

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 1328 (Delegate Hubbard)
Health and Government Operations

Dentists and Dental Hygienists - General Supervision - Practice Requirements

This bill allows a licensed dental hygienist to practice when a supervising licensed dentist is not on the premises in settings that currently require a waiver by the State Board of Dental Examiners and repeals related board waiver requirements. It repeals the requirement for a supervising dentist, the patient's dentist, or the treating physician to evaluate a patient's medical history before a dental hygienist can begin initial treatment. It also repeals the requirements that a supervising dentist must diagnose the patient and approve the treatment plan; a dental hygienist must have a supervising dentist's authorization on a patient-by-patient basis to practice; and a dental hygienist must consult with a supervising dentist, patient's dentist, or treating physician before treating a patient who has had a change in his/her medical history. Also repealed is the requirement that a patient must be scheduled for an oral examination every six months, or as recommended by the supervising dentist. Additionally, the bill repeals scope of license provisions relating to a dental hygienist practicing in a private dental office.

Fiscal Summary

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

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The board may waive, on a case-by-case basis only, the supervision requirements for a licensed dental hygienist to practice under the supervision of a

licensed 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 licensed 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 licensed 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.

Statute sets requirements for a private dental office in which a licensed dental hygienist is authorized to practice, including services the dental hygienist may perform without the supervising dentist on premises.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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