
By: **Senator Hollinger**

Introduced and read first time: February 12, 1999

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Dental Examiners**

3 FOR the purpose of specifying that a waiver of education qualifications applies only to
4 a limited license to practice dentistry; expanding the grounds for disciplinary
5 action by the State Board of Dental Examiners; increasing the maximum
6 monetary penalty that the Board may impose; altering the recognition of
7 specialties by the Board; and generally relating to the State Board of Dental
8 Examiners and the practice of dentistry.

9 BY repealing and reenacting, with amendments,
10 Article - Health Occupations
11 Section 4-303(a), 4-315(a)(16), (29), and (30) and (b)(3), (15), and (16), and
12 4-317(a)
13 Annotated Code of Maryland
14 (1994 Replacement Volume and 1998 Supplement)

15 BY repealing
16 Article - Health Occupations
17 Section 4-504(c)
18 Annotated Code of Maryland
19 (1994 Replacement Volume and 1998 Supplement)

20 BY adding to
21 Article - Health Occupations
22 Section 4-315(a)(31) and (b)(17) and 4-504(c)
23 Annotated Code of Maryland
24 (1994 Replacement Volume and 1998 Supplement)

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

1

Article - Health Occupations

2 4-303.

3 (a) Subject to the provisions of this section, the Board may waive the
4 education requirements of § 4-302 of this subtitle for an applicant FOR A LIMITED
5 LICENSE who does not hold a degree of doctor of dental surgery, doctor of dental
6 medicine, or the equivalent from a college or university that is authorized by any
7 state or any province of Canada to grant the degree and is recognized by the Board
8 under § 4-302(d)(2) of this subtitle.

9 4-315.

10 (a) Subject to the hearing provisions of § 4-318 of this subtitle, the Board may
11 deny a general license to practice dentistry, a limited license to practice dentistry, or
12 a teacher's license to practice dentistry to any applicant, reprimand any licensed
13 dentist, place any licensed dentist on probation, or suspend or revoke the license of
14 any licensed dentist, if the applicant or licensee:

15 (16) Behaves dishonorably or unprofessionally, OR VIOLATES A
16 PROFESSIONAL CODE OF ETHICS PERTAINING TO THE DENTISTRY PROFESSION;

17 (29) Fails to display the notice required under § 4-313(d) of this title; [or]

18 (30) [Fails] DEFAULTS ON A LOAN THAT WAS USED TO OBTAIN THE
19 APPLICANT'S OR LICENSEE'S DENTAL EDUCATION OR FAILS to begin to fulfill a public
20 service requirement within 1 year of when the assignment is to begin that was a
21 condition of the applicant or licensee receiving State or federal loans or scholarships
22 for the applicant's or licensee's dental education; OR

23 (31) FAILS TO COMPLY WITH ANY BOARD ORDER.

24 (b) Subject to the hearing provisions of § 4-318 of this subtitle, the Board may
25 deny a general license to practice dental hygiene, a teacher's license to practice dental
26 hygiene, or a temporary license to practice dental hygiene to any applicant,
27 reprimand any licensed dental hygienist, place any licensed dental hygienist on
28 probation, or suspend or revoke the license of any licensed dental hygienist, if the
29 applicant or licensee:

30 (3) Behaves unprofessionally or in a grossly immoral way, OR VIOLATES
31 A PROFESSIONAL CODE OF ETHICS PERTAINING TO THE DENTAL HYGIENE
32 PROFESSION;

33 (15) Refuses, withholds from, denies, or discriminates against an
34 individual with regard to the provision of professional services for which the licensee
35 is licensed and qualified to render because the individual is HIV positive; [or]

36 (16) Except in an emergency life-threatening situation where it is not
37 feasible or practicable, fails to comply with the Centers for Disease Control's
38 guidelines on universal precautions; OR

1 (17) FAILS TO COMPLY WITH ANY BOARD ORDER.

2 4-317.

3 (a) If after a hearing under § 4-318 of this subtitle the Board finds that there
4 are grounds under § 4-315 of this subtitle to suspend or revoke a general license to
5 practice dentistry, a limited license to practice dentistry, or a teacher's license to
6 practice dentistry, or to reprimand a licensed dentist, the Board may impose a penalty
7 not exceeding [~~\$5,000~~]~~\$50,000~~:

8 (1) Instead of suspending the license; or

9 (2) In addition to suspending or revoking the license or reprimanding the
10 licensee.

11 4-504.

12 [(c) The following branches of dentistry are established as suitable fields for
13 specialized dental practice, to be known as "specialties":

14 (1) Endodontics;

15 (2) Oral pathology;

16 (3) Oral surgery;

17 (4) Orthodontics;

18 (5) Pediatric dentistry;

19 (6) Periodontics;

20 (7) Prosthodontics;

21 (8) Public health; and

22 (9) Any other field of specialized dental practice that the Board approves
23 under this section.]

24 (C) THE BOARD MAY APPROVE ANY AREA OF SPECIALTY RECOGNIZED BY THE
25 COMMISSION ON DENTAL ACCREDITATION OR ITS SUCCESSOR ORGANIZATION.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
27 effect October 1, 1999.