

SENATE BILL 414

Unofficial Copy  
J2

2003 Regular Session  
3r1739  
CF 3r1301

---

By: **Senator Pinsky**  
Introduced and read first time: January 31, 2003  
Assigned to: Education, Health, and Environmental Affairs

---

Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 4, 2003

---

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **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 a regional board or an  
9 exam other than a regional board that is similar to the exam for which the  
10 applicant is seeking waiver; defining certain terms; and generally relating to  
11 examination 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:

19 **Article - Health Occupations**

20 4-306.

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

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

3 (3) "PASSED A REGIONAL BOARD" MEANS AN APPLICANT EARNED A  
4 SCORE OF 75% IN EACH DISCIPLINE, CLINICAL SKILL, PROCEDURE, OR KNOWLEDGE  
5 AREA THAT IS TESTED ON THE NERB EXAMINATION USING THE INTERNAL  
6 WEIGHTING AND SCORING METHODS THE NERB USES TO SCORE THE NERB'S  
7 EXAMINATION OF DENTISTRY OR DENTAL HYGIENE, RESPECTIVELY.

8 (4) "REGIONAL BOARD" MEANS AN EXAMINATION OFFERED BY ANY OF  
9 THE FOLLOWING DENTAL EXAMINATION ORGANIZATIONS:

10 (I) THE CENTRAL REGIONAL DENTAL TESTING SERVICE ~~CREDITS~~;

11 (II) THE NORTH EAST REGIONAL BOARD OF DENTAL EXAMINERS,  
12 INC.;

13 (III) THE SOUTHERN REGIONAL TESTING AGENCY, INC.; AND

14 (IV) THE WESTERN REGIONAL EXAMINING BOARD, INC.

15 (B) (1) (I) A dentist licensed in any other state who[, for 5 preceding  
16 years, has been actively engaged in practicing dentistry] HAS PASSED A REGIONAL  
17 BOARD shall be granted a license in this State [after passing] IF THE APPLICANT  
18 PASSES THE FOLLOWING [an examination] EXAMINATIONS given BY OR  
19 DESIGNATED by the Board:

20 1. A COMPREHENSIVE EXAMINATION ON APPLIED CLINICAL  
21 DIAGNOSIS AND TREATMENT PLANNING; AND

22 2. A LAW EXAMINATION.

23 (II) A DENTIST LICENSED IN ANY OTHER STATE WHO HAS NOT  
24 PASSED A REGIONAL BOARD SHALL BE GRANTED A LICENSE IN THIS STATE IF:

25 1. FOR THE 5 PRECEDING YEARS THE DENTIST HAS BEEN  
26 ACTIVELY ENGAGED IN PRACTICING DENTISTRY; AND

27 2. THE APPLICANT PASSES THE FOLLOWING EXAMINATIONS  
28 GIVEN BY OR DESIGNATED BY THE BOARD:

29 A. A COMPREHENSIVE EXAMINATION ON APPLIED CLINICAL  
30 DIAGNOSIS AND TREATMENT PLANNING; AND

31 B. A LAW EXAMINATION.

32 (2) (I) A dental hygienist licensed in any other state who[, for 3  
33 preceding years, has been actively engaged in practicing dental hygiene] HAS PASSED  
34 A REGIONAL BOARD shall be granted a license in this State [after passing] IF THE  
35 APPLICANT PASSES an examination given by the Board.

1 (II) A DENTAL HYGIENIST LICENSED IN ANY OTHER STATE WHO  
 2 HAS NOT PASSED A REGIONAL BOARD SHALL BE GRANTED A LICENSE IN THIS STATE  
 3 IF:

4 1. FOR THE 3 PRECEDING YEARS THE DENTAL HYGIENIST  
 5 HAS BEEN ACTIVELY ENGAGED IN PRACTICING DENTAL HYGIENE; AND

6 2. THE APPLICANT PASSES AN EXAMINATION GIVEN BY OR  
 7 DESIGNATED BY THE BOARD.

8 [(b)] (C) (1) The Board may adopt regulations for the content and  
 9 administration of [the examination] EXAMINATIONS and any other regulations  
 10 necessary to provide for the licensure of individuals who apply for a license to practice  
 11 dentistry under subsection (a) of this section.

12 (2) The Board may adopt regulations for the content and administration  
 13 of [the examination] EXAMINATIONS and any other regulations necessary to provide  
 14 for the licensure of individuals who apply for a license to practice dental hygiene  
 15 under subsection (a) of this section.

16 [(c)] (D) An applicant for a general license to practice dentistry under this  
 17 section shall:

18 (1) Pay the application fee required by § 4-304 of this subtitle; and

19 (2) Provide adequate evidence that the applicant:

20 (i) Meets the qualifications otherwise required by this title for a  
 21 general license to practice dentistry;

22 (ii) Holds a license to practice dentistry in another state which was  
 23 granted after ~~passing~~ THE APPLICANT, in that or any other state, PASSED A  
 24 REGIONAL BOARD, OR an examination OTHER THAN A REGIONAL BOARD that is  
 25 similar to the examination for which the applicant is seeking waiver;

26 (iii) Is not being investigated by a disciplinary authority of another  
 27 state, does not have charges pending against the applicant's license, and has not been  
 28 disciplined by a disciplinary or licensing authority of any other state or country, or  
 29 been convicted or disciplined by a court of any state or country for an act that would  
 30 be grounds for disciplinary action under § 4-315 of this subtitle; and

31 (iv) Has not previously failed an examination for licensure as a  
 32 dentist in this State.

33 [(d)] (E) An applicant for a general license to practice dental hygiene under  
 34 this section shall:

35 (1) Pay the application fee required by § 4-304 of this subtitle; and

36 (2) Provide adequate evidence that the applicant:

1 (i) Meets the qualifications otherwise required by this title for a  
2 general license to practice dental hygiene;

3 (ii) Holds a license to practice dental hygiene in another state  
4 which was granted after ~~passing~~ THE APPLICANT, in that or any other state, PASSED  
5 A REGIONAL BOARD, OR an examination OTHER THAN A REGIONAL BOARD that is  
6 similar to the examination for which the applicant is seeking waiver;

7 (iii) Is not being investigated by a disciplinary authority of another  
8 state, does not have charges pending against the applicant's license, and has not been  
9 disciplined by a disciplinary or licensing authority of any other state or country, or  
10 been convicted or disciplined by a court of any state or country for an act that would  
11 be grounds for disciplinary action under § 4-315 of this subtitle; and

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

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