

# SENATE BILL 825

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6lr3388  
CF HB 470

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By: **Senator Conway**

Introduced and read first time: February 5, 2016

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 26, 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**

20 4–101.

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

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

3 (9) [Monitor,] **ADMINISTER NITROUS OXIDE** in accordance with §  
4 4–206.2 of this title[, a patient to whom nitrous oxide is administered]; or  
5 4–205.

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

7 (1) Adopt regulations governing:

8 (ix) Reasonable requirements for:

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

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

15 4–206.2.

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

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

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

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

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

27 (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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President of the Senate.

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Speaker of the House of Delegates.