

Chapter 111

(House Bill 680)

AN ACT concerning

Health Occupations – Dental Hygienists – Local Anesthesia

FOR the purpose of altering the circumstances under which a dental hygienist may administer local anesthesia by infiltration or inferior nerve block; and generally relating to the administration of local anesthesia by dental hygienists.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 4–101(a), (k), and (l)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 4–206.1 and 4–206.3
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

Article – Health Occupations

4–101.

- (a) In this title the following words have the meanings indicated.
- (k) “Practice dental hygiene” means to:
 - (1) Perform a preliminary dental examination;
 - (2) Perform a complete prophylaxis, including the removal of any deposit, accretion, or stain from the surface of a tooth or a restoration;
 - (3) Polish a tooth or a restoration;
 - (4) Chart cavities, restorations, missing teeth, periodontal conditions, and other features observed during preliminary examination, prophylaxis, or polishing;
 - (5) Apply a medicinal agent to a tooth for a prophylactic purpose;

- (6) Take a dental X ray;
- (7) Perform a manual curettage in conjunction with scaling and root planning;
- (8) Administer local anesthesia in accordance with § 4–206.1 or § 4–206.3 of this title;
- (9) Monitor, in accordance with § 4–206.2 of this title, a patient to whom nitrous oxide is administered; or
- (10) Perform any other intraoral function that the Board authorizes by a rule or regulation adopted under § 4–206 of this title.

(l) “Practice dentistry” means to:

- (1) Be a manager, a proprietor, or a conductor of or an operator in any place in which a dental service or dental operation is performed intraorally;
- (2) Perform or attempt to perform any intraoral dental service or intraoral dental operation;
- (3) Diagnose, treat, or attempt to diagnose or treat any disease, injury, malocclusion, or malposition of a tooth, gum, or jaw, or structures associated with a tooth, gum, or jaw if the service, operation, or procedure is included in the curricula of an accredited dental school or in an approved dental residency program of an accredited hospital or teaching institution;
- (4) Perform or offer to perform dental laboratory work;
- (5) Place or adjust a dental appliance in a human mouth; or
- (6) Administer anesthesia for the purposes of dentistry and not as a medical specialty.

4–206.1.

(a) Subject to the requirements of subsections (b) and (c) of this section, a dental hygienist may administer local anesthesia by infiltration [for the purpose of anesthetizing soft tissue] to facilitate the [performance] **PRACTICE** of dental hygiene [procedures] **BY A DENTAL HYGIENIST OR THE PRACTICE OF DENTISTRY BY A DENTIST**, but not as a medical specialty, provided the administration of local anesthesia is under the supervision of a dentist who:

- (1) Is physically present on the premises; and

(2) Prescribes the administration of local anesthesia by the dental hygienist.

(b) Before a dental hygienist may administer local anesthesia under subsection (a) of this section, the dental hygienist shall successfully complete the following:

(1) Any educational requirements established by the Board; and

(2) A written and clinical examination as required by the Board.

(c) A dental hygienist shall obtain the educational requirements established by the Board under subsection (b)(1) of this section from an accredited dental hygiene program.

4-206.3.

(a) Subject to the requirements of subsection (b) of this section, a dental hygienist may administer local anesthesia by inferior alveolar nerve block [for the purpose of anesthetizing soft tissue] to facilitate the [performance] **PRACTICE** of dental hygiene [procedures] **BY A DENTAL HYGIENIST OR THE PRACTICE OF DENTISTRY BY A DENTIST**, but not as a medical specialty, provided the administration of the local anesthesia is under the supervision of a dentist who:

(1) Is physically present on the premises; and

(2) Prescribes the administration of local anesthesia by the dental hygienist.

(b) (1) Before a dental hygienist may administer local anesthesia under subsection (a) of this section, the dental hygienist shall successfully complete the following:

(i) Any educational requirements established by the Board; and

(ii) A written and clinical examination as required by the Board.

(2) A dental hygienist shall obtain the education required under paragraph (1) of this subsection from an accredited dental hygiene program.

(3) A dental hygienist who successfully completed the education requirements and examination required under paragraph (1) of this subsection before October 1, 2011, shall take and successfully complete a refresher course and a clinical examination from an accredited dental hygiene program.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

Approved by the Governor, April 12, 2016.