

1981 WL 157769 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

December 22, 1981

*1 The Honorable N.B. Heyward
Executive Director
South Carolina State Board of Dentistry
1315 Blanding Street
Columbia, South Carolina 29201

Dear Mr. Heyward:

You have asked this office for its opinion and assistance in the construction of several provisions of the South Carolina Dental Practice Act [§ 4-15-10, et seq.]. You have particularly questioned the operation of the dental laboratory by persons not certified as dental technicians and not under their supervision.

This office, by its opinion issued October 12, 1977 and attached, previously concluded that dental technological work may be performed by unlicensed personnel or uncertified personnel if:

1. It is done under the direct supervision and control of a licensed dentist;
2. It is done on the dentist's premises.

You have now asked for amplification of the phrase “on the dentist's premises”.

In South Carolina, the practice of “dental technological work” as defined in [§ 40-15-90 of the Code](#), is regulated and must be performed either “under the direction and control of a registered dental technician present on the premises”, or as questioned here, “under the direction and control of a licensed dentist and on his premises”. [§ 40-15-120 of the Code](#) [emphasis added]. The word “premises” cannot be said to have one fixed and definite meaning, but its meaning varies depending upon its context and the circumstances in which it is used. See, [Gibbons v. Brandt, \(Ill.\), 170 F.2d 385](#); [Lundsford v. State National Securities, 124 Ga.App. 804, 186 S.E.2d 320](#). And as an aid to construction, general words in a statute must be construed in their context and the words of a statute may be restricted by the specifications which precede or follow them. See, S.C. Digest, “Statutes”, Key Nos. 194, 204 (1952 Cum Supp.1981).

Analysis of §§ 40-15-110 and 120, and the entire regulatory scheme governing the performance of dental technological work in South Carolina, reflects the legislative intention that the work be performed by licensed individuals or under their direct control and supervision. With regard to dental technological work performed under the direction and control of a licensed dentist, the legislature precisely required that the work be performed “on his premises”. The only reasonable construction of this phrase in this context is that the work must be performed in the dental office of the licensed dental practitioner, and not upon some separate premises which happens to be owned by the dentist.

If this office can answer any further questions, please call upon us.

Very truly yours,

Edwin E. Evans
Assistant Attorney General

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