

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 275

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “premises” insert “under certain circumstances”; in line 4, strike “altering a certain definition” and substitute “defining certain terms”; in line 8, after “premises;” insert “repealing provisions relating to the authority of the Board to grant certain waivers;”; strike beginning with “dentist” in line 8 down through “duties” in line 10 and substitute “facility, in which a dental hygienist is authorized to practice without a dentist on the premises, to ensure that certain procedures are performed and certain requirements are met”; in line 10, before “and” insert “altering the authority of the Board to conduct certain inspections; requiring the Board to make certain reports to the General Assembly; providing for the termination of this Act;”; and after line 15, insert:

“BY adding to

Article - Health Occupations

Section 4-101(o)

Annotated Code of Maryland

(1994 Replacement Volume and 1997 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 23, insert:

“(O) “SUPERVISION” MEANS SUPERVISION OF A DENTAL HYGIENIST BY A DENTIST, WHERE THE DENTIST MAY OR MAY NOT BE PRESENT WHEN THE DENTAL HYGIENIST PERFORMS THE DENTAL HYGIENE PROCEDURES BUT IS AVAILABLE ON THE PREMISES.”

AMENDMENT NO. 3

On page 1, in line 26, strike the colon.

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On page 2, in line 1, strike “(i) Only”; in the same line, strike “GENERAL”; in lines 1 and 3, in each instance, strike the bracket; in line 3, strike “; and”; in line 4, strike “(ii) Only”; in lines 5, 7, and 11, strike “1.”, “2.”, and “6.”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; in line 7, after the semicolon, insert “OR”; strike in their entirety lines 8 through 10, inclusive; in line 12, strike the brackets and the semicolon; and strike in their entirety lines 13 through 24, inclusive.

AMENDMENT NO. 4

On page 3, strike beginning with “(I)” in line 12 down through “OFFICE” in line 19 and substitute “WHILE IT IS EFFECTIVE, A GENERAL LICENSE TO PRACTICE DENTAL HYGIENE ISSUED UNDER THIS TITLE AUTHORIZES THE LICENSEE TO PRACTICE DENTAL HYGIENE UNDER THE GENERAL SUPERVISION OF A LICENSED DENTIST IN:

(I) A BONA FIDE CHARITABLE INSTITUTION;

(II) A DENTAL FACILITY OWNED AND OPERATED BY THE FEDERAL, THE STATE, OR A LOCAL GOVERNMENT;

(III) A HEALTH FACILITY LICENSED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE;

(IV) A FACILITY PROVIDING MEDICAL CARE TO THE POOR, ELDERLY, OR HANDICAPPED THAT IS OWNED BY:

1. THE STATE OR A LOCAL GOVERNMENT; OR

2. A BONA FIDE CHARITABLE ORGANIZATION; OR

(V) ANY OTHER SETTING AUTHORIZED UNDER REGULATIONS ADOPTED BY THE BOARD.

(3) A FACILITY IN WHICH A DENTAL HYGIENIST IS AUTHORIZED TO PRACTICE UNDER THE GENERAL SUPERVISION OF A LICENSED DENTIST SHALL ENSURE THAT:

(I) A SUPERVISING DENTIST IN THE FACILITY:

1. HOLDS A GENERAL LICENSE TO PRACTICE DENTISTRY IN THE STATE;

2. HOLDS A CURRENT CERTIFICATE EVIDENCING HEALTH PROVIDER LEVEL C PROFICIENCY, OR ITS EQUIVALENT, IN CARDIOPULMONARY RESUSCITATION; AND

3. HAS AT LEAST 2 YEARS OF ACTIVE CLINICAL PRACTICE IN DIRECT PATIENT CARE;

(II) A SUPERVISING DENTIST, A PATIENT'S DENTIST, THE FACILITY'S DENTAL CONSULTANT, OR A TREATING PHYSICIAN EVALUATES THE PATIENT'S MEDICAL HISTORY AND DETERMINES ITS IMPACT ON ORAL HEALTH TREATMENT BEFORE THE INITIAL TREATMENT OF A PATIENT BY A DENTAL HYGIENIST PRACTICING UNDER THE GENERAL SUPERVISION OF A LICENSED DENTIST;

(III) A LICENSED DENTIST DIAGNOSES A PATIENT AND APPROVES A TREATMENT PLAN FOR THE PATIENT;

(IV) A SUPERVISING DENTIST AUTHORIZES, ON A PATIENT BY PATIENT BASIS, A DENTAL HYGIENIST TO PRACTICE UNDER THE GENERAL SUPERVISION OF A LICENSED DENTIST;

(V) A DENTAL HYGIENIST PRACTICING UNDER THE GENERAL SUPERVISION OF A LICENSED DENTIST ASCERTAINS BEFORE TREATING A RECALL PATIENT THAT THERE HAS BEEN NO CHANGE IN THE PATIENT'S MEDICAL HISTORY;

(VI) A DENTAL HYGIENIST CONSULTS WITH A SUPERVISING DENTIST, A PATIENT'S DENTIST, THE FACILITY'S DENTAL CONSULTANT, OR A TREATING PHYSICIAN BEFORE PROCEEDING WITH TREATMENT IF THERE IS A

(Over)

CHANGE IN THE PATIENT'S MEDICAL HISTORY;

(VII) THE FACILITY HAS A MEDICAL EMERGENCY PLAN;

(VIII) ADEQUATE FACILITIES AND EQUIPMENT ARE AVAILABLE FOR THE DELIVERY OF DENTAL HYGIENE SERVICES OTHER THAN FLUORIDE RINSE PROGRAMS; AND

(IX) A DENTIST SCHEDULES FOR AN ORAL EXAMINATION EVERY 6 MONTHS, OR AS OTHERWISE RECOMMENDED BY THE SUPERVISING DENTIST, A RECALL PATIENT WHO HAS BEEN EXAMINED BY A DENTAL HYGIENIST PRACTICING UNDER THE GENERAL SUPERVISION OF A LICENSED DENTIST”.

AMENDMENT NO. 5

On page 3, in lines 20 and 34, strike “(3)” and “(4)”, respectively, and substitute “(4)” and “(5)”, respectively; in lines 20 and 21, strike “FOR JUST CAUSE”; in line 21, strike the first and second bracket; and strike beginning with “WHERE” in line 22 down through “TITLE” in line 23 and substitute “THAT PROVIDES DENTAL HYGIENE SERVICES”.

AMENDMENT NO. 6

On page 4, after line 2, insert:

“(6) A FACILITY OPERATING UNDER GENERAL SUPERVISION SHALL REPORT TO THE BOARD:

(I) THAT THE FACILITY IS OPERATING UNDER GENERAL SUPERVISION;

(II) THE IDENTITY OF THE SUPERVISING DENTIST; AND

(III) ANY CHANGES IN THE STATUS OF THE FACILITY'S GENERAL SUPERVISION OR SUPERVISING DENTIST.

SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of Dental Examiners

shall report to the General Assembly by December 31, 1999, and each year thereafter, the identity of the facilities operating under general supervision, and the identity of the supervising dentist of those facilities operating under general supervision.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1998. It shall remain effective for a period of 3 years and, at the end of September 30, 2001, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”;

and strike lines 3 and 4 in their entirety.