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By: **Senator Pinsky** Introduced and read first time: January 31, 2003

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

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Dentists and Dental Hygienists - Licensure - Examination Requirements

3 FOR the purpose of altering the examination requirements for licensure as a dentist

- 4 or dental hygienist for dentists and dental hygienists licensed in another state;
- 5 requiring a dentist or dental hygienist licensed in another state who applies for
- 6 a general license to practice dentistry or dental hygiene in this State to provide
- 7 adequate evidence that the dentist or dental hygienist holds a license to practice
- 8 dentistry or dental hygiene in another state after passing an exam other than a
- 9 regional board that is similar to the exam for which the applicant is seeking
- 10 waiver; defining certain terms; and generally relating to examination
- 11 requirements for the licensure of dentists and dental hygienists.

12 BY repealing and reenacting, with amendments,

- 13 Article Health Occupations
- 14 Section 4-306
- 15 Annotated Code of Maryland
- 16 (2000 Replacement Volume and 2002 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

- 18 MARYLAND, That the Laws of Maryland read as follows:
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Article - Health Occupations

20 4-306.

21 (a) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS 22 INDICATED.

23 (2) "NERB" MEANS THE NORTH EAST REGIONAL BOARD OF DENTAL 24 EXAMINERS, INC.

(3) "PASSED A REGIONAL BOARD" MEANS AN APPLICANT EARNED A
SCORE OF 75% IN EACH DISCIPLINE, CLINICAL SKILL, PROCEDURE, OR KNOWLEDGE
AREA THAT IS TESTED ON THE NERB EXAMINATION USING THE INTERNAL

1 WEIGHTING AND SCORING METHODS THE NERB USES TO SCORE THE NERB'S 2 EXAMINATION OF DENTISTRY OR DENTAL HYGIENE, RESPECTIVELY.		
3 (4) "REGIONAL BOARD" MEANS AN EXAMINATION OFFERED BY ANY OF 4 THE FOLLOWING DENTAL EXAMINATION ORGANIZATIONS:		
5	(I)	THE CENTRAL REGIONAL DENTAL TESTING SERVICE CREDITS;
6 7 INC.;	(II)	THE NORTH EAST REGIONAL BOARD OF DENTAL EXAMINERS,
8	(III)	THE SOUTHERN REGIONAL TESTING AGENCY, INC.; AND
9	(IV)	THE WESTERN REGIONAL EXAMINING BOARD, INC.
 (B) (1) (I) A dentist licensed in any other state who[, for 5 preceding years, has been actively engaged in practicing dentistry] HAS PASSED A REGIONAL BOARD shall be granted a license in this State [after passing] IF THE APPLICANT PASSES THE FOLLOWING [an examination] EXAMINATIONS given BY OR DESIGNATED by the Board: 		
15 16 DIAGNOSIS AND	TREATM	1. A COMPREHENSIVE EXAMINATION ON APPLIED CLINICAL MENT PLANNING; AND
17		2. A LAW EXAMINATION.
18 19 PASSED A REGIO	(II) NAL BO	A DENTIST LICENSED IN ANY OTHER STATE WHO HAS NOT ARD SHALL BE GRANTED A LICENSE IN THIS STATE IF:
20 21 ACTIVELY ENGA	GED IN	1. FOR THE 5 PRECEDING YEARS THE DENTIST HAS BEEN PRACTICING DENTISTRY; AND
22 23 GIVEN BY OR DE	SIGNAT	2. THE APPLICANT PASSES THE FOLLOWING EXAMINATIONS ED BY THE BOARD:
24 25 DIAGNOSIS AND	TREATM	A. A COMPREHENSIVE EXAMINATION ON APPLIED CLINICAL MENT PLANNING; AND
26		B. A LAW EXAMINATION.
 (2) (I) A dental hygienist licensed in any other state who[, for 3 preceding years, has been actively engaged in practicing dental hygiene] HAS PASSED A REGIONAL BOARD shall be granted a license in this State [after passing] IF THE APPLICANT PASSES an examination given by the Board. 		
31 32 HAS NOT PASSED 33 IF:	(II) A REGI	A DENTAL HYGIENIST LICENSED IN ANY OTHER STATE WHO IONAL BOARD SHALL BE GRANTED A LICENSE IN THIS STATE
34 35 HAS BEEN ACTIV	ELY EN	1. FOR THE 3 PRECEDING YEARS THE DENTAL HYGIENIST GAGED IN PRACTICING DENTAL HYGIENE; AND

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1 2. THE APPLICANT PASSES AN EXAMINATION GIVEN BY OR **2 DESIGNATED BY THE BOARD.** 3 [(b)] (C) (1)The Board may adopt regulations for the content and 4 administration of [the examination] EXAMINATIONS and any other regulations 5 necessary to provide for the licensure of individuals who apply for a license to practice 6 dentistry under subsection (a) of this section. 7 The Board may adopt regulations for the content and administration (2)8 of [the examination] EXAMINATIONS and any other regulations necessary to provide 9 for the licensure of individuals who apply for a license to practice dental hygiene 10 under subsection (a) of this section. 11 [(c)](D) An applicant for a general license to practice dentistry under this 12 section shall: 13 (1)Pay the application fee required by § 4-304 of this subtitle; and 14 (2)Provide adequate evidence that the applicant: 15 Meets the qualifications otherwise required by this title for a (i) 16 general license to practice dentistry; 17 Holds a license to practice dentistry in another state which was (ii) 18 granted after passing, in that or any other state, an examination OTHER THAN A 19 REGIONAL BOARD that is similar to the examination for which the applicant is 20 seeking waiver; 21 Is not being investigated by a disciplinary authority of another (iii) 22 state, does not have charges pending against the applicant's license, and has not been 23 disciplined by a disciplinary or licensing authority of any other state or country, or 24 been convicted or disciplined by a court of any state or country for an act that would 25 be grounds for disciplinary action under § 4-315 of this subtitle; and Has not previously failed an examination for licensure as a 26 (iv) 27 dentist in this State. [(d)] 28 (E) An applicant for a general license to practice dental hygiene under 29 this section shall: Pay the application fee required by § 4-304 of this subtitle; and 30 (1)31 (2)Provide adequate evidence that the applicant: 32 (i) Meets the qualifications otherwise required by this title for a 33 general license to practice dental hygiene;

34 (ii) Holds a license to practice dental hygiene in another state 35 which was granted after passing, in that or any other state, an examination OTHER

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1 THAN A REGIONAL BOARD that is similar to the examination for which the applicant 2 is seeking waiver;

3 (iii) Is not being investigated by a disciplinary authority of another

4 state, does not have charges pending against the applicant's license, and has not been

5 disciplined by a disciplinary or licensing authority of any other state or country, or

6 been convicted or disciplined by a court of any state or country for an act that would

7 be grounds for disciplinary action under § 4-315 of this subtitle; and

8 (iv) Has not previously failed an examination for licensure as a 9 dental hygienist in this State.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 11 October 1, 2003.