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By: **Senator Hafer**

Introduced and read first time: January 9, 2003

Assigned to: Education, Health, and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations - Dentistry and Dental Hygiene - Examination**

3 FOR the purpose of repealing the additional education requirement for an applicant  
4 for a general license to practice dentistry or dental hygiene who fails a certain  
5 examination a certain number of times; repealing the prohibition on the  
6 reexamination of an applicant who fails a certain examination a certain number  
7 of times; prohibiting the State Board of Dental Examiners from limiting the  
8 number of times an applicant may take a certain examination; and generally  
9 relating to the examination of an applicant for a general license to practice  
10 dentistry or dental hygiene.

11 BY repealing and reenacting, without amendments,  
12 Article - Health Occupations  
13 Section 4-302(f)  
14 Annotated Code of Maryland  
15 (2000 Replacement Volume and 2002 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article - Health Occupations  
18 Section 4-305  
19 Annotated Code of Maryland  
20 (2000 Replacement Volume and 2002 Supplement)

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

23 **Article - Health Occupations**

24 4-302.

25 (f) (1) Unless the examination requirement is waived under § 4-306 or §  
26 4-310 of this subtitle, to qualify for a general license to practice dentistry or a general  
27 license to practice dental hygiene, the applicant shall pass an examination given by  
28 the Board under this subtitle.

1           (2)     An examination is not required for a teacher's license to practice  
2 dentistry, a limited license to practice dentistry, or a teacher's license to practice  
3 dental hygiene.

4 4-305.

5     (a)     An applicant who otherwise qualifies for a general license to practice  
6 dentistry or a general license to practice dental hygiene is entitled to be examined as  
7 provided in this section.

8     (b)     The Board shall give examinations to applicants twice a year, at the times  
9 and places that the Board determines.

10    (c)     The Board shall notify each qualified applicant of the time and place of  
11 examination.

12    (d)     (1)     Except as otherwise provided in this subsection, the Board shall  
13 determine the subjects, scope, form, and passing score for examinations given under  
14 this title.

15           (2)     To the extent the Board finds practicable, the examination given to  
16 applicants for a general license to practice dentistry shall be in writing.

17    (e)     An applicant shall pay:

18           (1)     To the Board an examination fee set by the Board in an amount that  
19 does not exceed the costs of administering the examination; or

20           (2)     To an examining body designated by the Board an examination fee  
21 set by the examining body as approved by the Board.

22    (f)     [(1)     An applicant who fails an examination twice shall complete 40 hours  
23 of additional education in an accredited school of dentistry or a dental hygiene  
24 program accredited by the American Dental Association Commission on Dental  
25 Accreditation, as appropriate, before the applicant may retake the examination.

26           (2)     An applicant who fails an examination 3 times shall retake and  
27 successfully complete the senior year of education at an accredited school of dentistry  
28 or a dental hygiene program accredited by the American Dental Association  
29 Commission on Dental Accreditation, as appropriate, before the applicant may retake  
30 the examination.

31           (3)     An applicant who fails an examination 4 times may not be  
32 reexamined.]

33     **THE BOARD MAY NOT LIMIT THE NUMBER OF TIMES AN APPLICANT MAY TAKE**  
34 **AN EXAMINATION REQUIRED UNDER § 4-302(F) OF THIS TITLE.**

35    (g)     Consumer members of the Board may only participate in the proctoring or  
36 monitoring of examinations under this title.

1 (h) Unless authorized by the Board, a dental hygienist member of the Board  
2 may not participate in any activity relating to the examination of dentists under this  
3 title.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2003.