

HOUSE BILL 921

J2

0lr1038

By: **Delegate P. Young**

Introduced and read first time: February 5, 2020

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Dentists – Saliva Lead Poisoning Screening Tests – Scope of Practice and**
3 **Requirements**

4 FOR the purpose of altering the definition of “practice dentistry” to include the collection
5 of oral saliva samples to screen for lead poisoning; authorizing a dentist to collect
6 oral saliva samples to screen for lead poisoning in individuals under a certain age;
7 requiring the dentist to send a certain sample for analysis to a certain laboratory;
8 requiring a dentist to send a certain notice to the parents or legal guardian of a
9 certain child and certain information to the Department of the Environment in
10 accordance with certain provisions of law; providing for the construction of certain
11 provisions of this Act; and generally relating to saliva lead poisoning screening tests
12 and dentists.

13 BY repealing and reenacting, without amendments,
14 Article – Health Occupations
15 Section 4–101(a)
16 Annotated Code of Maryland
17 (2014 Replacement Volume and 2019 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Health Occupations
20 Section 4–101(l)
21 Annotated Code of Maryland
22 (2014 Replacement Volume and 2019 Supplement)

23 BY adding to
24 Article – Health Occupations
25 Section 4–509
26 Annotated Code of Maryland
27 (2014 Replacement Volume and 2019 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Health Occupations**

4 4–101.

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

6 (l) “Practice dentistry” means to:

7 (1) Be a manager, a proprietor, or a conductor of or an operator in any place
8 in which a dental service or dental operation is performed intraorally;

9 (2) Perform or attempt to perform any intraoral dental service or intraoral
10 dental operation;

11 (3) Diagnose, treat, or attempt to diagnose or treat any disease, injury,
12 malocclusion, or malposition of a tooth, gum, or jaw, or structures associated with a tooth,
13 gum, or jaw if the service, operation, or procedure is included in the curricula of an
14 accredited dental school or in an approved dental residency program of an accredited
15 hospital or teaching institution;

16 (4) Perform or offer to perform dental laboratory work;

17 (5) Place or adjust a dental appliance in a human mouth; [or]

18 (6) Administer anesthesia for the purposes of dentistry and not as a
19 medical specialty; OR

20 **(7) COLLECT ORAL SALIVA SAMPLES TO SCREEN FOR LEAD**
21 **POISONING.**

22 **4–509.**

23 **(A) (1) A DENTIST MAY COLLECT AN ORAL SALIVA SAMPLE TO SCREEN**
24 **FOR LEAD POISONING IN AN INDIVIDUAL UNDER THE AGE OF 19 YEARS.**

25 **(2) THE DENTIST SHALL SEND AN ORAL SAMPLE COLLECTED UNDER**
26 **PARAGRAPH (1) OF THIS SUBSECTION FOR ANALYSIS TO A MEDICAL LABORATORY**
27 **CERTIFIED IN ACCORDANCE WITH THE FEDERAL CLINICAL LABORATORY**
28 **IMPROVEMENT AMENDMENTS OF 1988 AND THAT PARTICIPATES IN THE MARYLAND**
29 **MEDICAL ASSISTANCE PROGRAM.**

30 **(B) ON RECEIPT OF THE RESULTS OF A SALIVA LEAD POISONING**
31 **SCREENING TEST ANALYZED UNDER SUBSECTION (A) OF THIS SECTION, THE**

1 DENTIST SHALL SEND:

2 (1) A WRITTEN NOTICE OF THE RESULTS AND ANY
3 RECOMMENDATIONS FOR FURTHER ACTION TO THE PARENT OR LEGAL GUARDIAN
4 OF THE CHILD WHO IS THE SUBJECT OF THE SALIVA LEAD POISONING SCREENING
5 TEST; AND

6 (2) A COPY OF THE RESULTS AND ANY OTHER REQUIRED
7 INFORMATION TO THE DEPARTMENT OF THE ENVIRONMENT IN ACCORDANCE WITH
8 § 6-303 OF THE ENVIRONMENT ARTICLE.

9 (C) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE A DENTIST TO
10 CONDUCT SALIVA LEAD SCREENING TESTS.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2020.