



Testimony of Daniel T. Doherty, Jr. on behalf of the Maryland State Dental Association *in Support of SB 538 – Interstate Dental and Dental Hygiene Licensure Compact, and in Opposition to SB 21 – Dentist and Dental Hygienist Compact*

From its inception, the purpose of the Maryland Dentistry Act has been to assure the safe and competent providing of dental care to the citizens/dental patients of Maryland. Dentistry is the one health profession whose scope of practice is primarily surgical (90%+). SB 538 does provide for the public safety and health of dental patients, while SB 21 fails in a number of ways to provide needed protections.

Licensure vs Privilege:

A. SB 21 – The Compact proposed under this bill allows a dentist or dental hygienist licensed in another state to be granted a privilege to practice in any remote state that has joined the Dentist Dental Hygienist Compact (DDH Compact). This means that the remote state must allow the dentist to practice dentistry WITHOUT:

1. Having the right to conduct a criminal background check;
2. Reviewing the dentist or dental hygienist’s clinical qualifications;
3. Assuring that the dentist or dental hygienist has passed a hands-skill examination;
4. Verifying that the applicant is a graduate of a CODA accredited school; or
5. Having direct jurisdiction over the delivery of dental care, as a remote dental board has no jurisdiction over non-licensees.

B. SB 538 – Under Interstate Dental and Dental Hygiene Licensure Compact (“the Licensure Compact”), a dental board in a remote state grants a dentist or dental hygienist a license on an expedited basis, but only after:

- a. Conducting a criminal background check;
- b. Reviewing whether or not the dentist or dental hygienist has satisfied the independent testing of clinical skills and other competency testing;
- c. Determining that the dentist or dental hygienist has graduated from a CODA accredited dental or dental hygiene school; and
- d. The board has direct authority over the licensee, and may suspend, revoke or take other disciplinary action against the licensee as may be necessary and appropriate.

Effect of Compact Rules on State law:

- A. SB 21 provides that any rule of the DDH Compact Commission shall supersede state law, except as to state laws that establish a scope of practice: [(Section 9 (A) on pgs. 22-23 and

Section 13 (B) on pg. 31)].

- B. Conversely, the Interstate Licensure Compact provides “**THE PROVISIONS OF THE COMPACT AND THE RULES PROMULGATED HEREUNDER SHALL HAVE STANDING AS STATUTORY LAW BUT SHALL NOT OVERRIDE EXISTING STATE AUTHORITY TO REGULATE THE PRACTICE OF DENTISTRY AND DENTAL HYGIENE**”. (Section 12(A) on page 18).

For these reasons the MSDA requests that SB 21 receive an Unfavorable Report, and that SB 538 receive a Favorable Report.

Daniel T. Doherty, Jr.
February 7, 2025