

**final SB 792 pdf.pdf**

Uploaded by: Charles Doring

Position: FAV



CHARLES A. DORING, D.D.S., MAGD  
CLEMENTINA PEREZ-WEST, D.D.S.  
ROBERT B. TILKIN, D.D.S., MAGD  
DIPLOMATE AMERICAN BOARD OF  
DENTAL SLEEP MEDICINE

SB 792 Favorable

(CF HB 573)

Charles Doring DDS

Written Testimony in Support of SB 792

From Charles A. Doring DDS

A Maryland Healthy Smiles (Dental Medicaid) Provider

(Submitted 2/21/2025 for hearing 2/24/2025)

Dear Members of the Maryland Senate Finance Committee,

Thank you for the opportunity to provide written testimony in support of SB 792. I am a general dentist in a small group practice in Rockville that employes a team of 15 dental health providers and support staff. I am also the president-elect of the Maryland State Dental Association (MSDA) as well as a Dean's Faculty member at our University of Maryland School of Dentistry. I was a member of the 2022 Maryland Legislative Oral Health Care Task Force charged with finding solutions to dental health care disparities. I am speaking to you as an individual and Dental Medicaid provider to you today.

Dental Assistants play a vital roll in providing dental care to the citizens of Maryland. Besides performing four handed chairside dentistry, dental assistants often perform the vital infection control operations within the dental office. Dental assistants often start as being mentored in the office by a supervising team of Certified Dental Assistants, dentists, and registered dental hygienists. The training often includes hands on training during the day and classwork at night to become a Certified Dental Assistant (CDA) and certified Dental Radiation Technologist (DRT). Testing for both these levels is provided by the Dental Assisting National Board examination. (<https://www.danb.org/>) Passage of these exams leads to a higher prestige, responsibility, and pay for the dental assistant.

In 2022, passage into law of HB 968/SB 714 elevated the profession of dental assisting to a new level by establishing the Expanded Function Dental Assistant (EFDA). For unknown reasons, the EFDA regulations have been stalled by the Department of Health which has caused delays in implementing education programs for EFDA training. Passage of SB 792 corrects one flaw in the original bill in that it would allow for on-line EFDA training by two organization well known for providing quality education to general duty EFDA and Orthodontic EFDA.

The Maryland State Board of Dental Examiners has raised concerns about the lack of hands-on training with on-line learning. SB 792 states permissible on-line training "when appropriate". Under SB 792, hands-on testing of skills could still be performed in a classroom setting or on-line with camera one-on one with the clinical instructor. Passage of SB 792 will provide momentum to elevate the profession of

dental assistants to where deserve and hopefully attract more individuals into the profession of dental assisting.

According to the American Dental Association Health Policy Instate study on Dental Workforce Shortages:

“The dental sector is facing a serious workforce shortage. Vacant positions in dental assisting and dental hygiene have reduced dental practice capacity by an estimated 10% nationally. One in three dentists who do not have full appointment schedules indicate that trouble filling staffing positions is a contributing factor. Workforce shortages were initially attributed to the COVID-19 pandemic. We now know that is just part of the story. Enrollment in dental assisting programs has been trending downward since 2015, and the pandemic had a negative impact on dental hygiene program enrollment. While there has been some recovery of enrollment in dental hygiene programs, data suggest that dental assisting program enrollment will not rebound in the near future. As a result, workforce shortages are likely to remain an issue for years to come. ”

Passage of SB 792 will help the dental profession provide better oral health care to the citizens of Maryland by providing a better well trained certified dental assisting workforce.

For these reasons, I ask SB 792 be given a favorable report.

# **Testimony In Support of SB 792 - SBDE-EFDAs - Educ**

Uploaded by: Daniel Doherty

Position: FAV



## **The Maryland State Dental Association Supports SB 792 – State Board of Dental Examiners-Expanded Function Dental Assistants-Education and Reinstatement**

*Respectfully Submitted by Daniel T. Doherty, Jr. On Behalf of the Maryland State Dental Association*

In the 2022 Session, Delegate Kipke sponsored HB 968 establishing Expanded Function Dental Assistants (EFDAs), which contained provisions for the certification and regulation of these EFDAs. Establishing EFDAs, and allowing them to perform one or more of the expanded functions specified in HB 968, allows dental hygienists and dentists more time to provide more complex procedures to their patients, thus increasing the productivity of the dental team and increasing the number of patients who receive dental care. The expansion of the functions of a dental assistant makes dental assisting a more attractive profession, thus attracting more individuals to enter this health occupation, and increasing the number of dental assistants in Maryland – addressing, to an extent, the shortage of dental auxiliaries in Maryland.

Not surprisingly compromises were reached to satisfy objections raised by interested parties. Among which were limiting guidelines for the courses of study that the Board of Dental Examiners (“BDE”) may approve for certification of EFDAs. Specifically: “ BDE may not approve a course of study for an applicant to qualify as an EFDA unless it is part of (1) a U.S. Department of Labor Job Corps Dental Assisting program; (2) a dental assisting program located within an institution of postsecondary education that is accredited by an accrediting institution recognized by the U.S. Department of Education (ED); (3) a dental assisting program that is located within a high school and is recognized by an accrediting body recognized ED or the high school accrediting body of a State; or (4) a dental assisting program that is accredited by the Council on Dental Accreditation or a successor organization.

Unfortunately, these limitations blocked the BDE from approving courses for EFDAs that are accepted throughout the Country. Thus, among the necessary courses excluded under these provisions of HB 968 were: 1) the courses offered by the **Dale Foundation, an affiliate of the Dental Assisting National Board**, despite the fact the one of the requirements an applicant must meet is to “Have the appropriate certification from the Dental Assisting National Board; and 2) orthodontic dental assisting courses or program offered by **Trapezio Orthodontic Assisting Solutions**, which provides essential courses for the education of Orthopedic EFDAs, many of the courses are available online. Online courses are essential for dental assistants who are working and have family or other responsibilities.

SB 792 authorizes the BDE to approve courses, including when appropriate, online courses, offered by these two entities or successor entities both for initial certification and for CE course requirements. The bill also authorizes the BDE to approve CE courses offered by Dental

Professional Societies. **It is not the bill's intent to supersede existing regulations adopted by the State Board of Dental Examiners requiring in-person clinical courses and programs. Rather its intent is to assure the availability of on-line courses that the Board deems appropriate.**

Finally, the bill corrects an oversight in the 2022 HB 968, by amending the statute to provide for the requirements an EFDA, whose certification has expired, must satisfy to have the expired certification reinstated.

**For these reasons, the Maryland State Dental Association requests that SB 792 receive a Favorable Report.**

**Submitted February 21, 2025**

**Daniel T. Doherty, Jr.,**

**2025 SB 792.pdf**

Uploaded by: Thomas a'Becket

Position: FAV

SB 792 State Board of Dental Examiners – Expanded Function Dental Assistants – Education and Reinstatement

SUPPORT

Submitted by Dr Thomas R. a'Becket Legislative Chair Maryland State Dental Association and Past President Maryland State dental Association

When the original bill was passed HB 968 in 2022, a number of compromise measures created an unforeseen complication in regard to fulfilling the educational requirements for Expanded Function Dental Assistants. This bill expands the authorization of the Board of Dental Examiners to permit courses from DALE FOUNDATION, an affiliate of the Dental Assisting National Board and Trapezio Orthodontic Assisting Solutions as permitted providers. The Board of Dental Examiners can approve courses both in person and online when appropriate for both initial certification and ongoing continuing educational requirements. The second correction this bill provides is with requirements for an expired certification to be reinstated.

I ask for a FAVORABLE REPORT on SB 792.

THANK YOU

Dr Thomas R. a'Becket



# **HB792 - MDHA - Testimony in Support w. Amendment.p**

Uploaded by: Caitlin McDonough

Position: FWA



**Maryland**  
**DENTAL HYGIENISTS'**  
**ASSOCIATION**

February 25, 2025

The Honorable Pamela Beidle  
Chair, Senate Finance Committee  
Miller Senate Office Building, Room 3 West  
11 Bladen Street  
Annapolis, MD 21401

SENATE BILL 792 – STATE BOARD OF DENTAL EXAMINERS – EXPANDED FUNCTION  
DENTAL ASSISTANTS – EDUCATION AND REINSTATEMENT

Dear Chair Beidle and Members of the Committee:

The Maryland Dental Hygienists Association (MDHA) is the professional association for dental hygienists providing services in Maryland. As an organization, MDHA seeks to improve the public's total health by advancing the art and science of dental hygiene, including ensuring access to quality oral health care, increasing awareness of the cost-effective benefits of preventative dental services, promoting the highest standards of dental hygiene education, licensure, practice and research, and representing and promoting the interests of dental hygienists in Maryland.

In keeping with those goals, MDHA takes this opportunity to submit testimony in support, with amendments, of Senate Bill 792 which adds additional educational paths for dental assistants seeking certification to perform certain expanded functions under current law. MDHA understands the need to diversify the "oral health team" and the increase role that dental assistants can play in providing affordable and accessible dental services. Additionally, MDHA is supportive of providing varied and accessible educational pathways for dental assistants, including online courses, so long as they appropriately cover the skills training needed for these practitioners to provide safe and effective services. This includes requiring adequate hands skill testing, as is currently required for dental hygienists and any other practitioners who perform the designated expanded functions under their scope of practice. Proper, hands-on training is an essential part of educating any practitioner who would be providing expanded function services on Maryland patients and Maryland should not dilute current educational requirements in a way that could increase risk for patients.

MDHA joins the State Board of Dental Examiners in ensuring that the education of EFDAs is safe and sufficient and asks that those requirements be specifically added to the legislation before moving forward with the additional educational programs listed in the bill. MDHA respectfully urges a favorable report on House Bill 792 with the requested amendments and stands ready to work with the Sponsor and the Committee to ensure this legislation moves forward in a manner that is safe for patients.

**SB 792 - DENTAL - FIN - LOO.pdf**

Uploaded by: State of Maryland (MD)

Position: UNF



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

February 25, 2025

The Honorable Pamela Beidle  
Chair, Senate Finance Committee  
3 East. Miller Senate Office Building  
Annapolis, Maryland 21401-1991

Re: Senate Bill 792 – State Board of Dental Examiners – Expanded Function Dental Assistants - Education and Reinstatement - Oppose

Dear Chair Beidle and Members of the Senate Finance Committee:

The Maryland State Board of Dental Examiners respectfully submits this opposition paper for Senate Bill 792 – State Board of Dental Examiners – Expanded Function Dental Assistants - Education and Reinstatement.

Prior to providing the Board’s reasoning behind its position, it wishes to offer a brief explanation of expanded function dental assisting in Maryland which places its opposition into perspective.

Expanded function dental assisting was first recognized by the passage of HB 968 Health Occupations -Dental Assistants – Certification and Regulation, Chapter 364 (2022). The Board was required to promulgate regulations, and it did so.<sup>1</sup> The regulations provided that those who wished certification as an orthodontic expanded function dental assistant, or a general duties expanded function dental assistant were required to complete their course of study through in-person programs which included a clinical component. The Board received several comments requesting that the Board amend the regulations to allow the required training to be taken online, that is, no required clinical training. As a result of the comments the Board revised the regulations to provide that an on-line course could be completed, but that the course had to maintain a hands-on clinical training component. For example, the

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<sup>1</sup> House Bill 968 effective October 1, 2022, required the Board to promulgate regulations. On November 2, 2022 the Board passed regulations. The proposed regulations were submitted to the Department on November 2, 2022. The regulations were published in the Maryland Register on October 6, 2023. As the result of public comments, the Board held a stakeholder meeting on January 31, 2023. After consideration of the comments the Board voted on a second proposal on June 7, 2024. The second proposal was submitted to the Department on the same date.

current regulation draft provides that an applicant for orthodontic expanded function dental assisting shall “Successfully compete[d] a Board-approved course of at least 35 hours related to Maryland orthodontic expanded function dental assisting, of which at least 10 hours shall include hands-on clinical training.” Those seeking a general duties expanded function dental assisting certification must also complete hands-on clinical training.

Under the current statute, there are four entities that may provide training programs for expanded function dental assistants. Those are: A U.S. Department of Labor Job Corps dental assisting program; a dental assisting program within an institution of postsecondary education that is accredited by an accrediting institution recognized by the U.S. Department of Education; a dental assisting program that is located within a high school; or a dental assisting program that is accredited by the Council on Dental accreditation.

SB 792 adds two additional entities that may provide a course of study. Those are a dental assisting course or program offered by the Dale Foundation, an affiliate of the Dental Assisting National Board, or an orthodontic dental assisting course or program offered by Trapezio Orthodontic Assistant Training Solutions. Additionally, the bill provides that “A course of study for Initial certification under this section shall include, when appropriate, an option for an online course of study.”

Finally, the bill provides that an expanded function dental assistant may only reinstate an expired certificate and an individual who wishes to renew their certificate may only do so if the courses are offered by “Dental professional societies affiliated with national dental organizations” and the entities that may provide the course programs for initial certification.

What is not apparent from a reading of SB 792 is the fact that both the Dale Foundation program and the Trapezio program are offered entirely online. That is, there is no hands-on clinical training requirement. A candidate may complete the courses without providing treatment on a human being. The Board believes that it is essential that expanded function dental assistants treat humans as part of the training program. Placing dental sealants, performing coronal polishing, or applying silver diamine fluoride on computer simulations is no substitute for practice on a human. Maintaining a hands-on clinical component is essential to develop dexterity and precision in the oral cavity. In addition, it helps to develop real world interaction and communication skills. Experience has shown the Board that it cannot rely on employer dentists to provide the necessary training for dental auxiliaries.

The phrase “A course of study for initial certification under this section shall include, when appropriate, an option for an online course of study” is troublesome. The phrase “when appropriate” is vague and could be interpreted to mean that in-person courses must include an option for on-line training for at least a portion of the course, or perhaps the entire course, or that courses offered at an approved venue such as a high school or courses offered within an institution of postsecondary education, such as a college, where there are no dental chairs located within the school, must be permitted to conduct the entire course on-line. The phrase may also be interpreted to mean the opposite; that all online courses are inappropriate.

The Board’s current regulation draft provides that expanded function dental assistants must complete 15 hours of continuing education as a condition of certificate renewal every 2 years. The draft states in relevant part:

An orthodontic EFDA or a general duties EFDA seeking certification renewal shall complete: (1)  
Not less than 15 hours of Board-approved continuing education specifically designed to enhance

their clinical knowledge and ability to perform their duties; and (2) A 3-hour Board-approved course on infection control which shall count toward the required 15 hours of continuing education.

The draft does not require that the continuing education courses be conducted in-person, only that they enhance the dental assistant's clinical knowledge and ability to perform their duties. Under the regulations draft, an expanded function dental assistant may satisfy all of their continuing education requirements with online courses. The draft does not specify the individuals or entities that may provide the courses, and rightly so. Under the draft, individual dentists or dental hygienists would be permitted to complete a Board application and seek approval of continuing education courses for expanded function dental assistants. The Board would review the course content and qualifications of the instructor and make a decision whether the course satisfied the Board's requirement that the course enhance the dental assistant's clinical knowledge and ability. Unfortunately, under the bill, the only entities that would be permitted to provide continuing education, whether for purposes of continuing education in the normal course, or as a condition of reinstatement, would be the entities that provide for the initial education of an expanded function dental assistant and "Dental professional societies affiliated with national dental organizations." All others, including dental hygienist organizations affiliated with a national organization would be excluded. The result would be an unwarranted monopoly over continuing education which would be unprecedented. Under the Board's continuing education regulations, which have been in existence for decades, continuing education may be provided by any entity which meets the requirements. Individual dentists and dental hygienists may provide continuing education courses if the courses meet the appropriate criteria and are approved by the Board, and the same should be true with regard to continuing education for expanded function dental assistants.

For the foregoing reasons the Board requests that SB 792 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](mailto: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