J2 5lr2933

By: Senator Conway

Introduced and read first time: March 2, 2015

Assigned to: Rules

AN ACT concerning

A BILL ENTITLED

Health Occupations - Dentistry - Scope of Practice and Licensure Exception

FOR the purpose of prohibiting the State Board of Dental Examiners from requiring a person to be licensed by the Board to engage in certain activities in the State; altering

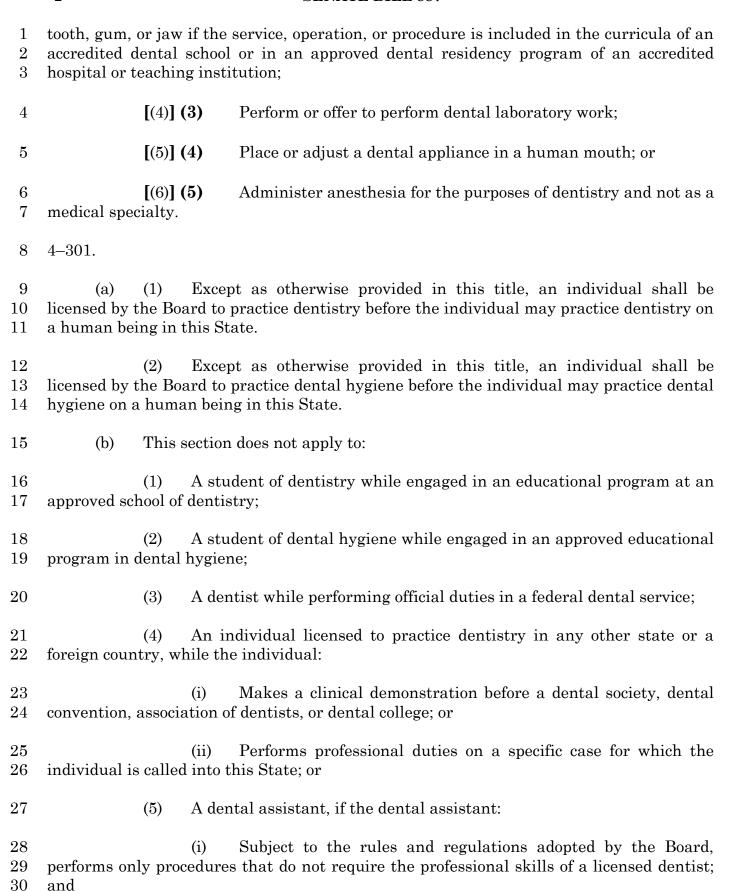
the definition of "practice dentistry"; and generally relating to the regulation of

6 dentistry.

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- 7 BY repealing and reenacting, with amendments,
- 8 Article Health Occupations
- 9 Section 4–101(l) and 4–301
- 10 Annotated Code of Maryland
- 11 (2014 Replacement Volume)
- 12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND.
- 13 That the Laws of Maryland read as follows:
- 14 Article Health Occupations
- 15 4–101.
- 16 (l) "Practice dentistry" means to:
- [(1) Be a manager, a proprietor, or a conductor of or an operator in any place in which a dental service or dental operation is performed intraorally;]
- 19 **[(2)] (1)** Perform or attempt to perform any intraoral dental service or 20 intraoral dental operation;
- 21 [(3)] (2) Diagnose, treat, or attempt to diagnose or treat any disease, 22 injury, malocclusion, or malposition of a tooth, gum, or jaw, or structures associated with a





- 1 (ii) Performs intraoral tasks only under the direct supervision of a 2 licensed dentist who personally is present in the office area where the tasks are performed.
- 3 (C) THE BOARD MAY NOT REQUIRE A PERSON TO BE LICENSED BY THE 4 BOARD TO ENGAGE IN ANY OF THE FOLLOWING ACTIVITIES IN THE STATE:
- 5 (1) OWNING REAL PROPERTY OR FURNISHINGS, EQUIPMENT, OR 6 OTHER GOODS THAT ARE USED BY A DENTIST OR A DENTAL PRACTICE;
- 7 (2) LEASING TO A DENTIST OR A DENTAL PRACTICE REAL PROPERTY 8 OR FURNISHINGS, EQUIPMENT, OR OTHER GOODS THAT ARE USED BY THE DENTIST 9 OR DENTAL PRACTICE;
- 10 (3) MANAGING OR CONDUCTING ADMINISTRATIVE OR OTHER 11 RELATED FUNCTIONS OF A DENTAL PRACTICE;
- 12 (4) PROVIDING GOODS AND SERVICES TO A DENTIST OR A DENTAL
 13 PRACTICE IN EXCHANGE FOR A PERCENTAGE OR SHARE OF REVENUE OR PROFITS
 14 OF THE DENTIST OR DENTAL PRACTICE; OR
- 15 (5) EMPLOYING OR CONTRACTING WITH A DENTIST OR A DENTAL
 16 PRACTICE TO PROVIDE INDIVIDUALS TO PERFORM ADMINISTRATIVE AND OTHER
 17 RELATED SERVICES TO A DENTIST OR A DENTAL PRACTICE.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2015.