

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE
Revised

House Bill 230

(Delegate Morhaim, *et al.*)

Health and Government Operations

Education, Health, and Environmental Affairs

Health Occupations - Dental Hygienists - Supervised Practice in a Private Dental Office

This bill allows active licensed dental hygienists with at least 1,500 hours of clinical practice in direct patient care to provide services in a “private dental office” without the supervising dentist on the premises under certain conditions. The dental hygienist may perform services without the supervising dentist on premises only if: (1) treatments authorized by the dentist are performed no less than seven months after the patient is examined; (2) when a prescription or prescribed treatment expires, the dentist must examine and re-evaluate the patient before writing a new prescription or authorizing treatment; (3) before the appointment the patient or the patient’s parent or legal guardian must be told that the dental hygienist will provide services without the dentist on premises and consent to those services; (4) written emergency procedures must be in place and the dental hygienist must be trained to implement them; (5) a designated licensed dentist is available for consultation; and (6) the number of unsupervised clinical hours worked in a week must be less than 60% of the dental hygienists total hours. Only two dental hygienists can work under a dentist’s supervision at any given time.

Fiscal Summary

State Effect: The bill would not directly affect governmental operations or finances.

Local Effect: None.

Small Business Effect: Potential minimal.

Analysis

Current Law: A dental hygienist may practice only under the supervision of a licensed dentist who is on premises and available for consultation while the hygienist is working. Each dental hygienist authorized to practice under a licensed dentist's supervision must hold an active general license; hold a current certificate showing health provider level C proficiency, or its equivalent, in cardiopulmonary resuscitation; and have at least two years of active clinical practice in direct patient care.

However, dental hygienists may practice under the general supervision of a dentist, where the dentist may or may not be present when the dental hygienist performs the procedures, in a federal, State, or local government-owned and operated dental facility or a State or county public health department.

Before a dental hygienist can first treat a patient, the patient's medical history must be evaluated by the supervising dentist, the patient's dentist, or the treating physician. The supervising dentist must diagnose the patient and approve the patient's treatment plan.

Background: There are 5,265 active licensed dentists and 2,589 active licensed dental hygienists in Maryland.

Additional Information

Prior Introductions: None.

Cross File: SB 225 (Senator Hollinger) – Education, Health, and Environmental Affairs.

Information Source(s): Department of Health and Mental Hygiene, Department of Legislative Services

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