
By: **Delegate Donoghue**
Introduced and read first time: February 3, 2003
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: February 19, 2003

CHAPTER 142

1 AN ACT concerning

2 **Dentists and Dental Hygienists - Licensure - Examination Requirements**

3 FOR the purpose of altering the examination requirements for licensure as a dentist
4 or dental hygienist for dentists and dental hygienists licensed in another state;
5 requiring a dentist or dental hygienist licensed in another state who applies for
6 a general license to practice dentistry or dental hygiene in this State to provide
7 adequate evidence that the dentist or dental hygienist holds a license to practice
8 dentistry or dental hygiene in another state after passing a regional board or an
9 exam other than a regional board that is similar to the exam for which the
10 applicant is seeking waiver; defining certain terms; and generally relating to
11 examination requirements for the licensure of dentists and dental hygienists.

12 BY repealing and reenacting, with amendments,
13 Article - Health Occupations
14 Section 4-306
15 Annotated Code of Maryland
16 (2000 Replacement Volume and 2002 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Health Occupations**

20 4-306.

21 (a) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
22 INDICATED.

1 (2) "NERB" MEANS THE NORTH EAST REGIONAL BOARD OF DENTAL
2 EXAMINERS, INC.

3 (3) "PASSED A REGIONAL BOARD" MEANS AN APPLICANT EARNED A
4 SCORE OF 75% IN EACH DISCIPLINE, CLINICAL SKILL, PROCEDURE, OR KNOWLEDGE
5 AREA THAT IS TESTED ON THE NERB EXAMINATION USING THE INTERNAL
6 WEIGHTING AND SCORING METHODS THE NERB USES TO SCORE THE NERB'S
7 EXAMINATION OF DENTISTRY OR DENTAL HYGIENE, RESPECTIVELY.

8 (4) "REGIONAL BOARD" MEANS AN EXAMINATION OFFERED BY ANY OF
9 THE FOLLOWING DENTAL EXAMINATION ORGANIZATIONS:

10 (I) THE CENTRAL REGIONAL DENTAL TESTING SERVICE ~~CREDITS~~;

11 (II) THE NORTH EAST REGIONAL BOARD OF DENTAL EXAMINERS,
12 INC.;

13 (III) THE SOUTHERN REGIONAL TESTING AGENCY, INC.; AND

14 (IV) THE WESTERN REGIONAL EXAMINING BOARD, INC.

15 (B) (1) (I) A dentist licensed in any other state who[, for 5 preceding
16 years, has been actively engaged in practicing dentistry] HAS PASSED A REGIONAL
17 BOARD shall be granted a license in this State [after passing] IF THE APPLICANT
18 PASSES THE FOLLOWING [an examination] EXAMINATIONS given BY OR
19 DESIGNATED by the Board:

20 1. A COMPREHENSIVE EXAMINATION ON APPLIED CLINICAL
21 DIAGNOSIS AND TREATMENT PLANNING; AND

22 2. A LAW EXAMINATION.

23 (II) A DENTIST LICENSED IN ANY OTHER STATE WHO HAS NOT
24 PASSED A REGIONAL BOARD SHALL BE GRANTED A LICENSE IN THIS STATE IF:

25 1. FOR THE 5 PRECEDING YEARS THE DENTIST HAS BEEN
26 ACTIVELY ENGAGED IN PRACTICING DENTISTRY; AND

27 2. THE APPLICANT PASSES THE FOLLOWING EXAMINATIONS
28 GIVEN BY OR DESIGNATED BY THE BOARD:

29 A. A COMPREHENSIVE EXAMINATION ON APPLIED CLINICAL
30 DIAGNOSIS AND TREATMENT PLANNING; AND

31 B. A LAW EXAMINATION.

32 (2) (I) A dental hygienist licensed in any other state who[, for 3
33 preceding years, has been actively engaged in practicing dental hygiene] HAS PASSED
34 A REGIONAL BOARD shall be granted a license in this State [after passing] IF THE
35 APPLICANT PASSES an examination given by the Board.

1 (II) A DENTAL HYGIENIST LICENSED IN ANY OTHER STATE WHO
2 HAS NOT PASSED A REGIONAL BOARD SHALL BE GRANTED A LICENSE IN THIS STATE
3 IF:

4 1. FOR THE 3 PRECEDING YEARS THE DENTAL HYGIENIST
5 HAS BEEN ACTIVELY ENGAGED IN PRACTICING DENTAL HYGIENE; AND

6 2. THE APPLICANT PASSES AN EXAMINATION GIVEN BY OR
7 DESIGNATED BY THE BOARD.

8 [(b)] (C) (1) The Board may adopt regulations for the content and
9 administration of [the examination] EXAMINATIONS and any other regulations
10 necessary to provide for the licensure of individuals who apply for a license to practice
11 dentistry under subsection (a) of this section.

12 (2) The Board may adopt regulations for the content and administration
13 of [the examination] EXAMINATIONS and any other regulations necessary to provide
14 for the licensure of individuals who apply for a license to practice dental hygiene
15 under subsection (a) of this section.

16 [(c)] (D) An applicant for a general license to practice dentistry under this
17 section shall:

18 (1) Pay the application fee required by § 4-304 of this subtitle; and

19 (2) Provide adequate evidence that the applicant:

20 (i) Meets the qualifications otherwise required by this title for a
21 general license to practice dentistry;

22 (ii) Holds a license to practice dentistry in another state which was
23 granted after ~~passing~~ THE APPLICANT, in that or any other state, PASSED A
24 REGIONAL BOARD, OR an examination OTHER THAN A REGIONAL BOARD that is
25 similar to the examination for which the applicant is seeking waiver;

26 (iii) Is not being investigated by a disciplinary authority of another
27 state, does not have charges pending against the applicant's license, and has not been
28 disciplined by a disciplinary or licensing authority of any other state or country, or
29 been convicted or disciplined by a court of any state or country for an act that would
30 be grounds for disciplinary action under § 4-315 of this subtitle; and

31 (iv) Has not previously failed an examination for licensure as a
32 dentist in this State.

33 [(d)] (E) An applicant for a general license to practice dental hygiene under
34 this section shall:

35 (1) Pay the application fee required by § 4-304 of this subtitle; and

36 (2) Provide adequate evidence that the applicant:

1 (i) Meets the qualifications otherwise required by this title for a
2 general license to practice dental hygiene;

3 (ii) Holds a license to practice dental hygiene in another state
4 which was granted after ~~passing~~ THE APPLICANT, in that or any other state, PASSED
5 A REGIONAL BOARD, OR an examination OTHER THAN A REGIONAL BOARD that is
6 similar to the examination for which the applicant is seeking waiver;

7 (iii) Is not being investigated by a disciplinary authority of another
8 state, does not have charges pending against the applicant's license, and has not been
9 disciplined by a disciplinary or licensing authority of any other state or country, or
10 been convicted or disciplined by a court of any state or country for an act that would
11 be grounds for disciplinary action under § 4-315 of this subtitle; and

12 (iv) Has not previously failed an examination for licensure as a
13 dental hygienist in this State.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2003.