

HOUSE BILL 841

J2

11r2831
CF SB 664

By: ~~Delegate Kipke~~ Delegates Kipke, Kach, Pendergrass, Bromwell, Cullison, Krebs, and Donoghue

Introduced and read first time: February 11, 2011

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2011

CHAPTER _____

1 AN ACT concerning

2 **Health Occupations – Dental Hygienists – Nitrous Oxide**

3 FOR the purpose of altering the definition of “practice dental hygiene” for purposes of
4 certain provisions of law governing dental hygienists to include ~~administering~~
5 ~~nitrous oxide and~~ monitoring a patient to whom nitrous oxide is administered;
6 authorizing the State Board of Dental Examiners to adopt certain regulations;
7 ~~altering the authority of the Board to adopt certain rules and regulations~~
8 ~~concerning the administration of certain anesthesia by certain dental~~
9 ~~hygienists;~~ and generally relating to the practice of dental hygiene.

10 BY repealing and reenacting, with amendments,
11 Article – Health Occupations
12 Section 4–101(k), and 4–205(a)(1), ~~and 4–206~~
13 Annotated Code of Maryland
14 (2009 Replacement Volume and 2010 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Health Occupations**

18 4–101.

19 (k) “Practice dental hygiene” means to:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



- 1 (1) Perform a preliminary dental examination;
- 2 (2) Perform a complete prophylaxis, including the removal of any
3 deposit, accretion, or stain from the surface of a tooth or a restoration;
- 4 (3) Polish a tooth or a restoration;
- 5 (4) Chart cavities, restorations, missing teeth, periodontal conditions,
6 and other features observed during preliminary examination, prophylaxis, or
7 polishing;
- 8 (5) Apply a medicinal agent to a tooth for a prophylactic purpose;
- 9 (6) Take a dental X ray;
- 10 (7) Perform a manual curettage in conjunction with scaling and root
11 planing;
- 12 (8) Administer local anesthesia in accordance with § 4–206.1 of this
13 title; [or]
- 14 **(9) ~~ADMINISTER NITROUS OXIDE;~~**
- 15 **(~~10~~) MONITOR A PATIENT TO WHOM NITROUS OXIDE IS**
16 **ADMINISTERED; OR**
- 17 **[(9) (~~11~~) (10)]** Perform any other intraoral function that the Board
18 authorizes by a rule or regulation adopted under § 4–206 of this title.
- 19 4–205.
- 20 (a) In addition to the powers set forth elsewhere in this title, the Board may:
- 21 (1) Adopt regulations governing:
- 22 (i) The administration of general anesthesia by a licensed
23 dentist;
- 24 (ii) The administration of sedation by a licensed dentist;
- 25 (iii) The use of a dental assistant by a licensed dentist in
26 performing intraoral procedures;

1 (iv) Subject to subsection (b) of this section, the issuance of a
2 permit to a facility not otherwise regulated where a dentist administers or has general
3 anesthesia or sedation administered;

4 (v) Subject to subsection (b) of this section, the issuance of a
5 permit to a dentist who administers or has general anesthesia or sedation
6 administered;

7 (vi) Reasonable requirements for the training and evaluation of
8 a dentist before the dentist may administer general anesthesia or sedation other than
9 nitrous oxide administered alone and not in conjunction with:

- 10 1. Another method of diminishing or eliminating pain; or
11 2. Medication used for diminishing or eliminating
12 anxiety;

13 (vii) Reasonable requirements for:

14 1. The education, training, evaluation, and examination
15 of a dental hygienist before the dental hygienist may perform manual curettage in
16 conjunction with scaling and root planing; and

17 2. Performance by a dental hygienist of manual
18 curettage in conjunction with scaling and root planing;

19 (viii) Reasonable requirements for:

20 1. The education, training, evaluation, and examination
21 of a dental hygienist before the dental hygienist may administer local anesthesia
22 under § 4-206.1 of this subtitle; and

23 2. Administering by a dental hygienist of local
24 anesthesia under § 4-206.1 of this subtitle;

25 **(IX) REASONABLE REQUIREMENTS FOR:**

26 1. **THE EDUCATION, TRAINING, EVALUATION, AND**
27 **EXAMINATION OF A DENTAL HYGIENIST BEFORE A DENTAL HYGIENIST MAY**
28 **~~ADMINISTER NITROUS OXIDE TO A PATIENT OR~~ MONITOR A PATIENT TO WHOM**
29 **NITROUS OXIDE IS BEING ADMINISTERED; AND**

30 2. **~~ADMINISTRATION OF NITROUS OXIDE BY A~~**
31 **~~DENTAL HYGIENIST; AND~~**

