
By: ~~Delegate Donoghue~~ **Delegates Donoghue and Oaks**

Introduced and read first time: January 29, 2003

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 19, 2003

CHAPTER _____

1 AN ACT concerning

2 **Dentistry - Waiver of Licensure Education Requirements - Pediatric**
3 **Specialist**

4 FOR the purpose of authorizing the State Board of Dental Examiners to waive certain
5 education requirements for applicants for a ~~general~~ limited license to practice
6 dentistry who do not hold certain degrees, if certain conditions are met,
7 including the applicant's being contractually obligated to provide pediatric
8 dental services for at least a certain number of years in a public health dental
9 clinic or certain health centers; ~~requiring applicants whose waiver of certain~~
10 ~~education requirements was granted to pass a certain examination given by the~~
11 ~~Board; requiring a license granted under this Act to~~ providing that a certain
12 limited license shall expire and be surrendered to the Board under certain
13 circumstances; authorizing the Board to issue a general license to practice
14 dentistry to a certain limited licensee; making certain conforming changes;
15 providing for the termination of certain authority of the Board to waive certain
16 education requirements; and generally relating to the waiver of the licensure
17 ~~education~~ requirements for certain applicants for a limited license and a general
18 license to practice dentistry in the State.

19 BY repealing and reenacting, with amendments,
20 Article - Health Occupations
21 Section 4-302(d) and (f)(1), 4-304(b), 4-307(b)(2), 4-308(b), and 4-309(a)(2)
22 Annotated Code of Maryland
23 (2000 Replacement Volume and 2002 Supplement)

24 BY adding to
25 Article - Health Occupations

1 Section 4-303.1
2 Annotated Code of Maryland
3 (2000 Replacement Volume and 2002 Supplement)

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

6 **Article - Health Occupations**

7 4-302.

8 (d) [To] UNLESS WAIVED BY THE BOARD UNDER §§ 4-303 AND 4-303.1 OF THIS
9 SUBTITLE, TO qualify for a license to practice dentistry, the applicant shall hold a
10 Degree of Doctor of Dental Surgery, Doctor of Dental Medicine, or the equivalent,
11 from a college or university that is:

12 (1) Authorized by any state or any province of Canada to grant the
13 degree; and

14 (2) Recognized by the Board as requiring adequate preprofessional
15 collegiate training and as maintaining an acceptable course of dental instruction.

16 (f) (1) Unless the examination requirement is waived under § 4-306 or §
17 4-310 of this subtitle, AND EXCEPT AS PROVIDED IN § 4-303.1 OF THIS SUBTITLE, to
18 qualify for a general license to practice dentistry or a general license to practice
19 dental hygiene, the applicant shall pass an examination given by the Board under
20 this subtitle.

21 4-303.1.

22 (A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD MAY WAIVE
23 THE EDUCATION REQUIREMENTS OF § 4-302 OF THIS SUBTITLE FOR AN APPLICANT
24 FOR A ~~GENERAL~~ LIMITED LICENSE TO PRACTICE DENTISTRY WHO DOES NOT HOLD A
25 DEGREE OF DOCTOR OF DENTAL SURGERY, DOCTOR OF DENTAL MEDICINE, OR THE
26 EQUIVALENT FROM A COLLEGE OR UNIVERSITY THAT IS AUTHORIZED BY ANY STATE
27 OR ANY PROVINCE OF CANADA TO GRANT THE DEGREE AND IS RECOGNIZED BY THE
28 BOARD UNDER § 4-302(D)(2) OF THIS SUBTITLE.

29 (B) THE BOARD MAY GRANT A WAIVER UNDER THIS SECTION ONLY IF:

30 (1) THE APPLICANT:

31 (I) HOLDS A DEGREE OF DOCTOR OF DENTAL SURGERY, DOCTOR
32 OF DENTAL MEDICINE, OR AN EQUIVALENT DEGREE FROM A SCHOOL, COLLEGE, OR
33 FACULTY OF DENTISTRY OTHER THAN ONE LOCATED IN THE UNITED STATES OR
34 CANADA;

35 (II) HAS SUCCESSFULLY COMPLETED AT LEAST A 2-YEAR
36 PEDIATRIC DENTISTRY RESIDENCY PROGRAM AT A DENTAL SCHOOL OR A HOSPITAL
37 AUTHORIZED BY ANY STATE AND WHICH IS RECOGNIZED BY THE BOARD;

1 (III) EITHER IS A PEDIATRIC DENTAL FELLOW, OR HAS
 2 SUCCESSFULLY COMPLETED A PEDIATRIC DENTAL FELLOWSHIP, AT THE
 3 UNIVERSITY OF MARYLAND DENTAL SCHOOL;

4 (IV) IS CONTRACTUALLY OBLIGATED TO PROVIDE PEDIATRIC
 5 DENTAL SERVICES FOR AT LEAST 2 YEARS;

6 1. IN A PUBLIC HEALTH DENTAL CLINIC OPERATED BY THE
 7 STATE OR A COUNTY OR MUNICIPALITY OF THE STATE; OR

8 2. IN A FEDERALLY QUALIFIED HEALTH CENTER OR
 9 MARYLAND QUALIFIED HEALTH CENTER ONLY TO MEDICAID, UNINSURED, OR
 10 INDIGENT PATIENTS OR PATIENTS WHO OTHERWISE QUALIFY FOR DENTAL CARE IN
 11 A PUBLIC HEALTH DENTAL CLINIC;

12 (V) LIMITS PRACTICE TO THE PUBLIC HEALTH DENTAL CLINIC,
 13 FEDERALLY QUALIFIED HEALTH CENTER, OR MARYLAND QUALIFIED HEALTH
 14 CENTER FOR WHICH THE APPLICANT HAS CONTRACTUALLY AGREED TO PROVIDE
 15 PEDIATRIC DENTAL SERVICES;

16 ~~(V)~~ (VI) IS FOUND TO BE OF GOOD MORAL CHARACTER AND
 17 PROFESSIONALLY COMPETENT; AND

18 ~~(VI)~~ (VII) MEETS ANY OTHER REQUIREMENTS THAT THE BOARD
 19 MAY REASONABLY REQUIRE; AND

20 (2) THE HEALTH OFFICER OF THE PUBLIC HEALTH PROGRAM FOR
 21 WHICH THE APPLICANT HAS CONTRACTUALLY AGREED TO PROVIDE AT LEAST 2
 22 YEARS OF PEDIATRIC DENTAL SERVICES AND THE DEAN OF THE UNIVERSITY OF
 23 MARYLAND DENTAL SCHOOL REQUEST THE WAIVER FROM THE BOARD AND STATE
 24 THAT CIRCUMSTANCES EXIST TO JUSTIFY GRANTING THE WAIVER.

25 ~~(C) A GENERAL LICENSE TO PRACTICE DENTISTRY MAY BE GRANTED UNDER~~
 26 ~~THIS SECTION ONLY AFTER THE APPLICANT HAS SUCCESSFULLY PASSED AN~~
 27 ~~EXAMINATION GIVEN BY THE BOARD AS REQUIRED UNDER § 4-302(F)(1) OF THIS~~
 28 ~~SUBTITLE.~~

29 ~~(D) A GENERAL LICENSE GRANTED UNDER THIS SECTION SHALL BE~~
 30 ~~SURRENDERED IMMEDIATELY TO THE BOARD IF THE LICENSEE FAILS, FOR ANY~~
 31 ~~REASON, TO FULLY SATISFY THE LICENSEE'S CONTRACTUAL OBLIGATIONS TO~~
 32 ~~PROVIDE PEDIATRIC DENTAL CARE IN THE PUBLIC HEALTH DENTAL CLINIC AS~~
 33 ~~REQUIRED UNDER SUBSECTION (B)(1)(IV) OF THIS SECTION.~~

34 (C) A LIMITED LICENSE TO PRACTICE DENTISTRY ISSUED TO AN APPLICANT
 35 FOR A WAIVER UNDER THIS SECTION SHALL EXPIRE AND BE SURRENDERED
 36 IMMEDIATELY TO THE BOARD IF:

37 (1) THE LICENSEE'S CONTRACT WITH THE PUBLIC HEALTH DENTAL
 38 CLINIC, FEDERALLY QUALIFIED HEALTH CENTER, OR MARYLAND QUALIFIED
 39 HEALTH CENTER EXPIRES; OR

1 (2) THE LICENSEE FAILS, FOR ANY REASON, TO FULLY SATISFY THE
2 LICENSEE'S OBLIGATIONS UNDER SUBSECTION (B)(1)(IV) AND (V) OF THIS SECTION.

3 (D) THE BOARD MAY ISSUE A GENERAL LICENSE TO A LIMITED LICENSEE
4 WHO WAS GRANTED A WAIVER UNDER THIS SECTION IF THE LIMITED LICENSEE:

5 (1) SUCCESSFULLY COMPLETES AT LEAST A 2-YEAR CONTRACTUAL
6 OBLIGATION TO PROVIDE PEDIATRIC DENTAL CARE IN ACCORDANCE WITH
7 SUBSECTION (B)(1)(IV) OF THIS SECTION;

8 (2) SUBMITS AN APPLICATION FOR A GENERAL LICENSE TO PRACTICE
9 DENTISTRY ON A FORM PROVIDED BY THE BOARD;

10 (3) PASSES THE WRITTEN AND CLINICAL EXAMINATIONS OF THE NORTH
11 EAST REGIONAL BOARD;

12 (4) PASSES THE MARYLAND DENTAL JURISPRUDENCE EXAMINATION;

13 (5) PASSES THE NATIONAL BOARD EXAMINATIONS;

14 (6) DEMONSTRATES ORAL ENGLISH COMPETENCY BY SCORING 220 OR
15 BETTER FOR OVERALL COMPREHENSION AND 2.0 OR BETTER FOR PRONUNCIATION,
16 GRAMMAR, AND FLUENCY ON THE TEST OF SPOKEN ENGLISH ADMINISTERED BY THE
17 EDUCATIONAL TESTING SERVICE; AND

18 (7) IS FOUND TO BE OF GOOD MORAL CHARACTER.

19 4-304.

20 (b) In addition to the other requirements of this section, an applicant for a
21 limited license to practice dentistry shall submit to the Board a written request, from
22 the hospital, sanatorium, [or] dental school, OR PUBLIC HEALTH PROGRAM to which
23 the practice is to be limited, that the license be issued.

24 4-307.

25 (b) (2) On a limited license to practice dentistry, the Board also shall
26 include:

27 (i) The date the license expires, FOR A LICENCE THAT EXPIRES ON
28 THE FIRST ANNIVERSARY OF ITS EFFECTIVE DATE; and

29 (ii) The name of the institution OR PUBLIC HEALTH PROGRAM at
30 which the licensee is authorized to practice dentistry.

31 4-308.

32 (b) While it is effective, a limited license to practice dentistry issued under
33 this title authorizes the licensee to practice dentistry, including as an intern or a
34 resident:

1 (1) Only for the institution OR PUBLIC HEALTH PROGRAM named on the
2 license; and

3 (2) Only on patients of the institution OR PUBLIC HEALTH PROGRAM
4 named on the license.

5 4-309.

6 (a) (2) [A] EXCEPT AS PROVIDED IN § 4-303.1 OF THIS SUBTITLE, A limited
7 license to practice dentistry expires on the first anniversary of its effective date.

8 SECTION 2. AND BE IT FURTHER ENACTED, That the authority of the
9 Maryland State Board of Dental Examiners under § 4-303.1 of the Health
10 Occupations Article, as enacted by Section 1 of this Act, to grant a waiver of the
11 education requirements of § 4-302 of the Health Occupations Article for applicants
12 for a limited license to practice dentistry who are contractually obligated to provide
13 pediatric dental services in a federally qualified health center or Maryland qualified
14 health center, terminates at the end of September 30, 2006.

15 SECTION ~~2-3~~. AND BE IT FURTHER ENACTED, That, subject to Section 2
16 of this Act, this Act shall take effect October 1, 2003.