

HB0499/523624/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 499
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate Bagnall**” and substitute “**Delegates Bagnall, Alston, Bhandari, Cullison, Guzzone, Hill, Kaiser, Kipke, R. Lewis, Lopez, Martinez, Pena–Melnyk, Rosenberg, Taveras, White Holland, and Woods**”; strike beginning with “establishing” in line 7 down through “supervise;” in line 8; after line 11, insert:

“BY repealing and reenacting, without amendments,
Article - Health Occupations
Section 4-101(a) and 4-308(l)(1)
Annotated Code of Maryland
(2021 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
Article - Health Occupations
Section 4-101(l)
Annotated Code of Maryland
(2021 Replacement Volume and 2023 Supplement)”;

and strike in their entirety lines 17 through 21, inclusive.

AMENDMENT NO. 2

On page 1, after line 24, insert:

“4-101.

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

(l) (1) “Practice dentistry” means to:

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(i) Perform or attempt to perform any intraoral dental service or intraoral dental operation;

(ii) 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;

(iii) Perform or offer to perform dental laboratory work;

(iv) Place or adjust a dental appliance in a human mouth; or

(v) Administer anesthesia for the purposes of dentistry and not as a medical specialty.

(2) “Practice dentistry” includes:

(i) Patient evaluation, diagnosis, and determination of treatment plans;

(ii) Determination of treatment options, including the choice of restorative and treatment materials and diagnostic equipment; and

(iii) Determination and establishment of dental patient protocols, dental standards of care, and dental practice guidelines.

(3) “PRACTICE DENTISTRY” DOES NOT INCLUDE THE RESPONSIBILITIES OF A SUPERVISING DENTIST UNDER § 4-104 OF THIS SUBTITLE.”;

and after line 25, insert:

“(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) “INFECTION CONTROL ACTIVITIES” MEANS STRUCTURAL INFECTION CONTROL OR INFECTION CONTROL THAT IMPACTS THE ENTIRETY OF THE PRIVATE DENTAL OFFICE, AS DETERMINED BY THE BOARD IN REGULATION.

(II) “INFECTION CONTROL ACTIVITIES” INCLUDES:

1. ADHERENCE TO THE CENTERS FOR DISEASE CONTROL AND PREVENTION GUIDELINES FOR INFECTION CONTROL IN DENTAL HEALTH-CARE SETTINGS, OR ITS SUCCESSOR GUIDELINES;

2. WATER QUALITY TESTING; AND

3. SPORE TESTING.

(III) “INFECTION CONTROL ACTIVITIES” DOES NOT INCLUDE ACTIVITIES IN CONTROL OF INDIVIDUAL DENTISTS, INCLUDING USE OF ADEQUATE PERSONAL PROTECTIVE EQUIPMENT OR STERILIZATION OF INSTRUMENTS.”.

On page 2, strike line 1 in its entirety and substitute:

“(3) “PRIVATE DENTAL OFFICE” HAS THE MEANING”;

in line 3, after “(B)” insert “(1)”; after line 4, insert:

“(2) THIS SECTION MAY NOT BE CONSTRUED TO PREVENT AN UNLICENSED INDIVIDUAL FROM ASSISTING WITH REGULATORY COMPLIANCE CONSISTENT WITH § 4-103(E)(12) OF THIS SUBTITLE.”;

(Over)

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strike beginning with the comma in line 12 down through “**GUIDELINES**” in line 14; strike in their entirety lines 15 through 18, inclusive; and in lines 19 and 26, strike “**(F)**” and “**(G)**”, respectively, and substitute “**(E)**” and “**(F)**”, respectively.