

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 49

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “term;” insert “altering a certain definition;”; in line 5, after “committee” insert “and a certain dental hygienist rehabilitation committee”; strike beginning with “subjecting” in line 5 down through “Hygiene” in line 7 and substitute “providing for the appointment of members for a certain dentist rehabilitation committee”; in line 8, after “Association” insert “and the Maryland Dental Hygienists’ Association”; in lines 8 and 9, in each instance, strike “committee” and substitute “committees”; and in line 18, after “4-501,” insert “4-508,”.

AMENDMENT NO. 2

On page 3, in line 21, strike “the” and substitute “:

(I) THE”; in line 23, after “title” insert “; AND

(II) THE BUDGET OF A DENTAL HYGIENIST REHABILITATION COMMITTEE, AS DEFINED IN § 4-508 OF THIS TITLE, WITH FEES SET, COLLECTED, AND DISTRIBUTED TO THE FUND UNDER THIS TITLE”;

and after line 26, insert:

“(3) AFTER REVIEW AND APPROVAL BY THE BOARD OF A BUDGET SUBMITTED BY THE MARYLAND DENTAL HYGIENISTS’ ASSOCIATION FOR A DENTAL HYGIENIST REHABILITATION COMMITTEE, THE BOARD MAY ALLOCATE MONEYS FROM THE FUND TO A DENTAL HYGIENIST REHABILITATION COMMITTEE.”

AMENDMENT NO. 3

On page 4, after line 16, insert:

(Over)

“(4) A COMMITTEE OF THE MARYLAND DENTAL HYGIENISTS’ ASSOCIATION, OR ANY OF ITS COMPONENT SOCIETIES, INCLUDING A DENTAL HYGIENIST REHABILITATION COMMITTEE AS DEFINED IN § 4-508 OF THIS SUBTITLE;”;

and in lines 17, 19, 23, and 26, strike “(4)”, “(5)”, “(6)”, and “(7)”, respectively, and substitute “(5)”, “(6)”, “(7)”, and “(8)”, respectively.

AMENDMENT NO. 4

On page 5, in line 27, after “(B)” insert “(1) SUBJECT TO THE PROVISIONS OF PARAGRAPH (2) OF THIS SUBSECTION.”; strike beginning with “, SUBJECT” in line 28 down through “SECRETARY” in line 29; after line 29, insert:

“(2) AT LEAST ONE MEMBER OF THE DENTIST REHABILITATION COMMITTEE SHALL BE A MEMBER OF THE MARYLAND DENTAL SOCIETY.”;

strike in their entirety lines 30 and 31; and in lines 32 and 34, strike “(D)” and “(E)”, respectively, and substitute “(C)” and “(D)”, respectively.

AMENDMENT NO. 5

On page 5, after line 36, insert:

“4-508.

(a) In this section "dental hygienist rehabilitation committee" means [a committee that:

(1) Is defined in subsection (b) of this section; and

(2) Performs any of the functions listed in subsection (d) of this section.

(b) For the purposes of this section, a dental hygienist rehabilitation committee is a committee of the Board or of the Dental Hygienists' Association that:

(1) Is recognized by the Board; and

(2) Includes but is not limited to dental hygienists.

(c) A rehabilitation committee of the Board or recognized by the Board may function:

(1) Solely for dental hygienists; or

(2) Jointly with a rehabilitation committee representing another board or boards.

(d) For purposes of this section, a dental hygienist rehabilitation committee] THE COMMITTEE OF THE MARYLAND DENTAL HYGIENISTS' ASSOCIATION THAT evaluates and provides assistance to any dental hygienist in need of treatment and rehabilitation for alcoholism, drug abuse, chemical dependency, or other physical, emotional, or mental condition.

(B) THE MARYLAND DENTAL HYGIENISTS' ASSOCIATION SHALL APPOINT THE MEMBERS OF THE DENTAL HYGIENIST REHABILITATION COMMITTEE.

(C) THE BOARD SHALL FUND THE BUDGET OF THE DENTAL HYGIENIST REHABILITATION COMMITTEE AS PROVIDED IN § 4-207 OF THIS TITLE.

(D) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND TRANSACTIONS OF THE DENTAL HYGIENIST REHABILITATION COMMITTEE AS PROVIDED IN § 2-1220 OF THE STATE GOVERNMENT ARTICLE.

(e) (1) Except as otherwise provided in this subsection, the proceedings, records, and files of the dental hygienist rehabilitation committee are not discoverable and are not admissible in evidence in any civil action arising out of matters that are being or have been reviewed and evaluated by the dental hygienist rehabilitation committee.

(2) Paragraph (1) of this subsection does not apply to any record or document that is considered by the dental hygienist rehabilitation committee and that otherwise would be subject to discovery or introduction into evidence in a civil action.

(3) For purposes of this subsection, civil action does not include a proceeding before the Board or judicial review of a proceeding before the Board.

(f) A person who acts in good faith and within the scope of jurisdiction of a dental hygienist rehabilitation committee is not civilly liable for any action as a member of the dental hygienist rehabilitation committee or for giving information to, participating in, or contributing to the function of the rehabilitation committee.”.