



SB 714

Daniel T. Doherty, Jr.

Favorable

The Maryland State Dental Association Supports SB 714 – Health Occupations – Dental Assistants – Certification and Regulation

It is a prime goal of the MSDA and its members to provide quality dental care to their dental patients in an effective and efficient manner. This requires a coordinated working relationship of the dental team – the dentist, dental hygienist, and dental assistant. In furtherance of this goal the MSDA established an Ad Hoc Committee in 2020 to review expanded functions for dental assistants. This Committee met throughout the Fall of 2020, and the Winter, Spring and early Summer of 2021. It looked at the regulatory provisions of the laws in other states, received input from educators and practitioners in the various dental specialties, consulted public health officers and more. The Committee then analyzed, discussed and debated procedures which it concluded could be safely provided by dental assistants under the direct supervision of a dentist. The conclusions of that Committee were then submitted in a written report to the MSDA’s Board of Trustees and its House of Delegates. In September 2021 the MSDA House of Delegates passed a resolution directing that legislation be pursued that would certify dental assistants to perform four expanded functions. This legislative proposal is the result of that process.

SB 714 establishes a comprehensive statutory regulatory process for certifying and regulating dental assistants. The bill specifies the procedures that a dental assistant may perform without being certified (page 3, lines 2 – 20). Each of these procedures are currently authorized in regulations adopted by the State Board of Dental Examiners (SBDE). The bill then specifies the procedures for which the dental assistant may be certified. All of these functions may be performed by a certified dental assistant **only if** the supervising dentist gives specific instructions to perform the intraoral procedure, and directly supervises the certified dental assistant while performing the procedure. The intraoral procedures for which a dental assistant must be certified to perform are: 1) assisting in orthodontic procedures authorized by the SBDE (this certification is currently authorized under Board regulations); 2) placing dental sealants; 3) coronal polishing, solely for stain and biofilm removal, as part of dental prophylaxis (but not a complete prophylaxis), or before esthetic and cementation procedures; 4) applying silver diamine fluoride; and 5) monitoring nitrous oxide. (Page 3, line 21 through page 4, line 6).

SB 714 provides that the Board shall approve the educational courses related to each intraoral procedure, require that the applicant have the appropriate certification for each procedure from the Dental Assisting National Board (DANB), and pass any examination

required by the Board. The bill also establishes, in addition the requirements for certification, the typical statutory provisions dealing with matters such as fees, term of certification, renewals etc.

SB 714 also adds to the grounds for disciplinary action against a licensed dentist. It specifies that a dentist may be disciplined for: 1) allowing a dental assistant to assist in an unauthorized manner; 2) failing to specifically instruct the certified dental assistant to perform an authorized intraoral procedure; or 3) failing to provide direct supervision of a dental assistant. In this way, if there is a violation of these statutory requirements, it is the supervising dentist who is culpable, and thus subject to disciplinary action.

Since the beginning of the Covid-19 pandemic, all health care providers have been confronted with personnel shortages for a variety of reasons. In addition, many dental patients did not receive their normal scheduled dental care, especially essential preventive care. This has resulted in difficulty for patients getting timely appointments due to the increased demand for dental care coupled with the diminished dental health of patients necessitating more extensive treatment. To meet these patient needs, dentistry needs to deliver care more efficiently by utilizing more effectively the entire dental team. HB 714 assists in accomplishing an improved, effective and safe delivery of dental care by the entire dental team – dentist, dental hygienist and dental assistant.

Finally, the shortage of dental auxiliaries has highlighted the need for an increased number of approved dental assistant programs in Maryland. The MSDA has been working to foster the establishment of additional programs throughout the State. Hopefully, having the opportunity to be certified to assist in an expanded, more meaningful manner will encourage more individuals to see certification as a dental assistant as a career option. SB 714 will provide the statutory authority to expand dental assistant's functions, and will create increase motivation for individuals to enter the field.

For these reasons, the Maryland State Dental Association urges that SB 714 receive a Favorable Report.

**Submitted by
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