



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Acting Secretary

Maryland State Board of Dental Examiners
Spring Grove Hospital Center
Benjamin Rush Building
55 Wade Avenue/Tulip Drive
Catonsville, Maryland 21228

March 16, 2021

The Honorable Paul G. Pinsky
Chair, Education, Health, and Environmental Affairs Committee
2 West, Miller Senate Office Building
Annapolis, Maryland 21401

**Re: SB 938 – Health Occupations-Service Members, Veterans, and Military Spouses –
Temporary Licensure, Certification, and Registration-Letter of Concern**

Dear Chair Pinsky and Committee Members:

The Maryland State Board of Dental Examiners is submitting this letter of concern for SB 938-Health Occupations-Service Members, Veterans, and Military Spouses-Temporary Licensure, Certification, and Registration. The bill allows all health occupations Boards, including the Dental Board, to issue a 6-month temporary license, certificate, or registration to a service member, veteran, or military spouse who is licensed in another state and who is applying for licensure in Maryland, if the applicant applies for full licensure in Maryland, and the requirements for licensure in the state in which they are licensed are “substantially equivalent to or exceed the requirements” in Maryland. In addition, the bill allows a health occupations Board to issue a temporary license to an applicant licensed in another state for a period of time determined by the Board, if the requirements for licensure in the other state are not substantially equivalent to the requirements in Maryland, while the service member, veteran, or military spouse completes the requirements for licensure in Maryland.

Under the present law, the Board expedites the applications for licensure for all service members, veterans, and military spouses. In addition, each has an advisor to assist the applicant with the application process. If the applicant does not meet the requirements for licensure the advisor assists the service member, veteran, or military spouse in identifying programs that offer the appropriate education or experience. The Board takes all reasonable steps to help service men and women and their spouses. However, the Board has concerns with the bill. The Board does not believe that there are “substantial equivalent” examination requirements in other states for either dentists or dental hygienists. In Maryland, a graduate of an accredited dental school may receive a license if he or she has, among other requirements, passed the American Dental Licensing examination or the American Dental Hygiene Examination, both administered by the

American Board of Dental Examiners, Inc. (“ADEX”). Those examinations are considered the “Gold Standard” of examinations. Although other states’ examination requirements may be facially similar, they are not “substantially equivalent.” In addition, determining that an examination or licensing requirement of another state is not ‘substantially equivalent’ is a subjective determination that may subject the Board to lengthy litigation. The Board notes that the ADEX examinations are offered and accepted in 48 states and are taken by the great majority of dentists and dental hygienists seeking licensure, regardless of where they initially consider licensure. (New York does not require an examination for dental licensure, and Delaware requires the passage of its own examination). If a candidate passed the ADEX examination in another state, the passing score may be used for licensure in Maryland. Therefore, there should be no obstacles for those seeking dental or dental hygiene licensure in the State.

In addition, the bill allows the Dental Board to issue a temporary license to an applicant who is licensed in another state for an unspecified period where the requirements for licensure in the state in which the applicant holds a license are not “substantially equivalent” to the requirements in Maryland, if the applicant is completing the requirements for licensure in Maryland, and no risk is posed to the public’s health, safety, or welfare. The Board’s concern is that the requirements for licensure in another state will most likely not be sufficient for consideration for a temporary license. Just as important is the fact that the applicant may not attempt in earnest to complete the requirements for licensure and may continue to request continuances for the temporary license, or simply practice without a license. Again, the Dental Board could find itself embroiled in lengthy litigation for terminating the temporary license or not providing one in the first instance, especially if the Board has granted a temporary license to other applicants.

For these reasons, the Dental Board requests that SB 938 receive an unfavorable report.

I hope that this information is helpful. If you would like to discuss this further, please contact me at 301-367-2352, jgoldsm217@comcast.net, or Dr. Arpana Verma, the Board’s Legislative Committee Chair at 240-498-8159, asverma93@gmail.com. In addition, the Board’s Executive Director, Mr. Frank McLaughlin may be reached at 443-878-5253, frank.mclaughlin@maryland.gov.

The opinion of the Maryland State Board of Dental Examiners expressed in this letter of concern does not necessarily reflect that of the Department of Health or the administration.

Sincerely,

James P. Goldsmith, D.M.D.

James P. Goldsmith, D.M.D.
Board President