request from any person, a copy of the license of each dentist, dental hygienist, or dental assistant working at the mobile dental facility.

(d) Make immediately available, at the mobile dental facility, upon request from any person, a copy of the permit required under this part.

(3) The operator of a mobile dental facility and the operator's agents and employees shall comply with all federal, state, and local laws, administrative rules, regulations, and ordinances applicable to the mobile dental facility and to the individuals and entities that provide the preventative dental services or comprehensive dental services at the mobile dental facility, including, but not limited to, those concerning sanitation, infectious waste management and disposal, occupational safety, and disease prevention.

(4) An operator shall not provide dental services at a mobile dental facility unless it is equipped with, or there is appropriate access to, all of the following functional equipment:

(a) An instrument sterilization system.

(b) Potable hot and cold water or hand sanitizer.

(c) Toilet facilities.

(d) Smoke and carbon monoxide detectors, as applicable.

(e) Radiographic equipment properly registered and inspected, as applicable, by the state.

(f) A communication device continuously available for making and receiving telephone calls and summoning emergency services.

(5) An operator shall not provide dental services at a mobile dental facility unless it is equipped with, or there is appropriate access to, all of the following:

(a) Proper lighting.

(b) Portable suction.

(c) Hand pieces.

(d) Dental instruments.

(e) Supplies.

(6) Except as provided in subsection (7) or (8), a dentist licensed under this act shall be present in the

mobile dental facility at any time comprehensive dental services that are not preventative dental services are performed on a patient. A dentist licensed under this act need not be present at a mobile dental facility when only preventative dental services are being provided.

(7) If a mobile dental facility is part of a program that provides comprehensive dental services or is established under a memorandum of agreement that provides for referral for comprehensive dental services, imagery services may be provided at the mobile dental facility without a dentist present.

(8) If a mobile dental facility is part of a program that provides preventative dental services to a nursing home, assisted living center, or other similar setting, imagery services may be provided without a dentist present if the person taking the images obtains permission from the supervising dentist.

History: Add. 2014, Act 100, Eff. Apr. 1, 2015.