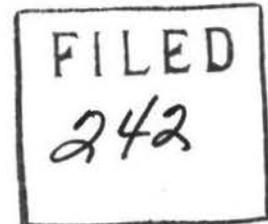


DENTISTS: (1) Dentists are not authorized
DEATH CERTIFICATES: to conduct a complete physical
PHYSICIANS: evaluation of a patient and (2)
DOCTORS: dentists are not physicians
within the meaning of Section
193.140 authorizing physicians to certify cause of death on a
death certificate.

September 17, 1974

OPINION NO. 242

James L. Anderson, D.D.S., Secretary
Missouri Board of Dental Examiners
P. O. Box 237
Harrisonville, Missouri 64701



Dear Dr. Anderson:

This is in response to your request for an official opinion on the following questions:

"Do dentists licensed under the Dental Practice Act, Chapter 332, RSMo, have the authority under that license to perform complete physical evaluation of their patient and sign death certificates."

In dealing with these questions, it must be recognized that a license to practice dentistry is a limited authorization as opposed to the general authorization to practice medicine. This is indicated by Section 334.155, RSMo 1969, which provides that the chapter on physicians and surgeons shall not apply to dentists licensed and lawfully practicing within the provisions of Chapter 332. Thus, any practice in the way of the healing arts, not specifically authorized by Chapter 332 falls within the purview of Chapter 334 and would require licensure thereunder.

It appears from the facts set forth in your request that the Joint Commission on Accreditation of Hospitals requires a complete physical appraisal of dental patients upon admittance to a hospital and that hospitals have been requiring these to be performed by physicians. In this context, we understand your question to be whether, if allowed by the individual hospital, a dentist is authorized to perform such an evaluation.

James L. Anderson, D.D.S., Secretary

The Oxford English Dictionary defines diagnosis as "determination of the nature of a diseased condition; identification of a disease by careful investigation of its symptoms and history; also, the opinion (formally stated) resulting from such investigation." In light of this definition, it appears to us that a medical appraisal based upon physical examination and medical history would constitute a general diagnosis of a patient's condition. Section 332.071 (2), RSMo 1969, defines the practice of dentistry to include diagnosis of any disease, pain, deformity, deficiency, injury or physical condition of human teeth or adjacent structures or treatment of any disease or disorder or lesion of the oral regions. In view of this limited scope of diagnosis and treatment, it is our opinion that a dentist is not authorized under Chapter 332 to perform a general evaluation of a patient's physical condition.

The States of Pennsylvania and California do allow dentists to perform general physical evaluations of patients. It must be noted, however, that these states have specific statutory provisions authorizing this. 63 P.S., §121, cumulative pocket part 1974; West's Ann. Cal. Bus. and Prof. Code, §1625.

As to the question of whether dentists can sign death certificates, this office has previously answered this question in the negative in Opinion No. 37, Hardwicke, August 1, 1957. This opinion involved a construction of Section 193.140, RSMo 1969, which provides for the certification of cause of death by the physician last in attendance. The opinion concluded that a dentist was not a physician within the meaning of this statute. It should also be noted that Section 193.020 (6), RSMo 1969, defines a physician as one legally authorized to practice medicine in this state. Section 334.021, RSMo 1969, provides that:

"Where other statutes of this state use the terms 'physician', . . . 'practitioner of medicine', . . . or similar terms, they shall be construed to mean physicians and surgeons licensed under this chapter.
. . ."

A dentist, not being licensed under Chapter 334, is not a physician within the meaning of Chapter 193.

Oklahoma does allow a dentist to sign a death certificate. However, the Oklahoma vital statistics statute defines a physician as a person licensed to practice any of the healing

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arts under the laws of that state. 63 Okla. St. Ann., §1-301 (i).

CONCLUSION

It is the opinion of this office that (1) dentists are not authorized to conduct a complete physical evaluation of a patient and (2) dentists are not physicians within the meaning of Section 193.140 authorizing physicians to certify cause of death on a death certificate.

This opinion, which I hereby approve, was prepared by my assistant, Robert Presson.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John C. Danforth".

JOHN C. DANFORTH
Attorney General