

SENATE BILL 691

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2000 Regular Session
0lr2423
CF 0lr2307

By: **Senators Hollinger and Lawlah**
Introduced and read first time: February 4, 2000
Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 7, 2000

CHAPTER _____

1 AN ACT concerning

2 **Dentists Dentistry - Licensure of Retired Volunteer Dentists and Dental**
3 **Hygienists**

4 FOR the purpose of establishing a license for a retired volunteer dentist to practice
5 dentistry in the State; establishing a license for a retired volunteer dental
6 hygienist to practice dental hygiene in the State; providing for the qualifications
7 and the application procedure for the license procedures for certain licenses;
8 providing for certain limitations on the authority to practice dentistry with a
9 retired volunteer dentist's license; providing for certain limitations on the
10 authority to practice dental hygiene with a retired volunteer dental hygienist's
11 license; and generally relating to the practice of dentistry by a retired volunteer
12 dentist and the practice of dental hygiene by a retired volunteer dental
13 hygienist.

14 BY renumbering
15 Article - Health Occupations
16 Section 4-304(c) and 4-308(c) ~~through (f), (d), (e), and (f),~~ respectively
17 to be Section 4-304(d) and 4-308(d) ~~through (g), (e), (g), and (h),~~ respectively
18 Annotated Code of Maryland
19 (1994 Replacement Volume and 1999 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article - Health Occupations
22 Section 4-101(i), (j), and (k)
23 Annotated Code of Maryland
24 (1994 Replacement Volume and 1999 Supplement)

1 BY adding to
 2 Article - Health Occupations
 3 ~~Section 4-302(i), 4-304(e), and 4-308(e)~~
 4 Section 4-302(i) and (j), 4-304(c) and (e), and 4-308(c) and (f)
 5 Annotated Code of Maryland
 6 (1994 Replacement Volume and 1999 Supplement)

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 8 MARYLAND, That Section(s) 4-304(c) and 4-308(c) ~~through (f), (d), (e), and (f),~~
 9 respectively, of Article - Health Occupations of the Annotated Code of Maryland be
 10 renumbered to be Section(s) 4-304(d) and 4-308(d) ~~through (g), (e), (g), and (h),~~
 11 respectively.

12 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
 13 read as follows:

14 **Article - Health Occupations**

15 4-101.

16 (i) (1) "License" means, unless the context requires otherwise, a license
 17 issued by the Board to:

18 (i) Practice dentistry; or

19 (ii) Practice dental hygiene.

20 (2) "License" includes, unless the context requires otherwise:

21 (i) A general license to practice dentistry;

22 (ii) A limited license to practice dentistry;

23 (iii) A teacher's license to practice dentistry;

24 (iv) A general license to practice dental hygiene; [and]

25 (v) A teacher's license to practice dental hygiene; ~~AND~~

26 (VI) A RETIRED VOLUNTEER DENTIST'S LICENSE TO PRACTICE
 27 DENTISTRY; ~~AND~~

28 (VII) A RETIRED VOLUNTEER DENTAL HYGIENIST'S LICENSE TO
 29 PRACTICE DENTAL HYGIENE.

30 (j) (1) "Licensed dental hygienist" means, unless the context requires
 31 otherwise, a dental hygienist who is licensed by the Board to practice dental hygiene.

32 (2) "Licensed dental hygienist" includes, unless the context requires
 33 otherwise, a holder of:

1 (i) A general license to practice dental hygiene; [or]

2 (ii) A teacher's license to practice dental hygiene; OR

3 (iii) A RETIRED VOLUNTEER DENTAL HYGIENIST'S LICENSE TO
4 PRACTICE DENTAL HYGIENE.

5 (k) (1) "Licensed dentist" means, unless the context requires otherwise, a
6 dentist who is licensed by the Board to practice dentistry.

7 (2) "Licensed dentist" includes, unless the context requires otherwise, a
8 holder of:

9 (i) A general license to practice dentistry;

10 (ii) A limited license to practice dentistry; [or]

11 (iii) A teacher's license to practice dentistry; OR

12 (IV) A RETIRED VOLUNTEER DENTIST'S LICENSE TO PRACTICE
13 DENTISTRY.

14 4-302.

15 (I) IN ADDITION TO THE REQUIREMENTS OF SUBSECTIONS (A), (B), (C), AND (D)
16 OF THIS SECTION, TO QUALIFY FOR A RETIRED VOLUNTEER DENTIST'S LICENSE TO
17 PRACTICE DENTISTRY, THE APPLICANT SHALL:

18 (1) HAVE HAD A GENERAL LICENSE TO PRACTICE DENTISTRY ISSUED
19 UNDER THIS TITLE WITHIN THE LAST 2 YEARS;

20 (2) COMPLETE THE CONTINUING EDUCATION REQUIREMENTS THAT
21 THE BOARD ESTABLISHES FOR A GENERAL LICENSE; AND

22 (3) PROVIDE DENTAL SERVICES AS REQUIRED UNDER § 4-308(C) OF THIS
23 TITLE. SUBTITLE.

24 (J) IN ADDITION TO THE REQUIREMENTS OF SUBSECTIONS (A), (B), AND (E) OF
25 THIS SECTION, TO QUALIFY FOR A RETIRED DENTAL HYGIENIST'S LICENSE TO
26 PRACTICE DENTAL HYGIENE, THE APPLICANT SHALL:

27 (1) HAVE HAD A GENERAL LICENSE TO PRACTICE DENTAL HYGIENE
28 UNDER THIS TITLE WITHIN THE LAST 2 YEARS;

29 (2) COMPLETE THE CONTINUING EDUCATION REQUIREMENTS THAT
30 THE BOARD ESTABLISHES FOR A GENERAL LICENSE; AND

31 (3) PROVIDE DENTAL HYGIENE SERVICES AS REQUIRED UNDER §
32 4-308(F) OF THIS SUBTITLE.

1 4-304.

2 (C) TO APPLY FOR A RETIRED VOLUNTEER DENTIST'S LICENSE TO PRACTICE
3 DENTISTRY, AN APPLICANT:

4 (1) SHALL SUBMIT AN APPLICATION TO THE BOARD ON THE FORM THAT
5 THE BOARD REQUIRES; AND

6 (2) MAY NOT BE REQUIRED TO PAY AN APPLICATION FEE.

7 (E) TO APPLY FOR A RETIRED VOLUNTEER DENTAL HYGIENIST'S LICENSE TO
8 PRACTICE DENTAL HYGIENE, AN APPLICANT:

9 (1) SHALL SUBMIT AN APPLICATION TO THE BOARD ON THE FORM THAT
10 THE BOARD REQUIRES; AND

11 (2) MAY NOT BE REQUIRED TO PAY AN APPLICATION FEE.

12 4-308.

13 (C) WHILE IT IS EFFECTIVE, A RETIRED VOLUNTEER DENTIST'S LICENSE TO
14 PRACTICE DENTISTRY ISSUED UNDER THIS TITLE AUTHORIZES THE LICENSEE TO
15 PRACTICE DENTISTRY:

16 (1) ONLY IN A DENTAL OFFICE, DENTAL CLINIC, AMBULATORY CARE
17 FACILITY, OR HOSPITAL;

18 (2) ONLY FOR AN ENTITY PROVIDING MEDICAL CARE TO THE POOR,
19 ELDERLY, OR HANDICAPPED THAT IS OPERATED BY:

20 (I) THE STATE OR A LOCAL GOVERNMENT;

21 (II) A BONA FIDE CHARITABLE ORGANIZATION; OR

22 (III) ANY OTHER SETTING AUTHORIZED UNDER REGULATIONS
23 ADOPTED BY THE BOARD;

24 (3) IF THE DENTIST SIGNS A WRITTEN STATEMENT AGREEING TO
25 DONATE AT LEAST 100 HOURS OF DENTAL SERVICES WITHOUT COMPENSATION IN A
26 FACILITY THAT SATISFIES THE REQUIREMENTS OF SUBSECTIONS (D)(1) AND (2) OF
27 THIS SECTION;

28 (4) IF THE DENTIST PROVIDES DOCUMENTATION AS REQUIRED BY THE
29 BOARD WHICH EVIDENCES THAT THE LICENSEE IS COVERED BY MALPRACTICE
30 INSURANCE; AND

31 (5) IF THE DENTIST DOES NOT OTHERWISE PRACTICE DENTISTRY FOR
32 PROFIT.

1 (F) WHILE IT IS EFFECTIVE, A RETIRED VOLUNTEER DENTAL HYGIENIST'S
2 LICENSE TO PRACTICE DENTAL HYGIENE ISSUED UNDER THIS TITLE AUTHORIZES
3 THE LICENSEE TO PRACTICE DENTAL HYGIENE:

4 (1) ONLY IN A DENTAL OFFICE, DENTAL CLINIC, AMBULATORY CARE
5 FACILITY, OR HOSPITAL;

6 (2) ONLY FOR AN ENTITY PROVIDING MEDICAL CARE TO THE POOR,
7 ELDERLY, OR HANDICAPPED THAT IS OPERATED BY:

8 (I) THE STATE OR A LOCAL GOVERNMENT;

9 (II) A BONA FIDE CHARITABLE ORGANIZATION; OR

10 (III) ANY OTHER SETTING AUTHORIZED UNDER REGULATIONS
11 ADOPTED BY THE BOARD;

12 (3) IF THE DENTAL HYGIENIST SIGNS A WRITTEN STATEMENT
13 AGREEING TO DONATE AT LEAST 100 HOURS OF DENTAL HYGIENE SERVICES
14 WITHOUT COMPENSATION IN A FACILITY THAT SATISFIES THE REQUIREMENTS OF
15 SUBSECTIONS (G)(1) AND (2) OF THIS SECTION;

16 (4) IF THE DENTAL HYGIENIST PROVIDES DOCUMENTATION AS
17 REQUIRED BY THE BOARD WHICH EVIDENCES THAT THE LICENSEE IS COVERED BY
18 MALPRACTICE INSURANCE; AND

19 (5) IF THE DENTAL HYGIENIST DOES NOT OTHERWISE PRACTICE
20 DENTAL HYGIENE FOR PROFIT.

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
22 effect October 1, 2000.