

SENATE BILL 460

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6lr3389
CF 6lr1938

By: **Senator Conway**

Introduced and read first time: February 3, 2016

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Dental Hygienists – Local Anesthesia**

3 FOR the purpose of altering the circumstances under which a dental hygienist may
4 administer local anesthesia by infiltration or inferior nerve block; and generally
5 relating to the administration of local anesthesia by dental hygienists.

6 BY repealing and reenacting, without amendments,
7 Article – Health Occupations
8 Section 4–101(a), (k), and (l)
9 Annotated Code of Maryland
10 (2014 Replacement Volume and 2015 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Health Occupations
13 Section 4–206.1 and 4–206.3
14 Annotated Code of Maryland
15 (2014 Replacement Volume and 2015 Supplement)

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

18 **Article – Health Occupations**

19 4–101.

20 (a) In this title the following words have the meanings indicated.

21 (k) “Practice dental hygiene” means to:

22 (1) Perform a preliminary dental examination;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) Perform a complete prophylaxis, including the removal of any deposit,
2 accretion, or stain from the surface of a tooth or a restoration;

3 (3) Polish a tooth or a restoration;

4 (4) Chart cavities, restorations, missing teeth, periodontal conditions, and
5 other features observed during preliminary examination, prophylaxis, or polishing;

6 (5) Apply a medicinal agent to a tooth for a prophylactic purpose;

7 (6) Take a dental X ray;

8 (7) Perform a manual curettage in conjunction with scaling and root
9 planning;

10 (8) Administer local anesthesia in accordance with § 4–206.1 or § 4–206.3
11 of this title;

12 (9) Monitor, in accordance with § 4–206.2 of this title, a patient to whom
13 nitrous oxide is administered; or

14 (10) Perform any other intraoral function that the Board authorizes by a
15 rule or regulation adopted under § 4–206 of this title.

16 (l) “Practice dentistry” means to:

17 (1) Be a manager, a proprietor, or a conductor of or an operator in any place
18 in which a dental service or dental operation is performed intraorally;

19 (2) Perform or attempt to perform any intraoral dental service or intraoral
20 dental operation;

21 (3) Diagnose, treat, or attempt to diagnose or treat any disease, injury,
22 malocclusion, or malposition of a tooth, gum, or jaw, or structures associated with a tooth,
23 gum, or jaw if the service, operation, or procedure is included in the curricula of an
24 accredited dental school or in an approved dental residency program of an accredited
25 hospital or teaching institution;

26 (4) Perform or offer to perform dental laboratory work;

27 (5) Place or adjust a dental appliance in a human mouth; or

28 (6) Administer anesthesia for the purposes of dentistry and not as a
29 medical specialty.

30 4–206.1.

1 (a) Subject to the requirements of subsections (b) and (c) of this section, a dental
2 hygienist may administer local anesthesia by infiltration [for the purpose of anesthetizing
3 soft tissue] to facilitate the [performance] **PRACTICE** of dental hygiene [procedures] **BY A**
4 **DENTAL HYGIENIST OR THE PRACTICE OF DENTISTRY BY A DENTIST**, but not as a
5 medical specialty, provided the administration of local anesthesia is under the supervision
6 of a dentist who:

7 (1) Is physically present on the premises; and

8 (2) Prescribes the administration of local anesthesia by the dental
9 hygienist.

10 (b) Before a dental hygienist may administer local anesthesia under subsection
11 (a) of this section, the dental hygienist shall successfully complete the following:

12 (1) Any educational requirements established by the Board; and

13 (2) A written and clinical examination as required by the Board.

14 (c) A dental hygienist shall obtain the educational requirements established by
15 the Board under subsection (b)(1) of this section from an accredited dental hygiene
16 program.

17 4-206.3.

18 (a) Subject to the requirements of subsection (b) of this section, a dental hygienist
19 may administer local anesthesia by inferior alveolar nerve block [for the purpose of
20 anesthetizing soft tissue] to facilitate the [performance] **PRACTICE** of dental hygiene
21 [procedures] **BY A DENTAL HYGIENIST OR THE PRACTICE OF DENTISTRY BY A**
22 **DENTIST**, but not as a medical specialty, provided the administration of the local
23 anesthesia is under the supervision of a dentist who:

24 (1) Is physically present on the premises; and

25 (2) Prescribes the administration of local anesthesia by the dental
26 hygienist.

27 (b) (1) Before a dental hygienist may administer local anesthesia under
28 subsection (a) of this section, the dental hygienist shall successfully complete the following:

29 (i) Any educational requirements established by the Board; and

30 (ii) A written and clinical examination as required by the Board.

31 (2) A dental hygienist shall obtain the education required under paragraph
32 (1) of this subsection from an accredited dental hygiene program.

1 (3) A dental hygienist who successfully completed the education
2 requirements and examination required under paragraph (1) of this subsection before
3 October 1, 2011, shall take and successfully complete a refresher course and a clinical
4 examination from an accredited dental hygiene program.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2016.