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By: **Senator Frosh**

Introduced and read first time: January 31, 2003

Assigned to: Education, Health, and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations - Dentists and Dental Hygienists - Volunteer Licenses**

3 FOR the purpose of altering the name of certain licenses; authorizing certain dentists  
4 to qualify for a volunteer dentist's license to practice dentistry; authorizing  
5 certain dental hygienists to qualify for a volunteer dental hygienist's license to  
6 practice dental hygiene; and generally relating to the volunteer dentist's license  
7 and the volunteer dental hygienist's license.

8 BY repealing and reenacting, with amendments,  
9 Article - Health Occupations  
10 Section 4-101(i)(2)(vi) and (vii), (j)(2)(iii), and (k)(2)(iv), 4-302(i) and (j), 4-304(c)  
11 and (e), and 4-308(c) and (f)  
12 Annotated Code of Maryland  
13 (2000 Replacement Volume and 2002 Supplement)

14 BY repealing and reenacting, without amendments,  
15 Article - Health Occupations  
16 Section 4-302(a) through (h)  
17 Annotated Code of Maryland  
18 (2000 Replacement Volume and 2002 Supplement)

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

21 **Article - Health Occupations**

22 4-101.

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

24 (vi) A [retired] volunteer dentist's license to practice dentistry; and

25 (vii) A [retired] volunteer dental hygienist's license to practice  
26 dental hygiene.

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

3 (iii) A [retired] volunteer dental hygienist's license to practice  
4 dental hygiene.

5 (k) (2) "Licensed dentist" includes, unless the context requires otherwise, a  
6 holder of:

7 (iv) A [retired] volunteer dentist's license to practice dentistry.

8 4-302.

9 (a) Except as otherwise provided in this title, to qualify for a license, an  
10 applicant shall be an individual who meets the requirements of this section.

11 (b) The applicant shall be of good moral character.

12 (c) To qualify for a license to practice dentistry, the applicant shall be at least  
13 18 years old.

14 (d) To qualify for a license to practice dentistry, the applicant shall hold a  
15 Degree of Doctor of Dental Surgery, Doctor of Dental Medicine, or the equivalent,  
16 from a college or university that is:

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

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

21 (e) To qualify for a license to practice dental hygiene, the applicant shall be a  
22 graduate of a school for dental hygienists that:

23 (1) Requires at least 2 years of education in an institution of higher  
24 education;

25 (2) Is accredited by the American Dental Association Commission on  
26 Dental Accreditation; and

27 (3) Is approved by the Board.

28 (f) (1) Unless the examination requirement is waived under § 4-306 or §  
29 4-310 of this subtitle, to qualify for a general license to practice dentistry or a general  
30 license to practice dental hygiene, the applicant shall pass an examination given by  
31 the Board under this subtitle.

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

1 (g) In addition to the requirements of subsections (a), (b), (c), and (d) of this  
2 section, to qualify for a teacher's license to practice dentistry, the applicant shall:

3 (1) Be licensed to practice dentistry in any other state;

4 (2) Have been active in the dental profession for at least 5 years;

5 (3) Be a full-time faculty member at a college or university where the  
6 applicant teaches a subject required by the dental school of that college or university;  
7 and

8 (4) If the applicant is engaged in a teaching area that is designated as a  
9 specialty by the American Dental Association, meet the requirements established by  
10 the American Dental Association for that specialty.

11 (h) In addition to the requirements of subsections (a), (b), and (e) of this  
12 section, to qualify for a teacher's license to practice dental hygiene, the applicant  
13 shall:

14 (1) Be licensed to practice dental hygiene in any other state;

15 (2) Have been active as a dental hygienist for at least 5 years before  
16 applying for the teacher's license to practice dental hygiene; and

17 (3) Be a full-time faculty member at a dental school where the applicant  
18 teaches a subject required by that school.

19 (i) In addition to the requirements of subsections (a), (b), (c), and (d) of this  
20 section, to qualify for a [retired] volunteer dentist's license to practice dentistry, the  
21 applicant shall PROVIDE DENTAL SERVICES IN THE MANNER DESCRIBED IN § 4-308(C)  
22 OF THIS SUBTITLE AND SHALL:

23 (1) Have had a general license to practice dentistry issued under this  
24 title within the last 2 years AND [;

25 (2) Complete] COMPLETE the continuing education requirements that  
26 the Board establishes for a general license; [and] OR

27 (2) HOLD AN ACTIVE LICENSE TO PRACTICE DENTISTRY IN ANOTHER  
28 STATE OR IN THE DISTRICT OF COLUMBIA.

29 [(3) Provide dental services as required under § 4-308(c) of this subtitle.]

30 (j) In addition to the requirements of subsections (a), (b), and (e) of this  
31 section, to qualify for a [retired] dental hygienist's license to practice dental hygiene,  
32 the applicant shall PROVIDE DENTAL HYGIENE SERVICES IN THE MANNER  
33 DESCRIBED IN § 4-308(F) OF THIS SUBTITLE AND SHALL:

34 (1) Have had a general license to practice dental hygiene under this title  
35 within the last 2 years AND[;

1 (2) Complete] COMPLETE the continuing education requirements that  
2 the Board establishes for a general license; [and] OR

3 (2) HOLD AN ACTIVE LICENSE TO PRACTICE DENTAL HYGIENE IN  
4 ANOTHER STATE OR IN THE DISTRICT OF COLUMBIA.

5 [(3) Provide dental hygiene services as required under § 4-308(f) of this  
6 subtitle.]

7 4-304.

8 (c) To apply for a [retired] volunteer dentist's license to practice dentistry, an  
9 applicant:

10 (1) Shall submit an application to the Board on the form that the Board  
11 requires; and

12 (2) May not be required to pay an application fee.

13 (e) To apply for a [retired] volunteer dental hygienist's license to practice  
14 dental hygiene, an applicant:

15 (1) Shall submit an application to the Board on the form that the Board  
16 requires; and

17 (2) May not be required to pay an application fee.

18 4-308.

19 (c) While it is effective, a [retired] volunteer dentist's license to practice  
20 dentistry issued under this title authorizes the licensee to practice dentistry:

21 (1) Only in a dental office, dental clinic, ambulatory care facility, or  
22 hospital;

23 (2) Only for an entity providing medical care to the poor, elderly, or  
24 handicapped that is operated by:

25 (i) The State or a local government;

26 (ii) A bona fide charitable organization; or

27 (iii) Any other entity authorized under regulations adopted by the  
28 Board;

29 (3) If the dentist signs a written statement agreeing to donate at least  
30 100 hours of dental services without compensation in a facility that satisfies the  
31 requirements of subsections (d)(1) and (2) of this section;

32 (4) If the dentist provides documentation as required by the Board which  
33 evidences that the licensee is covered by malpractice insurance; and

1 (5) If the dentist does not otherwise practice dentistry for profit.

2 (f) While it is effective, a [retired] volunteer dental hygienist's license to  
3 practice dental hygiene issued under this title authorizes the licensee to practice  
4 dental hygiene:

5 (1) Only in a dental office, dental clinic, ambulatory care facility, or  
6 hospital;

7 (2) Only for an entity providing medical care to the poor, elderly, or  
8 handicapped that is operated by:

9 (i) The State or a local government;

10 (ii) A bona fide charitable organization; or

11 (iii) Any other entity authorized under regulations adopted by the  
12 Board;

13 (3) If the dental hygienist signs a written statement agreeing to donate  
14 at least 100 hours of dental hygiene services without compensation in a facility that  
15 satisfies the requirements of subsection (g)(1) and (2) of this section;

16 (4) If the dental hygienist provides documentation as required by the  
17 Board which evidences that the licensee is covered by malpractice insurance; and

18 (5) If the dental hygienist does not otherwise practice dental hygiene for  
19 profit.

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