

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE

House Bill 1488 (Delegate Haynes)
Health and Government Operations

State Board of Dental Examiners - Written Notification of Risk of Trigeminal
Neuralgia

This bill requires a licensed dentist to provide a patient with written notification each time the dentist performs a dental procedure on a patient that has the risk of resulting in trigeminal neuralgia (TN). A patient who was not provided with a written notice and begins suffering from TN after a dental procedure may submit a written and signed complaint to the State Board of Dental Examiners. The board must investigate a complaint and take disciplinary action against a licensed dentist who violates the bill's provisions. The board may adopt regulations to carry out the bill.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues due to the application of existing penalty provisions. The State Board of Dental Examiners can handle the bill's requirements with existing budgeted resources.

Local Effect: None.

Small Business Effect: Potential minimal.

Analysis

Current Law: Disciplinary procedures for the State Board of Dental Examiners are regulated under the Code of Maryland Regulations provisions applicable to the Department of Health and Mental Hygiene. When a complaint is filed with the board, the board's disciplinary review committee must review the complaint and make a recommendation to the board as to the disposition of the complaint. After reviewing any

completed investigative information or report and considering the recommendations of the disciplinary review committee, the board may seek disciplinary action against a licensee. The board may also refer a complaint or other disciplinary matter to the administrative prosecutor at any time, regardless of whether the board has voted to charge the licensee with violations of the Maryland Dentistry Act.

Subject to hearing requirements, the board may impose a civil penalty up to \$5,000 against a licensed dentist who is in violation of the Maryland Dentistry Act.

Background: TN, also called tic douloureux, is a chronic pain condition that affects the fifth cranial nerve, one of the largest nerves in the head. The disorder causes sudden, severe, electric shock-like, stabbing pain that lasts anywhere from a few seconds to as long as two minutes per episode. These attacks can occur in quick succession, and the intensity of pain can be physically and mentally incapacitating. In addition, episodes can last for days, weeks, or months at a time and then disappear for months or years. In the days before an episode begins, some patients may experience a tingling or numbing sensation or a somewhat constant and aching pain.

TN is caused by a blood vessel pressing on the trigeminal nerve as it exits the brainstem. There is no single test to diagnose TN; diagnosis is typically based on a patient's medical history, description of symptoms, physical exam, and a thorough neurological examination. Because of overlapping symptoms and the large number of conditions that can cause facial pain, obtaining the correct diagnosis is difficult.

The State Board of Dental Examiners advises that it is highly unlikely for a patient to develop TN after a dental procedure.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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mlm/mcr

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