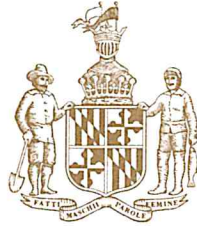


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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

March 31, 2021

SB836

State Board of Dental Examiners – Disciplinary Process and Actions Task Force

Chairman Pendergrass, Vice Chair Pena-Melnyk and Member of the Health and Government Committee:

Thank you for the opportunity to present SB 836, State Board of Dental Examiners – Disciplinary Process and Actions Task Force.

As you know, many of our bills are drafted because of an issue that we hear from our constituents. This is certainly true of Senate Bill 836. Anne Arundel County had a local dentist that since 2009, received complaints about his inadequate dental work. Finally in 2020, he voluntarily surrendered his dental license. The many patients he injured had little recourse, they either had to depend on the State Board of Dental Examiners to protect them or file a civil suit as the dentist did not carry dental malpractice insurance in recent years.

Fortunately for some patients, several local dentists have stepped up and are doing pro-bono work for patients that had already paid for the dental work that was either never completed or was so poorly done that the prosthetist or implants had to be removed and redone. These are the lucky ones. Most of the patients owe loans for large amounts, often \$15,000 or more, for work that was not completed or dental work that needed to be redone and they are still paying back the original loan. Now the patients are paying again for this work to be completed. The State Board of Dental Examiners is prohibited from hearing cases about fees that are paid and in many of the cases I am describing, patients paid up front for dental work that was never completed,

The State Board of Dental Examiners confirmed with me, in writing, that they had complaints in September 2009, 2012, 2013, 2016, two cases in 2017 and two cases in 2019 regarding the local dentist. Also, there is a Facebook page with **295** members that were either injured by this dentist or were employed by the dentist and left because of the lack of quality of his work.

In December, Senator Elfreth, my cosponsor, and I spoke with Mr. McLaughlin, Executive Director of the State Board of Dental Examiners, he shared with me how difficult it is to complete the process of disciplining a dentist. The process requires a patient to file a formal accusation against a licensed, dental professional complete with a signature alleging a violation of professional standards, another difficulty is that other

dentists or healthcare providers who see the substandard dental work by an identifiable area dentists are prohibited from filing a complaint.

This bill was not originally drafted as a task force, but after working with the Dental Board, the Dental Association, the Attorney General's office and the Senate Committee, we came to agreement that the process defined in the bill needed multiple amendments and that the public would best be served by additional discussion, deliberation and recommendations.

SB 836 will convene a Task Force to review the process in place, find out where it is working and more importantly where it is not working and make recommendations how to update the code to best serve our constituents. The Mission of the Board of Dental Examiners is to protect the citizens of Maryland and to promote quality health care in the field of dentistry. There must be a better way to provide for discipline and oversight of the dentists in the State of Maryland.

The Task Force will be comprised of a variety of organizations, providers and advocates such as:

- one member of the Senate of Maryland, appointed by the President of the Senate;
- one member of the House of Delegates, appointed by the Speaker of the House;
- the Attorney General, or the Attorney General's designee;
- two members of the State Board of Dental Examiners, designated by the Chair of the Board;
- two members of the Maryland State Dental Association, designated by the President of the Association;
- one member of the Maryland Dental Hygienists' Association, designated by the President of the Association;
- one member of the faculty of the University of Maryland School of Dentistry, designated by the Dean of the School;
- one member who is an employee of a dental service organization, designated by the President of the Association of Dental Support Organizations; and
- two consumer advocates, designated by the Office of the Attorney General.

All have agreed to serve and I have been assured that DLS can staff the Task force using current resources.

Just a few reminders of why we need a bill to change the current disciplinary process used by the Dental Board:

- The Anne Arundel County Dentist is only one example of the poor result of the current process.
- The Attorney General's office is handling 82 complaints about fees and payments.
- The Anne Arundel County dentist voluntarily surrendered his license; the Board should have suspended his license long before.
- There is a social media page with **295** patients that were injured by this dentist. Many of the members of that group have said the Dental Board never responded to their complaints.

Thank you for your consideration of SB836 and this testimony and I respectfully request a favorable report on Senate Bill 836.

Severna Park dentist permanently surrenders his dental license, one patient paid \$28,000 up front

By DONOVAN CONAWAY

CAPITAL GAZETTE |

FEB 25, 2020 AT 6:00 AM

A Severna Park dentist has voluntarily surrendered his license after accusations that he provided poor dental care to patients who paid and pre-paid for thousand of dollars of care.

Neil R. Woods “voluntarily, knowingly and freely” surrendered his license in a letter to the Maryland State Board of Dental Examiners dated Feb. 5. Because of this, he can no longer practice or identify himself as a dentist in Maryland.

The surrender of his license follows the closure of Woods’ dentistry in late December. His surrender was prompted by the dental board’s investigation and subsequent disciplinary charges dated April 17, 2019, and personal medical reasons, Woods wrote in the letter.

“Solely for the purposes of this licensing action, I have decided to permanently surrender my license due to health reasons and to avoid the time, effort and cost to defend against these disciplinary charges,” Woods wrote.

“Nevertheless, I understand that the Board believes that if it were to proceed with an evidentiary hearing in this matter, the State would be able to prove by the applicable standard that I violated the foregoing provisions of this act.”

In the letter, Woods reiterates the dental board's charges: fraudulently or deceptively obtaining or attempting to obtain a license for the licensee, practicing dentistry in a professionally incompetent manner or in a grossly incompetent manner, behaving dishonorably or unprofessionally or violating a professional code of ethics.

The behavior that resulted in these charges, based on a review of 20 of Woods' patients, found deficient patient care. That included failing to conduct basic clinical charting, radiographs were not of "diagnostic quality" and were excessively ordered and that 11 patients had improperly placed implants resulting in adverse effects, according to the letter.

Woods also failed to monitor patients after tooth extraction and admitted to making an inappropriate comment to a patient and his wife, according to the letter. On his 2014 and 2016 renewal applications, Woods failed to disclose he was being investigated by the board.

Woods' decision makes his career as a dentist officially over as the letter states his decision makes him ineligible to ever receive another dental license in Maryland. As for his patients, they have been seeking relief from other dentists or seeking litigation.

Patients affected by Woods are being encouraged by the board to contact [the Health Education and Advocacy Unit of the Consumer Protection Division](#), said Frank McLaughlin, executive director of the Maryland State Board of Dental Examiners.

"Even after (Woods) turned in his license, we were still receiving complaints, and we are reviewing them," McLaughlin said. "This is not a common occurrence. All we can do is take his license, we don't deal with restitution."

Woods' patients are still trying to get their issues fixed. Sherry Howard is suing Woods and Dr. Alejandro Rabanal, a dentist that had worked alongside Woods, claiming medical malpractice, according to court records. She is seeking \$30,000 in damages.

Sheila White former patient of Dr. Neil R. Woods, paid him \$2,000 and never received the dental work. (Donovan Conaway)

Woods examined Howard and recommended that Rabanal was the best suited to address the connecting joint between her jaw bone and skull and her bite, court documents stated. Rabanal shaved down all of Howard's teeth and they were "over-prepared" for crowns that she did not need, the documents state. The crowns and prosthetics were too large and ill-fitting.

Rabanal has denied all the allegations, according to court documents.

Attorneys for Howard, Woods and Rabanal did not respond to request to comments.

Another former client, Jamie Hurst, had been seeing Woods since December 2018 and was getting intensive procedures done. Hurst chose to go to a consultation with Woods because of the proximity to where he lives.

"First time I met him it was pretty good," Hurst said. "Definitely caught a good vibe from him. Meaning they could answer my questions at the time. I guess I was like everyone else, I asked 101 questions while I was there. I think (Woods) is a master at doing that. He is a master at individualizing people."

[\[Most read\] Annapolis police chief: Internal audit caught uninvestigated sexual assault cases, officer 'trying to cover his tracks' »](#)

The first meeting with Woods didn't raise any red flags for Hurst and he ended up giving Woods a check of \$28,000, according to a receipt from Woods' office. The work was estimated for \$36,000, Hurst said, but Woods gave him a deal by saying if he paid now, it would be discounted.

The appointments under Woods were rough, Hurst said. He recalled a situation where Woods was removing a tooth fragment and the tooth flew across the room. During that same visit, Woods drilled too much into an area, causing problems with the teeth next to it.

“It’s like my money is in there and you just got to stomach it,” Hurst said. “You are forced to be in this situation and sit there and take it. Months later, he didn’t want to take responsibility for doing that.”

Once Hurst figured out he was done wrong, he started posting on Facebook to make people aware. Hurst believes he only has had 10% percent of the dental work done he paid for completed. He said he has three permanent teeth in his mouth, the rest are temporary.

He said he has been reaching out to lawyers for aid but was turned down. Rachel Wodka, had been a patient of Woods since November 2014. Her first meeting with Woods went much like Hurst’s. Woods was saying all the right things and charming her into working with him, Wodka said.

She was getting a full-mouth restoration, which cost her \$24,000.

“He basically shaved all my teeth down, and I just had like nubs of my teeth left,” Wodka said. “Then he started taking teeth out, but the temporary bridge didn’t have nothing to hold onto. He didn’t add any implants, so it doesn’t take a rocket science to ask what is going to secure the bridge? He took out all my bottom teeth, and I had to go months like that.”

Wodka had to eat bread dipped in water and apple sauce during the months without bottom teeth.

Wodka recalls Woods asking her to write a positive review on his dentistry Facebook, but she never gave it a thought.

“Every day was like a horror movie,” Wodka said.

Wodka is currently working with a new dentist to correct her teeth and complete unfinished work. The estimation for this work is around \$50,000 to \$55,000, she said.

Anne Arundel dentists work pro bono after former Severna Park practice leaves clients without teeth, with broken implants

By DONOVAN CONAWAY

CAPITAL GAZETTE |

DEC 06, 2020 AT 5:00 AM

Sherry Miles returned to Severna Park Dentistry for two years with continuous problems after paying \$12,000 upfront to get dental implants.

“(Neil Woods) pulled all my top teeth and placed four implants in and temporary teeth in, but they kept falling out,” Miles said. “After that, I was there every month for the next two years, getting implants and X-rays over and over.”

Miles, who lives in Stevensville, could only eat mushy foods and ended up losing 10 pounds during that time.

She remembers hoards of people in and out of the office and said it felt like they were cattle.

But now, Miles’ self-confidence is boosted as she’s only eight weeks away from finally having her teeth fixed. A group of Anne Arundel County dentists has stepped in to help her and others after Woods’ practice closed, and patients claimed he left them with unfinished work or implants that had to be redone. Woods was unable to be reached for this article.

Local dentists Dr. Brian Valle, Dr. Clifford Walzer and Tony Prestipino are performing \$200,000 worth of dental work pro bono for five of his practice’s former patients. They selected those that had no teeth or had implants that were breaking.

“We are removing all the shabby work he has done and starting completely over,” Walzer said. “Helping people is what we are here for. This is rewarding and makes us feel good.”

Walzer, the oral surgeon, did the surgeries and placed the implants; Valle, the restorative dentist, created the teeth that screw into the implants; Prestipino is the owner of Artifex Dental Lab, which made the impressions of the teeth for dentures. And Zimmer Biomet Dental donated implants and components used in the first of several pro bono cases.

“We are proud to be giving back and restoring smiles to individuals in the greater Annapolis community,” Zimmer Biomet said in a statement.

When Valle graduated dental school in 1988, Woods hired him as a dental assistant. But Valle was only there for three months before leaving after seeing the “atrocious dentistry he would do to people,” Valle said.

“I learned a great lesson on how to treat patients the right way and not the way Woods did. It’s upsetting that he has been doing this for 40 years,” Valle said. Valle now has his practice, Dr. Brian Valle P.A. Functional and Cosmetic Dentistry, located in Millersville.

“I looked at them and realized they were left with no teeth and spent a lot of money,” Valle said. “I felt that person who stole them of their health is just horrible, and I wanted to let them know all dentists don’t act this way.”

Walzer said he was upset when he read about Woods [in The Capital’s](#) article detailing the office’s closure in January.

“We wanted to put a dent in some of the bad that was done and restore some faith in dentistry,” Walzer said.

Woods had asked patients to pay the full amount for procedures, ranging from \$3,000 to \$30,000, upfront. Walzer called that “very unusual and rare.” At Walzer’s Oral Surgery Specialist Dentistry, they ask for a deposit before the surgery and then the rest of the payment after it is complete.

“I didn’t know it wasn’t a practice to take that kind of money upfront; I never had major surgery in my whole life,” Miles said.

Miles said she had seen a commercial that Woods would do an initial analysis for \$1 and so made an appointment with him on Jan. 10, 2018. Woods had a special for \$18,000 that would get patients implants for a top or bottom row of teeth, she said. About a week later, Miles gave Woods \$12,000 cash but didn’t start procedures until April or May that year.

Her last appointment was Dec. 24, 2019, and Woods glued her implants to the top of her mouth to get her through Christmas. She was unable to talk or chew properly, Miles said. Then in January 2020, Woods closed his office due to health concerns.

Woods surrendered his dental license in February after claims his office provided poor dental care to patients who paid and pre-paid for thousand of dollars of care.

Woods has two open lawsuits against him from 2020 claiming medical malpractice and one contract-large claim against him, which was settled, and he has to pay \$20,000 to the patient. A 2019 lawsuit claiming medical malpractice and seeking \$30,000 brought by Sherry Howard was dismissed. Both former patients with open lawsuits claim Woods breached the standard of care by failing to provide adequate or proper treatment plans, take adequate medical records, and provide proper dental implants that could adequately support a denture.

In May, Maryland Attorney General Brian E. Frosh announced that his Consumer Protection Division obtained a court order requiring Dr. Neil R. Woods, D.D.S., and his corporation to protect and provide his former patients access to their dental records.

“Health care providers are obligated under Maryland law to preserve, secure, and allow patients access to their personal medical records,” Frosh said in a

statement. “This is especially important when the provider’s office closes unexpectedly and abruptly.”

Valle hopes other dentists will step in and help some of the patients because they can “only do so much.”

“I donated my services because I was disgusted how they were treated and how this dentist made them disabled and took their money,” Valle said. “I didn’t have the heart to charge them again.”

People affected by Woods should visit [the Health Education and Advocacy Unit of the Consumer Protection Division](#) website.

Raquel Coombs, a spokeswoman for the Attorney General’s Office, said in a statement: “Consumers who paid for services that were not performed, including consumers who obtained bank-issued financing for services, should continue to file complaints with our office.”

Our Say: Trio of dentists helped Neil Woods' former patients. Will Maryland lawmakers do the same? |

COMMENTARY

By CAPITAL GAZETTE EDITORIAL BOARD

CAPITAL GAZETTE |

DEC 10, 2020 AT 5:31 AM

Congratulations to Brian Valle, Clifford Walzer and Tony Prestipino, three Annapolis-area dentists who donated an estimated \$200,000 of free dental work to help some of the patients harmed by a disgraced dentist in Severna Park.

Neil Woods surrendered his license in February in the face of overwhelming evidence that he wasn't a good dentist. He still faces a reckoning in the form of two outstanding lawsuits over his medical practices and a \$20,000 legal settlement over his business practices.

That's because in addition to running a practice with a range of professional problems, Woods ran a business that asked for payment up front from patients — essentially putting people without insurance in a place where they hoped for the best and got the worst.

It is past time for state lawmakers, particularly those from Anne Arundel County where this took place, to look hard at what happened over many years at Woods' Severna Park Dentistry. Clearly, reform is needed.

The Maryland State Board of Dental Examiners had been investigating Woods for more than five years, and yet allowed him to continue wreaking havoc on patients.

Its investigation was, ultimately, what prompted Woods to permanently surrender his license. An investigation by the board found a range of problems in the cases of more than 20 patients — failure to keep good records, taking X-rays of such poor quality they were useless, procedures done so poorly that they caused harm, and refusal to provide standard follow up care.

To add insult, the dental examiners' found Woods failed to note on this license renewal application in 2014 and 2019 that he was under investigation.

Even with all this, no investigation was launched by the board over Woods' business practices. That is outside their mandate.

Instead, Woods' former patients have the same recourses as a car owner who's garage does a lousy job on an engine rebuild.

They can sue if they can afford a lawyer willing to take the case. But Woods closed his practice without setting up insurance to cover liabilities left behind, leaving the prospect for damages grim.

Or, they can complain to [the Health Education and Advocacy Unit of the Consumer Protection Division](#), which works to resolve disputes between consumers and providers.

Because state regulators allowed Woods to just walk away from his practice, good luck with that.

Woods' conduct was no secret in the dental community. Valle worked there briefly in 1988 after graduating dental school, but quickly left after seeing "atrocious dentistry he would do to people." Today, he has his own practice in Millersville.

Lawmakers must ask for state regulators to explain why Woods was allowed to continue practicing substandard dentistry for so long? Why does Maryland allow business practices so harmful to dental patients? Why was Woods allowed to surrender his license without being held to account, or at least provide for any damages he caused?

Brian Valle, Clifford Walzer and Tony Prestipino hope that other dentists will step forward to help others harmed by Woods' practices.

State lawmakers may not be able to help fix teeth and gums, but they have the power to make sure there are no more Neil Woods out there doing the same kind of harm.

The public should demand that they use it when the General Assembly returns to Annapolis next month.

Anne Arundel dentists work to clean up mess

Former practice left clients without teeth, implants



Surgical assistant Tiffany O'Shaughnessy, from left, oral surgeon Dr. Clifford Walzer, dentist Dr. Brian Valle and surgical assistant Sherree Brice work on Lisa Crockett, removing old implants, replacing them and adding a new bridge. (Paul W. Gillespie/Capital Gazette)

BY DONOVAN CONAWAY

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Senator calls for dental reform

Bill would require more oversight, but panel says not so fast

BY DONOVAN CONAWAY

The state board that regulates dentistry in Maryland investigated a Severna Park dentist for 10 years before he finally surrendered his license in the face of growing complaints.

Now state Sen. Pam Beidle wants to make sure dental work like that performed by Neil Woods never happens again.

The Linthicum Democrat has co-sponsored SB 836, which would require the Maryland State Board of Dental Examiners to move faster to address complaints and make its process open to greater public scrutiny. State. Sarah Elfreth, D-Annapolis, is co-sponsoring the bill.

“We need to make sure our constituents are well cared for,” Beidle said.

Beidle was a dental assistant for five years while going through college. She also has had implants twice and says it is not an easy process.

Woods’ patients often got implants that fell out or broke, problems reported on in a series of stories in 2020 by The Capital.

Woods surrendered his dental license in February last year, after claims his office provided poor dental care to patients who paid and pre-paid for thousand of dollars of care. In his letter surrendering his license, he wrote 11 patients had improperly placed implants resulting in adverse effects.

One patient paid \$30,000 to Woods to superglue her teeth.

Three Annapolis-area dentists Brian Valle, Clifford Walzer and Tony Prestipino donated an estimated \$200,000 of free dental work to help some of the patients harmed by Woods.

Murray Sherman, a legal assistant for the Maryland State Board of Dental Examiners, said it would be hard for the board to comply with Beidle’s bill because of staffing issues and the amount of work required by the changes.

He said the board would have preferred to work with Beidle than oppose her bill. it officially opposed it in a meeting last week.

“The board would like to work with legislators to improve the process but this is not the way to do it,” Sherman said.

Beidle said she reached out to the dental board after

reading about Woods’s treatment of his patients and was told it had been investigating Woods for over 10 years before the complaints were resolved.

She said the Maryland Board of Physicians can resolve a complaint against a doctor in a year. Beidle crafted her bill to mimic that process.

The senator wants the bill to create a more urgent process that eliminates long-term poor practices.

Under her proposal, the board would post profiles of all licensed dentists on its website, and including complaints by patients.

“My bill has dentists doing the same process that the board of physicians does and much more transparent. People will see when there is an open case on a provider,” Beidle said.

Sherman, though, said the board doesn’t see a system like the one used by doctors as the right process for dentists.

“There is nothing in this bill that is appealing to us or that we think is going to work,” he said.

The board offered to set up a workgroup to study the issue, Beidle said. But she wants state lawmakers to decide whether there is enough reason to move forward with changes now.

A hearing before the Education, Health, and Environmental Affairs Committee is set for March 2.

“The assembly might prefer a study, I would hate to see this go on another year. When you see this poor dentistry that people have suffered through and how many people in a year can suffer the same consequences,” Beidle said.

Sherman said it doesn’t have to be a formal study but the board is willing to work with Beidle or whoever.

“We want to help the citizens in Maryland in the right way and we are willing to work with that to protect them,” he said.