

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 219

(Delegate Kelly)

Health and Government Operations

Education, Health, and Environmental Affairs

Dental Hygienists – Consultation Requirements – Health Care Practitioners

This bill authorizes a dental hygienist to consult with the supervising dentist *or* the patient’s dentist and the treating physician, registered nurse practitioner, certified nurse midwife, or licensed certified midwife before proceeding with treatment if there is a change in or concerns about a patient’s medical condition. The bill replaces the term “medical offices” with “clinical offices” on the list of facilities a dental hygienist is authorized to practice under the general supervision of a licensed dentist.

Fiscal Summary

State Effect: None. The change is technical in nature and does not directly affect governmental finances.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Bill Summary: “Clinical office” means an office of a licensed physician, registered nurse practitioner, certified nurse midwife, or licensed certified midwife who provides prenatal, postpartum, or primary care and in which the supervising dentist and dental hygienist communicate with the licensed physician, certified registered nurse practitioner, certified midwife, or licensed certified midwife in providing dental hygiene services to a patient.

Current Law: In general, a dental hygienist is licensed to practice dental hygiene (1) under the supervision of a licensed dentist who is on the premises and available for personal consultation while the services are being performed or not on the premises under specified circumstances and (2) only in a dental office or clinic, hospital, school, charitable institution, or certified health maintenance organization.

A facility means a nursing home, an assisted living program, medical offices, or a group home or adult day care center. A “medical office” means an office of a licensed physician who provides prenatal or primary medical care and in which the physician, supervising dentist, and dental hygienist communicate in providing dental hygiene services to a patient.

A facility where a dental hygienist practices under the general supervision of a licensed dentist must ensure that a dental hygienist consults with the supervising dentist, the patient’s dentist, or a treating physician before proceeding with treatment if there is a change in the patient’s medical history. For an initial appointment, a dental hygienist must:

- ensure that while performing the service, the supervising dentist is available for consultation in person, by telephone, or electronically;
- consult with the supervising dentist or a treating physician before proceeding with initial treatment if there is a change in or concerns about a patient’s medical history;
- assess the appropriate recall interval based on the needs of the patient, or as otherwise recommended by the supervising dentist;
- limit dental hygiene tasks and procedures provided during the initial appointment to toothbrush prophylaxis, fluoride application, dental hygiene instruction, full mouth debridement, assessing the patient’s need for further evaluation by a dentist to diagnose dental disease, and other duties delegated by the supervising dentist; and
- submit findings of the initial assessment to the supervising dentist for collaborative determination of future treatment based on the patient’s overall health status.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 306 (Senator Lam) - Education, Health, and Environmental Affairs.

Information Source(s): Maryland Department of Health; Department of Legislative Services

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