

February 17, 2022

Testimony on: **SB 611** - State Board of Dental Examiners – Membership, Training, and Disciplinary Processes – Revisions

Position: **Favorable with Amendments**

Members of the Senate Education, Health, and Environmental Affairs Committee,

As you consider SB 611, I respectfully request that you adopt the **Maryland State Dental Association (MSDA) amendments** and vote to give this legislation a **Favorable with Amendments** Committee report.

Serving as the Director of Outreach for Chesapeake Healthcare in Princess Anne, I have worked at our Federally Qualified Health Center for over thirteen years. I have also been an active member of organized dentistry on the Lower Eastern Shore for nearly thirty years. I have a passion for dentistry and care deeply about ensuring that our licensing body, the Maryland State Board of Dental Examiners, operates effectively and efficiently while ensuring that dentists, dental hygienists, and radiation-certified dental assistants practicing dentistry across Maryland never cease to uphold the high standards expected of those working within our profession.

The Dental Practice Act plays an integral role in the regulation of dentistry in Maryland and outlines the nomination process for members of the State Board. While I support the intent of SB 611, from an operational perspective, I fear that if this bill were to be enacted in its original form, provisions of SB 611 may violate HIPPA regulations that are in place to safeguard patient privacy and respect the confidential nature of a patient-provider relationship.

Below, I have outlined four of my foremost concerns relating to the Board nomination process, Board Member training, the timeliness of Board decisions, and the summary suspension of licenses.

Nomination Process

The Maryland State Board of Dental Examiners has been observed to be one of the state's fairest and most democratic health boards. Currently, dentist nominees must earn the trust and support of their peers as Board member nominations must be supported by at least ten other Maryland dentists before the Governor considers their nomination. As written, SB 611 introduces an element of confusion to this process and even restricts who may be considered for membership. Furthermore, certain provisions of SB 611 may violate HIPPA by requiring that at least one member be a current or former Medicaid recipient. Furthermore, without an Adult Dental Medicaid program in Maryland, very few people are even eligible for this position.

Training

The concept of mandatory training for all Health Occupation Board members is laudable, yet due to associated costs, training should be required once per term rather than once a year.

Timeliness of Board Decisions

It has been noted that final decisions of the Board have often been rendered in a less-than-timely fashion. The MSDA Amendments support the establishment of guidelines that will ensure that Board decisions are rendered promptly. However, these guidelines must provide reasonable allowances due to unexpected delays beyond the Board's control.

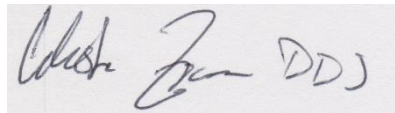
Summary Suspensions

While all licensees whose right to practice has been summarily suspended should be afforded due process, the provisions of SB 611 are both cumbersome and confusing. Contrary to the bill's intentions, in practice, the portions of this legislation relating to summary suspension of a licensee's right to practice would severely hinder the Board's ability to take action and swiftly suspend the license of an incompetent or reckless practitioner. As written, SB 611 would also impede the Board's ability to stop unsanitary or infection-prone practices in an expedient manner or to take timely action as a result of prescriptive or opioid abuses.

The proposed MSDA amendments help to remedy each of these concerns and will help to make SB 611 a more impactful bill as we seek to ensure licensees uphold the high standards expected of those within the field of dentistry.

Thank you for your consideration of this legislation and the MSDA amendments. I request a Favorable with Amendments report for SB 611.

Respectfully submitted,

A handwritten signature in black ink on a light gray background. The signature reads "Celeste Ziara DDS" in a cursive script.

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