



Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

Maryland State Board of Dental Examiners
Spring Grove Hospital Center - Benjamin Rush Bldg.
55 Wade Ave/Tulip Drive
Catonsville, MD 21228

January 28, 2025

The Honorable Pamela Beidle
Chair, Senate Finance Committee
3 East, Miller Senate Office Building
11 Bladen Street
Annapolis, Maryland 21401

Re: Senate Bill 21 – Dentist and Dental Hygienist Compact - Oppose

Dear Chair Beidle and Members of the Senate Finance Committee:

The Maryland State Board of Dental Examiners respectfully submits this opposition for SB 21 – Dentist and Dental Hygienist Compact. The bill adopts the “Dentist and Dental Hygienist Compact” and requires the Dental Board to issue a “compact privilege” to dentists and dental hygienists who are either licensed in or have a compact privilege in other states, notwithstanding Maryland’s existing dental laws and regulations. The compact would be administered through a Commission whose membership consists of the participating states that have enacted the Compact. Amongst other powers, the Commission has the authority to levy and collect an annual assessment from each participating state and impose fees on licensees of participating states when a compact privilege is granted. The annual assessment amount for participating states will be allocated based upon a formula that the Commission is to promulgate by rule.

Military Personnel and Spouses are Already Practicing in Maryland

The Board notes that the primary reason for the creation of the Dentist and Dental Hygienist Compact was to facilitate licensure mobility for those in the military and their spouses. Under the Veterans Auto and Education Improvement Act, effective January 5, 2023 (Public Law No. 117-333), a dental compact is not necessary. Since January 2023, 13 service members or their spouses with out-of-state licenses have been practicing in Maryland under the Act at no cost.

The administrative process is extremely efficient and handled in an expedited manner. Service members and their spouses are extremely satisfied with this process.

Examination Requirements Under the Compact are Not Sufficient

The Board believes that the Compact does not serve the best interests of our citizens. It can potentially harm Marylanders by allowing out-of-state dentists who do not possess the requisite qualifications to obtain a “compact privilege,” which is essentially a Maryland dental license.¹ The compact permits an individual licensed as a dentist or dental hygienist in a participating compact state to receive a compact privilege in Maryland regardless of the licensure examination they took or their experience level.

Under the present law, a dentist or dental hygienist must either pass the American Dental Licensing Examination (ADLEX) or the American Dental Hygiene Licensing Examination (ADHLEX) administered by the American Board of Dental Examiners, Inc. (ADEX). If an individual has not passed the ADEX examinations, they must have 5 years’ experience as a dentist or 3 years’ experience as a dental hygienist. Md. Ann. Code, Health Occupations Article, § 4-306. The ADEX examinations are considered to be the most highly regarded examinations in the nation. Under the Compact, Maryland must accept the National Board Examinations of the Joint Commission on National Dental Examinations (which it presently does) “or another examination accepted by Commission Rule as a licensure examination.” In addition, the bill provides that applicants only need to “successfully complete a Clinical Assessment.” These loosely defined requirements will allow the Commission to accept any written examination for licensure, whether presently existing or not, as well as any clinical assessment, regardless of how poorly it measures a candidate’s clinical skills. Licensure standards that now exist in statute would be left to a Commission with plenary power to devise whatever licensing standards they wish, fueled by expediency or political motivation.

In addition, there are states that pose a concern. In New York, a candidate may receive a dental license without having taken a clinical examination, and in Delaware, candidates for a dental license must take a state-administered examination. Both situations raise clinical concerns. The Board does not believe that it is in the public interest to allow dentists who have not completed a rigorous clinical examination as part of the application process to practice in Maryland. Although a candidate may excel in academics and critical thinking, examining hand motor skills is essential to determine if a candidate may properly treat a patient within the confines of the oral cavity.

Most Licensure Candidates Have Completed the ADEX Examination

As previously stated, obtaining a dental or dental hygiene license in Maryland is not burdensome. The ADEX examinations are accepted in 48 states and other jurisdictions,

¹ The Compact treats dentists and dental hygienist in the same fashion. Therefore, references to dentists throughout this position paper also includes dental hygienists.

including Jamaica, Puerto Rico, and the Virgin Islands. Most dentists and dental hygienists have taken the ADEX, including those serving in the military. For a number of years, all initial licensure applications from military personnel, veterans, and their spouses have been given priority by the Board's licensure staff and are issued in 5 days or less.

Current law in Maryland requires that candidates for dental or dental hygiene licensure pass a clinical hands-on examination through the ADEX (initial licensure) or another testing service (those licensed in another state who have not passed the ADEX). Candidates who cannot pass the required clinical examination would be incentivized to seek a compact privilege in a compact member state that does not require a clinical hands-on examination. Once they received the privilege, they could freely move to Maryland and practice on Maryland citizens. Therefore, those who have taken the ADEX examination or another examination with a hands-on clinical component would be required to meet higher testing standards.

Fees are Indeterminable

Fees also pose a concern. Under the Compact, fees for dentists, dental hygienists, and the Board are indeterminable. The Compact requires an applicant to pay a fee to the Commission for both licensure and renewal. What are those fees? Under the Compact, the Board is also permitted to charge a licensure and renewal fee and would do so to cover administrative costs. The fee to the Commission is determined solely by the Commission and could prove excessive. In addition, there are unknown costs to the Board in the form of an annual assessment that the Board must pay to the Commission.

Like other health occupation boards in the State, the Dental Board is specially funded and relies entirely upon licensure fees to maintain its budget. Any compact that the Board enters into should clearly provide for the specific fees necessary for licensure as determined by the Maryland Dental Board. The language in the CSG Compact does not provide any fees that will be imposed on the Board or licensees. The delegation of fee-making authority should not be in the hands of a third-party commission. So, too, with any compact that allows a commission to levy an assessment on the Board. It is not prudent to join an organization where initial and ongoing costs cannot be reasonably determined, and a proper budget is prepared. Irrespective of the Compact, the Board must continue to maintain a licensing unit.

Amendments Would be Burdensome

Finally, any future amendments to the compact proposed by the Maryland General Assembly or any other general assembly may prove troublesome. Amendments are not effective until the legislatures of all participating states enact them, a process that is unwieldy and could take years to accomplish.

In short, The Dental Board believes that the bill adds unnecessary bureaucracy. Obtaining a Maryland dental or dental hygiene license is not a burdensome process and is accomplished in a matter of days. Fees are not excessive. They are paid only to the Dental Board, not to the Board

and the Commission. Requiring reasonable educational and examination requirements under the State's existing law helps ensure protection for its citizens. Relaxing those requirements is not beneficial.

For the foregoing reasons the Board requests that SB 21 receive an unfavorable report.

I hope that this information is helpful. If you would like to discuss this further, please contact me at 202-997-2606 or chiyo.alie@maryland.gov.

The opinion of the Maryland State Board of Dental Examiners expressed in this opposition does not necessarily reflect that of the Department of Health or the administration.

Sincerely,
Chiyo Alie, D.D.S.
Chiyo Alie, D.D.S.
Board President