

**Department of Legislative Services**  
Maryland General Assembly  
2006 Session

**FISCAL AND POLICY NOTE**

Senate Bill 565 (Senators Brochin and Hollinger)  
Education, Health, and Environmental Affairs Health and Government Operations

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**State Board of Dental Examiners - Various Licensing and Regulatory Requirements**

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This bill makes various changes to the State Board of Dental Examiners' requirements for limited licenses to practice dentistry, examinations, teacher licenses, and hearing notifications, as well as board members' terms.

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**Fiscal Summary**

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

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** The bill repeals provisions requiring the board to give applicants for a general license to practice dentistry or a general license to practice dental hygiene examinations twice a year and requiring the exam for a general license to practice dentistry to be in writing. It also repeals requirements that an applicant who fails a licensure exam twice must complete 40 hours of additional education in an accredited school of dentistry or an accredited dental hygiene program before retaking the exam. Also repealed is the provision requiring an applicant who fails a licensure exam three times to retake and successfully complete the senior year of education at an accredited school of dentistry or an accredited dental hygiene program before retaking the exam. Additionally, the bill prohibits an applicant who fails a licensure examination four times from being licensed.

The bill repeals the \$5 fee to replace a lost or destroyed license and allows the board to set the fee at an amount that approximates the actual cost of replacing the license.

The bill requires applicants for a limited license to practice dentistry to (1) meet the board's qualification requirements for licensees; (2) be of good moral character; (3) be at least 18; and (4) hold a degree of Doctor of Dental Surgery, Doctor of Dental Medicine, or the equivalent from a college or university authorized by any state or Canadian province to grant a degree and recognized by the board as requiring adequate preprofessional collegiate training and as maintaining an acceptable course of dental instruction.

The bill repeals a provision allowing the board to waive the educational requirements for an applicant for a limited license to practice dentistry if the applicant passes a series of preliminary tests given by the board to determine whether the applicant is qualified to take the examination for a general license to practice dentistry.

Part-time faculty of a dental school are eligible to apply for a teacher's license to practice dentistry and for a teacher's license to practice dental hygiene under the bill.

The bill also repeals a provision requiring the board to serve the individual against whom an action is contemplated with the hearing notice and a copy of the complaint by delivery to the last known business and home addresses of the individual by hand delivery or certified mail, return receipt requested.

**Current Law:** To qualify for a license from the board to practice dentistry, an applicant must meet the board's qualification requirements; be of good moral character; be at least 18; and hold a degree of Doctor of Dental Surgery, Doctor of Dental Medicine, or the equivalent from a college or university authorized by any state or Canadian province to grant a degree and recognized by the board as requiring adequate preprofessional collegiate training and as maintaining an acceptable course of dental instruction.

To qualify for a license to practice dental hygiene, the applicant must be of good moral character and be a graduate of a school for dental hygienists that requires at least two years of education in an institution of higher education, is accredited by the American Dental Association Commission on Dental Accreditation, and is approved by the board.

The board must give applicants for a general license to practice dentistry or a general license to practice dental hygiene examinations twice a year. The exam for a general license to practice dentistry must be in writing. An applicant who fails a licensure exam twice must complete 40 hours of additional education in an accredited school of dentistry or an accredited dental hygiene program before retaking the exam. An applicant who

fails a licensure exam three times must retake and successfully complete the senior year of education at an accredited school of dentistry or an accredited dental hygiene program before retaking the exam. An applicant who fails a licensure examination four times cannot take the exam again.

A licensee who loses or destroys his/her license must pay a \$5 replacement fee.

The board may waive the educational requirements for an applicant for a limited license to practice dentistry if the applicant passes a series of preliminary tests given by the board to determine whether the applicant is qualified to take the examination for a general license to practice dentistry.

Full-time faculty at a dental school are eligible to apply for a teacher's license to practice dentistry and for a teacher's license to practice dental hygiene.

Before the board takes any action against a licensee, it must give the individual against whom the action is contemplated an opportunity for a hearing before the board. The board must give the individual notice and hold the hearing according to requirements of the Administrative Procedure Act. The board must serve the individual against whom an action is contemplated with the hearing notice and a copy of the complaint by delivery to the last known business and home addresses of the individual by hand delivery or certified mail, return receipt requested.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** Although HB 714 is identified as a cross file, it is not identical.

**Information Source(s):** Office of Administrative Hearings, Department of Health and Mental Hygiene, Department of Legislative Services

**Fiscal Note History:** First Reader - March 6, 2006  
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Analysis by: Lisa A. Daigle

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