



**The Maryland State Dental Association Opposes SB 728 – Labor and Employment –
Worker Safety and Health – Injury and Illness Prevention Program**
Submitted by Daniel T. Doherty, Jr. on behalf of the Maryland State Dental Association

SB 728 would establish a comprehensive and complex Injury and Prevention Program and would require every employer with 10 or more employees to develop and implement such a program. The bill requires the establishment of a health and safety committee, specifies its membership, how often it must meet, directs that it maintains written records and conduct periodic inspections, review investigations, establish communication processes, provide training relating to the program and much more. All of this will be required beginning July 1, 2021. This bill would require dental practices to expend considerable expense and an inordinate amount of time to establish a program of questionable value to its employees and patients.

Under SB 728 what constitutes an employee? Is a sole proprietor an employee? Does the bill intend to include part-time staff as well, even an employee who may work only 8 hours per week? It is not uncommon within dentistry that associate dentists, dental hygienists, and dental assistants work part-time in one or more dental practices. For some dental personnel this is their choice due to family considerations, for others full time employment is not available in one practice, and they therefore work for multiple dental offices. Consider a practice where a sole proprietor has employed one associate dentist, 4 part time dental hygienists, 4 part time dental assistants and a receptionist. Why should SB 728 apply to a dental practice with a sole proprietor and only 2 full time employees?

Dental, medical and other health care practices are different from commercial and industrial businesses. Dental offices are regulated by the Maryland Department of the Environment, The Maryland Department of Health, the State Board of Dental Examiners in addition to OSHA. They must follow strict infection control and sanitation standards prescribed by the CDC, maintain records and safety standards for their x-ray and other imaging equipment, as well as complying with various medical waste mandates. The safety of patients and employees are the prime focus of these various regulatory agencies. To impose the requirements of SB 728 on dental offices, as well as other health care practices, the Maryland State Dental Association (MSDA) contends is inappropriate. In fact, SB 728 reads like a collective bargaining agreement. Its provisions are too detailed and complex for dental offices, and will not enhance their employees' safety and health.

For these reasons the MSDA respectfully requests that SB 728 receive an unfavorable report.

Submitted March 17, 2021 by:
Daniel T. Doherty, Jr.
301-606-7553