

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

Senate Bill 531 (Senators Dyson and Hollinger)
Education, Health, and Environmental Affairs

State Board of Dental Examiners - Facilities with Needy Populations - Waiver of
General Supervision Requirements

This bill makes several changes under the State Board of Dental Examiners' scope of practice related to specified supervision requirements.

Fiscal Summary

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

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The bill specifies that the board may waive the supervision requirements for a licensed dental hygienist to practice under the supervision of a licensed dentist, on a case-by-case basis, for settings authorized under regulations adopted by the board including schools; hospitals; public care facilities; nursing homes; residential care facilities; mobile health units; or homes for juveniles, the elderly, or the handicapped.

If the board grants a waiver of the supervision requirements for any of these facilities:

- the facility to which a waiver was granted must ensure it has met the existing statutory professional requirements for a supervising dentist and a dental hygienist and the requirements for the facility to have an emergency plan and adequate facilities and equipment to provide services; and

- a dental hygienist employed by a facility to which a waiver was granted may provide preliminary dental screenings, a complete dental charting, application of fluoride varnishes, fluoride rinses, and oral health education without first satisfying specified existing statutory supervision requirements.

Additionally, the bill requires that the number of unsupervised clinical hours worked by a supervised licensed dental hygienist in any consecutive 90-day period is less than 60% of the dental hygienist's total hours.

Current Law: The board may waive, on a case-by-case basis only, the supervision requirements for a dental hygienist to practice under the supervision of a dentist for a dental facility that is owned and operated by the federal, State, or local government; a Department of Health and Mental Hygiene-licensed health facility; a facility providing medical care to the poor, elderly, or handicapped that is owned or operated by State or local government or a bona fide charitable organization; or any other setting authorized under board regulations.

A facility in which a dental hygienist is authorized to practice under a dentist's general supervision must ensure that:

- the supervising dentist holds an active general license to practice dentistry in Maryland, holds a current level C (or its equivalent) cardiopulmonary resuscitation certificate, and has at least two years of active clinical practice in direct care;
- each dental hygienist authorized to practice under general supervision of a dentist holds an active general license to practice dental hygiene in Maryland, holds a current level C (or its equivalent) cardiopulmonary resuscitation certificate, and has at least two years of active clinical practice in direct patient care;
- before a dental hygienist can initially treat a patient under the general supervision of a licensed dentist, the supervising dentist, the patient's dentist, or the treating physician evaluates the patient's medical history and determines its impact on the patient's suitability to receive oral health treatment;
- the supervising dentist diagnoses the patient and approves the patient's treatment plan;
- the supervising dentist authorizes, on a patient-by-patient basis, a dental hygienist to practice under a licensed dentist's general supervision;

- a dental hygienist practicing under a licensed dentist's general supervision ascertains before treating a recall patient that the patient's medical history has changed;
- a dental hygienist consults with the supervising dentist, the patient's dentist, or a treating physician before proceeding with treatment if there is a change in the patient's medical history;
- the facility has a medical emergency plan;
- adequate facilities and equipment are available for delivering dental hygiene services other than fluoride rinse programs; and
- a recall patient examined by a dental hygienist must be scheduled for an oral exam every six months or as otherwise recommended by the supervising dentist.

The number of unsupervised clinical hours worked by a supervised dental hygienist in any given calendar week is less than 60% of the dental hygienist's total hours.

Additional Information

Prior Introductions: None.

Cross File: HB 1014 (Delegate Bromwell) – Health and Government Operations.

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

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Analysis by: Lisa A. Daigle

Direct Inquiries to:
(410) 946-5510
(301) 970-5510