

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

House Bill 723

(Delegate Kerr)

Health and Government Operations

Finance

**Health Occupations - Authorization to Practice for Former Federal Employees
and Dental Applicants Licensed or Certified in Another State**

This bill requires the State Board of Dental Examiners (BDE) to issue a license to a dentist or dental hygienist licensed in another state within 15 business days after receiving the applicant's completed application if the applicant otherwise meets the requirements for licensure. The bill also specifies the requirements a dental radiation technologist (DRT) authorized to practice in another state must meet to be quality for a DRT certificate from BDE. If an applicant for a DRT certificate authorized to practice in another state meets the requirements for certification, BDE must issue the certificate within 15 business days after receiving the completed application. BDE may adopt regulations necessary to provide for the certification of individuals authorized to practice as a DRT in another state. The Maryland Department of Health (MDH) must develop a plan for authorization to practice a health occupation in the State for specified individuals and submit the plan to specified committees of the General Assembly by October 1, 2025. **The bill's provisions regarding development and submission of the plan take effect July 1, 2025.**

Fiscal Summary

State Effect: BDE can handle the bill's requirements using existing budgeted resources. Any impact on BDE special fund revenues is indeterminate but anticipated to be minimal, as discussed below. MDH can develop and submit the required plan using existing budgeted resources. Any impact on special fund revenues for the health occupations boards is indeterminate but anticipated to be minimal, as discussed below.

Local Effect: The bill does not directly affect local government operations or finances.

Small Business Effect: Minimal.

Analysis

Bill Summary: A DRT authorized to practice in another state must be issued a certificate in Maryland if the applicant pays the required fee and provides adequate evidence that the applicant:

- meets the qualifications otherwise required for a DRT certificate;
- has satisfied the examination requirement for certification of another state that BDE determines is comparable to the examination requirement in Maryland;
- is not being investigated by a disciplinary authority of another state, does not have charges pending against the applicant's certification, and has not been disciplined by a disciplinary or certifying authority of another state or country, or been convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action in Maryland; and
- has not previously failed an examination for certification as a DRT in Maryland.

Required Plan

MDH must develop a plan for a temporary or permanent authorization to practice a health occupation in the State for individuals who (1) are not licensed or otherwise authorized to practice a health occupation in the State; (2) hold a license or other authorization issued by another state that is equivalent to the license or other authorization required to practice the health occupation in this State; and (3) left employment with a federal agency after January 20, 2025.

By October 1, 2025, MDH must submit the plan, including any necessary statutory changes, to the Senate Finance Committee and the House Health and Government Operations Committee.

Current Law: Under the Health Occupations Article, an individual must be licensed to practice dentistry or dental hygiene or be certified to practice dental radiation technology. BDE is mandated to protect the public by regulating the practice of dentistry and dental hygiene in Maryland. BDE issues licenses and certificates, adopts standards of practice, investigates complaints based on alleged violations of regulations and statutes, and disciplines licensees.

Dentistry

To qualify for a license to practice dentistry, an individual must (1) be of good moral character; (2) be at least 18 years old; (3) hold a degree of Doctor of Dental Surgery, Doctor of Dental Medicine, or equivalent from a college or university that is authorized to grant

the degree and recognized by BDE as requiring adequate preprofessional collegiate training and as maintaining an acceptable course of dental instruction; and (4) pass a specified examination given by BDE.

“Practice dentistry” encompasses (1) performing any intraoral dental service or operation; (2) diagnosing, treating, or attempting to diagnose or treat any disease, injury, malocclusion, or malposition of a tooth, gum, jaw, or associated structure, as specified; (3) performing dental laboratory work; (4) placing or adjusting a dental appliance in a human mouth; or (5) administering anesthesia for the purposes of dentistry and not as a medical specialty. “Practice dentistry” includes (1) patient evaluation, diagnosis, and determination of treatment plans; (2) determination of treatment options, including the choice of restorative and treatment materials and diagnostic equipment; and (3) determination and establishment of dental patient protocols, dental standards, and dental practice guidelines.

Dental Hygiene

To qualify for a license to practice dental hygiene, an individual must be of good moral character, pass a specified examination given by BDE, and graduate from a school for dental hygienists that (1) requires at least two years of education in an institution of higher education; (2) is accredited by American Dental Association (ADA); and (3) is approved by BDE.

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 licensed dental hygienist is authorized to perform a preliminary dental exam; perform a complete prophylaxis, including the removal of any deposit, accretion, or stain from the tooth surface or restoration; polish a tooth or restoration; chart cavities, restorations, missing teeth, periodontal conditions, and other features observed; apply a medicinal agent to a tooth for a prophylactic purpose; take a dental X-ray; or perform any other intraoral function authorized by the board. A dental hygienist who complies with specified requirements may prescribe (1) topical and systemic types of prescription or over-the-counter fluoride preparations; (2) topical antimicrobial oral rinses; and (3) ibuprofen not exceeding 600 mg every six hours for up to three days after nonsurgical periodontal therapy.

Out-of-state Licensure of a Dentist or Dental Hygienist

A dentist or dental hygienist licensed in any other state that applies for an appropriate license in Maryland must (1) pay the required application fee; (2) provide adequate evidence that the applicant meets the qualifications otherwise required for a general license to practice dentistry or dental hygiene, holds a license to practice dentistry or dental hygiene in another state, and has satisfied specified examination requirements; (3) is not being investigated, disciplined, have charges pending against their license, or has not been convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action; and (4) has not previously failed an examination for licensure in this State.

A dentist licensed in any other state must be issued a license in Maryland if the applicant:

- has passed the American Dental Licensing Examination and the Maryland Dental Jurisprudence Examination given by BDE or its designee; or
- (1) for the five preceding years, has been actively engaged in practicing dentistry for at least 850 hours on average per year; (2) has passed an examination with a clinical component as a requirement for licensure in another state; (3) has passed a comprehensive written examination on applied clinical diagnosis and treatment planning administered by the American Board of Dental Examiners (ADEX); and (4) has passed the Maryland Dental Jurisprudence Examination.

A dental hygienist licensed in any other state must be issued a license in Maryland if the applicant:

- has passed the American Dental Hygiene Licensing Examination and the Maryland Dental Hygiene Jurisprudence Examination; or
- (1) for the three preceding years, has been actively engaged in practicing dental hygiene for at least 150 hours on average per year; (2) has passed an examination with a clinical component as a requirement for licensure in another state; (3) has passed a comprehensive written examination on applied clinical diagnosis and treatment planning administered by ADEX; and (4) has passed the Maryland Dental Hygiene Jurisprudence Examination given by the board or its designee.

BDE may adopt regulations for the content and administration of examinations and any other regulations necessary to provide for the licensure of dentists or dental hygienists licensed in any other state that apply to be licensed in Maryland.

Dental Radiation Technology

A DRT means an individual other than a licensed dentist or dental hygienist who practices dental radiation technology. An individual must be certified by BDE as a DRT to place or expose dental radiographs. An individual may be simultaneously certified as a DRT and an expanded function dental assistant (a dental assistant authorized to perform specific intraoral procedures).

To qualify as a DRT, an applicant must be (1) at least 18 years old; (2) of good moral character; (3) hold a high school diploma or equivalent; (4) complete BDE-approved educational requirements established by the Maryland State Dental Association or the Maryland Dental Society; (5) complete a BDE-approved course of at least 24 hours related to dental radiology; (6) pass an examination administered or approved by BDE; and (7) meet any requirements established by ADA or any applicable federal standards for training and certification as a DRT.

Under Maryland regulations (COMAR [10.44.19.03](#)), an individual holding an active license or certification to practice dental radiation technology in any other state may be granted certification in the State if the individual (1) has engaged in practicing dental radiation technology for at least 150 hours in the three years preceding application for certification in the State and (2) meets any requirements established by ADA or any applicable federal standards for training and certification as a DRT.

Health Occupations Boards – Generally

Under current law, 20 health occupations boards share responsibility for regulating various health professions in Maryland. Many health occupations professions participate in interstate compacts that offer expedited authorizations to practice in other compact states. With specified exceptions, an individual must be licensed, certified, registered, or permitted by the respective board before the individual may practice in the State. Licensure, certification, registration, and permit requirements vary by profession but typically require, among other things, specified education and experience, passage of a national and/or State examination, and a criminal history records check.

State Revenues:

Out-of-state Dental Radiation Technologists

Any impact on BDE special fund revenues is indeterminate but anticipated to be minimal. BDE special fund revenues may increase as DRTs authorized to practice in another state seek certification in Maryland. The initial DRT application fee for applicants that hold an active license or certification to practice dental radiation technology in another state is \$20,

and the biannual renewal fee is \$68. As the number of individuals who may seek a DRT certification under the bill is unknown, this impact cannot be reliably estimated at this time.

Required Plan

MDH must develop a plan for authorization for specified individuals to practice a health occupation in the State and submit the plan to specified committees of the General Assembly by October 1, 2025. Any impact on special fund revenues for the health occupations boards as a result of the plan is indeterminate but anticipated to be minimal.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 749 (Senator Kramer) - Finance.

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

Fiscal Note History: First Reader - February 21, 2025
km/jc Third Reader - March 13, 2025
Enrolled - April 29, 2025
Revised - Amendment(s) - April 29, 2025

Analysis by: Amberly E. Holcomb

Direct Inquiries to:
(410) 946-5510
(301) 970-5510