

SENATE BILL 459

J2

3lr2861
CF HB 1121

By: **Senators Conway and Middleton**

Introduced and read first time: January 30, 2013

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 11, 2013

CHAPTER _____

1 AN ACT concerning

2 **Health Occupations – Dental Hygienists – Provision of Services ~~Without~~**
3 **~~Supervision~~ at a Community-Based Health Fair**

4 FOR the purpose of authorizing a licensed dental hygienist, without the supervision of
5 a dentist, to provide certain services ~~in any setting~~; without compensation at
6 certain community-based health fairs; requiring the Board of Dental
7 Examiners, in consultation with the Department of Health and Mental
8 Hygiene's Office of Oral Health, to develop a certain form; requiring a certain
9 dental hygienist to complete and submit a certain form to the Office of Oral
10 Health under certain circumstances; defining a certain term; and generally
11 relating to the practice of licensed dental hygienists.

12 BY adding to

13 Article – Health Occupations

14 Section 4–308.1

15 Annotated Code of Maryland

16 (2009 Replacement Volume and 2012 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Health Occupations**

20 **4–308.1.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **(A) IN THIS SECTION, "COMMUNITY-BASED HEALTH FAIR" MEANS A**
2 **HEALTH SERVICE EVENT THAT OFFERS PRIMARY HEALTH CARE SERVICES TO AN**
3 **INDIVIDUAL FOR FREE OR USING A SLIDING FEE SCHEDULE THAT IS SPONSORED**
4 **BY:**

5 **(1) THE FEDERAL, THE STATE, OR A LOCAL GOVERNMENT;**

6 **(2) A NONPROFIT ORGANIZATION THAT IS EXEMPT FROM**
7 **TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE; OR**

8 **(3) A NONPROFIT COMMUNITY ORGANIZATION THAT HAS THE**
9 **STATED PURPOSE OF PROVIDING HEALTH SERVICES TO THE DISADVANTAGED.**

10 **(B) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, A**
11 **LICENSED DENTAL HYGIENIST, WITHOUT THE SUPERVISION OF A DENTIST, MAY**
12 **PROVIDE WITHOUT COMPENSATION THE FOLLOWING SERVICES ~~IN ANY SETTING~~**
13 **AT A COMMUNITY-BASED HEALTH FAIR:**

14 **(1) ~~ORAL HEALTH AND WELLNESS ASSESSMENTS~~ A PRELIMINARY**
15 **DENTAL EXAMINATION, INCLUDING CHARTING ANY CAVITIES, RESTORATIONS,**
16 **OR MISSING TEETH;**

17 **(2) ~~DENTAL HYGIENE~~ ORAL HEALTH EDUCATION;**

18 **(3) ~~A REFERRAL TO A DENTAL HOME~~ TAKING BLOOD PRESSURE,**
19 **PULSE RATE, RESPIRATION RATE, HEIGHT, AND WEIGHT; AND**

20 **(4) ~~FLUORIDE VARNISH TREATMENTS~~ REFERRALS TO A DENTAL**
21 **HOME, INCLUDING PROVIDING A PATIENT WITH A LIST OF CLINICAL PUBLIC**
22 **HEALTH FACILITIES.**

23 **(C) (1) THE BOARD, IN CONSULTATION WITH THE DEPARTMENT'S**
24 **OFFICE OF ORAL HEALTH, SHALL DEVELOP A STANDARD FORM TO BE USED BY**
25 **A DENTAL HYGIENIST WHO PERFORMS THE SERVICES AUTHORIZED UNDER THIS**
26 **SECTION AT A COMMUNITY-BASED HEALTH FAIR.**

27 **(2) A DENTAL HYGIENIST WHO PERFORMS SERVICES IN**
28 **ACCORDANCE WITH THIS SECTION SHALL:**

29 **(I) FILL OUT THE FORM REQUIRED UNDER PARAGRAPH (1)**
30 **OF THIS SUBSECTION FOR EACH PATIENT WHO RECEIVED SERVICES FROM THE**
31 **DENTAL HYGIENIST; AND**

1 **(ii) SUBMIT THE COMPLETED FORM TO THE OFFICE OF**
2 **ORAL HEALTH.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2013.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.