HOUSE BILL 921

By: Delegate P. Young
Introduced and read first time: February 5, 2020
Assigned to: Health and Government Operations

A BILL ENTITLED

AN ACT concerning

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

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

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

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
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.

(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; OR

(7) Collect oral saliva samples to screen for lead poisoning.

4–509.

(A) (1) A dentist may collect an oral saliva sample to screen
for lead poisoning in an individual under the age of 19 years.

(2) The dentist shall send an oral sample collected under
paragraph (1) of this subsection for analysis to a medical laboratory
certified in accordance with the federal Clinical Laboratory
Improvement Amendments of 1988 and that participates in the Maryland
Medical Assistance Program.

(B) On receipt of the results of a saliva lead poisoning
screening test analyzed under subsection (A) of this section, the
DENTIST SHALL SEND:

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

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

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

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