

# HOUSE BILL 470

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CF SB 825

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By: ~~Delegates Krebs and Kipke~~, Kipke, Barron, Bromwell, Hammen, Hill, McDonough, McMillan, Miele, Morgan, Oaks, Pendergrass, Rose, Saab, Sample-Hughes, and West

Introduced and read first time: February 1, 2016  
Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 2, 2016

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

3 FOR the purpose of authorizing, subject to certain requirements, dental hygienists to  
4 administer nitrous oxide to certain patients; altering a certain definition; making  
5 certain conforming changes; and generally relating to the administration of nitrous  
6 oxide by dental hygienists.

7 BY repealing and reenacting, without amendments,  
8 Article – Health Occupations  
9 Section 4–101(a)  
10 Annotated Code of Maryland  
11 (2014 Replacement Volume and 2015 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article – Health Occupations  
14 Section 4–101(k)(9), 4–205(a)(1)(ix), and 4–206.2  
15 Annotated Code of Maryland  
16 (2014 Replacement Volume and 2015 Supplement)

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

19 **Article – Health Occupations**

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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 4-101.

2 (a) In this title the following words have the meaning indicated.

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

4 (9) [Monitor,] **ADMINISTER NITROUS OXIDE** in accordance with §  
5 4-206.2 of this title[, a patient to whom nitrous oxide is administered]; or

6 4-205.

7 (a) In addition to the powers set forth elsewhere in this title, the Board may:

8 (1) Adopt regulations governing:

9 (ix) Reasonable requirements for:

10 1. The education, training, evaluation, and examination of a  
11 dental hygienist before a dental hygienist may [monitor a patient to whom] **ADMINISTER**  
12 nitrous oxide [is being administered, subject to] **UNDER** § 4-206.2 of this subtitle; and

13 2. [Monitoring] **ADMINISTERING NITROUS OXIDE** by a  
14 dental hygienist[, in accordance with] **UNDER** § 4-206.2 of this subtitle[, of a patient to  
15 whom nitrous oxide is being administered];

16 4-206.2.

17 (a) **[A SUBJECT TO THE REQUIREMENTS OF SUBSECTIONS (B) AND (C) OF**  
18 **THIS SECTION, A** dental hygienist may [monitor a patient to whom] **ADMINISTER** nitrous  
19 oxide [is administered provided the monitoring of the] **TO A** patient **PROVIDED THE**  
20 **ADMINISTRATION OF NITROUS OXIDE** is under the supervision of a dentist who [is]:

21 **(1) IS** physically present on the premises; **AND**

22 **(2) PRESCRIBES THE ADMINISTRATION OF NITROUS OXIDE BY THE**  
23 **DENTAL HYGIENIST.**

24 (b) Before a dental hygienist may [monitor a patient to whom] **ADMINISTER**  
25 nitrous oxide [is administered] **UNDER SUBSECTION (A) OF THIS SECTION**, the dental  
26 hygienist shall successfully complete the following:

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

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

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

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.