

Department of Legislative Services  
Maryland General Assembly  
2012 Session

FISCAL AND POLICY NOTE  
Revised

House Bill 172

(Delegate Kipke)

Health and Government Operations

Education, Health, and Environmental Affairs

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Health Occupations - Dental Hygienists - Local Anesthesia

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This bill expands the scope of practice for dental hygienists to include administration of local anesthesia by inferior alveolar nerve block to anesthetize soft tissue to facilitate dental hygiene procedures.

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Fiscal Summary

**State Effect:** Given the minimal number of additional applications anticipated under the bill, State finances are not affected. The State Board of Dental Examiners can submit the required report using existing budgeted resources.

**Local Effect:** None.

**Small Business Effect:** Minimal.

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Analysis

**Bill Summary:** As is required under current law for dental hygienists to administer local anesthesia *by local infiltration*, the bill specifies that, to administer local anesthesia by inferior alveolar nerve block (1) administration must be performed under the supervision of a dentist who is physically present and prescribes the administration of the local anesthesia by the dental hygienist; and (2) the dental hygienist must first complete any board-established educational requirements from an accredited dental hygiene program and pass a board-required written and clinical exam. Additionally, a dental hygienist who completed the educational and exam requirements prior to October 1, 2011, must complete a refresher course and clinical exam from an accredited dental hygiene program.

Uncodified language requires the State Board of Dental Examiners, by October 1, 2015, to report to specified committees of the General Assembly on implementation of the bill and its impact on the dental profession.

**Current Law:** A licensed dental hygienist has long been authorized to perform a preliminary dental exam; perform a complete prophylaxis, including the removal of any deposit, accretion, or stain from the tooth surface or restoration; polish a tooth or restoration; chart cavities, restorations, missing teeth, periodontal conditions, and other features observed; apply a medicinal agent to a tooth for a prophylactic purpose; take a dental X-ray; or perform any other intraoral function authorized by the State Board of Dental Examiners. Chapters 565 and 566 of 2009 expanded the scope of practice for a dental hygienist by authorizing manual curettage in conjunction with scaling and root planing and administration of local anesthesia by local infiltration.

In order to be recognized by the board to administer local anesthesia by infiltration, a dental hygienist must:

- have successfully completed at least a 28-hour board-approved course of instruction, including 20 hours of didactic training and 8 hours of clinical training, at a school of dental hygiene;
- pass a course examination with a passing grade of at least 75% in both the written and clinical portions of the examination;
- pass the North East Regional Board Local Anesthesia Examination for Dental Hygienists; and
- pay a one-time \$50 fee to the board.

Chapters 271 and 272 of 2011 authorized dental hygienists to monitor a patient to whom nitrous oxide is administered. Monitoring must be performed under the supervision of a dentist who is physically present. Prior to monitoring patients, a dental hygienist must complete certain educational requirements and pass a written and clinical exam.

**Background:** The State Board of Dental Examiners regulates 3,253 dental hygienists. There are 256 dental hygienists recognized to administer local anesthesia by infiltration.

Local infiltration involves injection of an anesthetic in the area of the terminal nerve endings. Local infiltration typically covers a smaller area and lasts for a shorter duration. Anesthesia by inferior alveolar nerve block is the most common type of nerve block used for dental procedures. It provides a much larger area of pain relief for a longer duration.

According to the American Dental Hygienists' Association, as of August 2011, 41 jurisdictions authorize dental hygienists to administer block anesthesia, including the

District of Columbia, Pennsylvania, Virginia (for patients older than age 18 only), and West Virginia.

Local anesthesia courses taught at accredited dental hygiene programs cover both the infiltration and block method of administering local anesthesia (as most states authorize dental hygienists to perform both). Thus, dental hygienists who have taken a local anesthesia course have most likely received the required education and are generally already qualified. A refresher course and clinical exam will be necessary for those individuals who met the educational and exam requirements prior to October 1, 2011.

**State Fiscal Effect:** According to the board, the 256 dental hygienists who are currently recognized by the board to administer local anesthesia by local infiltration are the same individuals who may seek to administer local anesthesia by inferior alveolar nerve block. While the board plans to review their qualifications and issue an updated recognition letter, it does not plan to charge a second fee to dental hygienists who already hold recognition to administer local anesthesia by local infiltration. Therefore, board special fund revenues may not be impacted.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 344 (Senators Middleton and Simonaire) - Education, Health, and Environmental Affairs.

**Information Source(s):** American Dental Hygienists' Association, Department of Health and Mental Hygiene, Department of Legislative Services

**Fiscal Note History:** First Reader - February 6, 2012  
mlm/ljm Revised - House Third Reader - March 21, 2012

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