

**Department of Legislative Services**  
Maryland General Assembly  
2008 Session

**FISCAL AND POLICY NOTE**

House Bill 919 (Delegate Hubbard, *et al.*)  
Health and Government Operations

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**Dental Hygienists - Nomination Process for State Board of Dental Examiners -  
Advisory Committee Composition - Practice in Private Dental Offices**

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This bill repeals a requirement to have a written agreement between a supervising dentist and dental hygienist in private dental offices. It also increases from 7 to 12 the number of months since the patient was examined and evaluated by a supervising dentist during which a dental hygienist can perform treatment authorized by the supervising dentist. In addition, the bill repeals a provision that limits the percentage of unsupervised clinical hours that dental hygienists can work in any given calendar week. The bill reduces the number of dental hygienists that are required to be on a list from which the Governor appoints members to the Board of Dental Examiners from four to two names for each vacancy. Finally, the bill adds a dental hygienist and consumer member to the board's dental hygiene committee so that all four dental hygienist members of the board and two of the three consumer members must serve on that committee.

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**Fiscal Summary**

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

**Local Effect:** None.

**Small Business Effect:** Minimal.

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**Analysis**

**Current Law:** Of the 16 board members, 4 have to be licensed dental hygienists. The Governor has to appoint the dental hygienist board members, with the advice of the

Secretary of Health and Mental Hygiene, from a list of names submitted by the Maryland Dental Hygienists' Association. The number of names on the list has to be four times the number of vacancies.

The board can establish committees from among its members to assist the board in its responsibilities. One of the committees the board has to establish is a dental hygiene committee, which has to have three dental hygienists, one dentist, and one consumer member.

A private dental office in which a dental hygienist is authorized to practice under the general supervision of a licensed dentist has to ensure that • the supervising dentist holds an active license to practice dentistry in the State; • the dental hygienist holds an active license to practice dental hygiene in the State; • the dental hygienist has at least 1,500 hours of dental hygiene clinical practice in direct patient care; and • there is a written agreement between the supervising dentist and the dental hygienist practicing under general supervision that clearly sets forth the terms and conditions under which the dental hygienist can practice.

Treatments authorized by a supervising dentist that are provided by the dental hygienist have to be rendered within seven months from the date the patient was examined and evaluated by the supervising dentist. In addition, the number of unsupervised clinical hours worked by a supervised dental hygienist in any given calendar week have to be less than 60% of the dental hygienist's total hours. A supervising dentist cannot employ more than two dental hygienists to work under the dentist's general supervision at any given time.

An individual has to be licensed by the board to practice dental hygiene in the State. To qualify for a license, an applicant has to • be at least 18 years old and of good moral character; • have graduated from a school of dental hygiene 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; and • pass an exam given by the board.

**Background:** In 2007, the board regulated 12,594 licensees in the Maryland, which included 2,776 dental hygienists and 4,880 dentists.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

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