

SENATE BILL 841

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2lr1995
CF HB 754

By: **Senator Pinsky**

Introduced and read first time: February 3, 2012

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 8, 2012

CHAPTER _____

1 AN ACT concerning

2 **State Board of Dental Examiners – Licenses – Examination Requirements for**
3 **Dentists and Dental Hygienists**

4 FOR the purpose of requiring certain limited licensees to pass a certain examination
5 before the State Board of Dental Examiners is authorized to issue a certain
6 license; clarifying that the Board or its designee will give a certain examination;
7 altering certain examination requirements that certain dentists licensed in
8 certain states are required to satisfy to be granted a certain license in this
9 State; altering certain examination requirements that certain dental hygienists
10 licensed in certain states are required to satisfy to be granted a certain license
11 in this State; defining certain terms; and generally relating to the State Board
12 of Dental Examiners, licenses, and examination requirements for dentists and
13 dental hygienists.

14 BY repealing and reenacting, with amendments,
15 Article – Health Occupations
16 Section 4–303.1(d) and 4–306
17 Annotated Code of Maryland
18 (2009 Replacement Volume and 2011 Supplement)

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

21 **Article – Health Occupations**

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 4–303.1.

2 (d) The Board may issue a general license to a limited licensee who was
3 granted a waiver under this section if the limited licensee:

4 (1) Successfully completes at least a 2–year contractual obligation to
5 provide pediatric dental care in accordance with subsection (b)(1)(iv) of this section;

6 (2) Submits an application for a general license to practice dentistry
7 on a form provided by the Board;

8 (3) Passes the [written and clinical examinations of the North East
9 Regional Board] **ADLEX AS DEFINED IN § 4–306(A)(3) OF THIS SUBTITLE;**

10 (4) Passes the Maryland Dental Jurisprudence Examination **GIVEN**
11 **BY THE BOARD OR ITS DESIGNEE;**

12 (5) Passes the National Board Examinations;

13 (6) Demonstrates oral English competency by scoring 220 or better for
14 overall comprehension and 2.0 or better for pronunciation, grammar, and fluency on
15 the test of spoken English administered by the Educational Testing Service; and

16 (7) Is found to be of good moral character.

17 4–306.

18 (a) (1) In this section the following words have the meanings indicated.

19 [(2) “NERB” means the North East Regional Board of Dental
20 Examiners, Inc.

21 (3) “Passed a regional board” means an applicant earned a score of
22 75% in each discipline, clinical skill, procedure, or knowledge area that is tested on the
23 NERB examination using the internal weighting and scoring methods the NERB uses
24 to score the NERB’s examination of dentistry or dental hygiene, respectively.

25 (4) “Regional board” means an examination offered by any of the
26 following dental examination organizations:

27 (i) The Central Regional Dental Testing Service;

28 (ii) The North East Regional Board of Dental Examiners, Inc.;

29 (iii) The Southern Regional Testing Agency, Inc.; and

1 (iv) The Western Regional Examining Board, Inc.]

2 (2) “ADEX” MEANS THE AMERICAN BOARD OF DENTAL
3 EXAMINERS, INC., OR ITS SUCCESSOR ORGANIZATION.

4 (3) (I) “ADLEX” MEANS THE AMERICAN DENTAL LICENSING
5 EXAMINATION DESIGNED AND DEVELOPED BY ADEX, OR ITS SUCCESSOR
6 EXAMINATION.

7 (II) “ADLEX” INCLUDES A WRITTEN COMPONENT AND A
8 CLINICAL COMPONENT.

9 (4) (I) “ADHLEX” MEANS THE AMERICAN DENTAL HYGIENE
10 LICENSING EXAMINATION DESIGNED AND DEVELOPED BY ADEX, OR ITS
11 SUCCESSOR EXAMINATION.

12 (II) “ADHLEX” INCLUDES A WRITTEN COMPONENT AND A
13 CLINICAL COMPONENT.

14 (b) (1) [(i)] A dentist licensed in any other state [who has passed a
15 regional board] shall be [granted] ISSUED a license in this State if the applicant
16 [passes the following examinations given by or designated by the Board:

17 1. A comprehensive examination on applied clinical
18 diagnosis and treatment planning; and

19 2. A law examination.];

20 (I) 1. HAS PASSED THE ADLEX; AND

21 2. HAS PASSED THE MARYLAND DENTAL
22 JURISPRUDENCE EXAMINATION GIVEN BY THE BOARD OR ITS DESIGNEE; OR

23 (ii) [A dentist licensed in any other state who has not passed a
24 regional board shall be granted a license in this State if:]

25 1. For the 5 preceding years [the dentist], has been
26 actively engaged in practicing dentistry for at least 850 hours on average per year;
27 [and]

28 2. [The applicant passes the following examinations
29 given by or designated by the Board:] HAS PASSED AN EXAMINATION WITH A
30 CLINICAL COMPONENT AS A REQUIREMENT FOR LICENSURE IN ANOTHER
31 STATE;

1 [A.] **3.** [A] HAS PASSED A comprehensive WRITTEN
2 examination on applied clinical diagnosis and treatment planning ADMINISTERED BY
3 **ADEX**; and

4 [B. A law examination.]

5 **4. HAS PASSED THE MARYLAND DENTAL**
6 **JURISPRUDENCE EXAMINATION GIVEN BY THE BOARD OR ITS DESIGNEE.**

7 (2) [(i)] A dental hygienist licensed in any other state [who has
8 passed a regional board] shall be [granted] **ISSUED** a license in this State if the
9 applicant [passes an examination given by the Board.]:

10 **(i) 1. HAS PASSED THE ADHLEX; AND**

11 **2. HAS PASSED THE MARYLAND DENTAL HYGIENE**
12 **JURISPRUDENCE EXAMINATION GIVEN BY THE BOARD OR ITS DESIGNEE; OR**

13 (ii) [A dental hygienist licensed in any other state who has not
14 passed a regional board shall be granted a license in this State if:]

15 1. For the 3 preceding years [the dental hygienist], has
16 been actively engaged in practicing dental hygiene for at least 150 hours on average
17 per year; [and]

18 2. [The applicant passes an examination given by or
19 designated by the Board] **HAS PASSED AN EXAMINATION WITH A CLINICAL**
20 **COMPONENT AS A REQUIREMENT FOR LICENSURE IN ANOTHER STATE;**

21 **3. HAS PASSED A COMPREHENSIVE WRITTEN**
22 **EXAMINATION ON APPLIED CLINICAL DIAGNOSIS AND TREATMENT PLANNING**
23 **ADMINISTERED BY ADEX; AND**

24 **4. HAS PASSED THE MARYLAND DENTAL HYGIENE**
25 **JURISPRUDENCE EXAMINATION GIVEN BY THE BOARD OR ITS DESIGNEE.**

26 (c) (1) The Board may adopt regulations for the content and
27 administration of examinations and any other regulations necessary to provide for the
28 licensure of individuals who apply for a license to practice dentistry under [subsection
29 (a)] **SUBSECTION (B)(1)** of this section.

30 (2) The Board may adopt regulations for the content and
31 administration of examinations and any other regulations necessary to provide for the

1 licensure of individuals who apply for a license to practice dental hygiene under
2 **[subsection (a)] SUBSECTION (B)(2)** of this section.

3 (d) An applicant for a general license to practice dentistry under this section
4 shall:

5 (1) Pay the application fee required by § 4–304 of this subtitle; and

6 (2) Provide adequate evidence that the applicant:

7 (i) Meets the qualifications otherwise required by this title for a
8 general license to practice dentistry;

9 (ii) Holds a license to practice dentistry in another state [which
10 was granted after the applicant, in that or any other state, passed a regional board, or
11 an examination other than a regional board that is similar to the examination for
12 which the applicant is seeking waiver];

13 **(III) HAS SATISFIED THE EXAMINATION REQUIREMENTS**
14 **PROVIDED IN SUBSECTION (B)(1) OF THIS SECTION;**

15 ~~[(iii)](IV)~~ Is not being investigated by a disciplinary authority of
16 another state, does not have charges pending against the applicant's license, and has
17 not been disciplined by a disciplinary or licensing authority of any other state or
18 country, or been convicted or disciplined by a court of any state or country for an act
19 that would be grounds for disciplinary action under § 4–315 of this subtitle; and

20 ~~[(iv)](V)~~ Has not previously failed an examination for licensure
21 as a dentist in this State.

22 (e) An applicant for a general license to practice dental hygiene under this
23 section shall:

24 (1) Pay the application fee required by § 4–304 of this subtitle; and

25 (2) Provide adequate evidence that the applicant:

26 (i) Meets the qualifications otherwise required by this title for a
27 general license to practice dental hygiene;

28 (ii) Holds a license to practice dental hygiene in another state
29 [which was granted after the applicant, in that or any other state, passed a regional
30 board, or an examination other than a regional board that is similar to the
31 examination for which the applicant is seeking waiver];

1 **(III) HAS SATISFIED THE EXAMINATION REQUIREMENTS**
2 **PROVIDED IN SUBSECTION (B)(2) OF THIS SECTION;**

3 **[(iii)](IV)** Is not being investigated by a disciplinary authority of
4 another state, does not have charges pending against the applicant's license, and has
5 not been disciplined by a disciplinary or licensing authority of any other state or
6 country, or been convicted or disciplined by a court of any state or country for an act
7 that would be grounds for disciplinary action under § 4-315 of this subtitle; and

8 **[(iv)](V)** Has not previously failed an examination for licensure
9 as a dental hygienist in this State.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2012.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.