

HOUSE BILL 657

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4lr2140

By: **Delegates Pena–Melnyk, Oaks, Cullison, Hubbard, Kach, A. Kelly, Krebs, Murphy, Ready, Reznik, and V. Turner**

Introduced and read first time: January 31, 2014

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Dental Examiners – Dentists and Dental Hygienists – Grounds**
3 **for Discipline**

4 FOR the purpose of authorizing the State Board of Dental Examiners to take certain
5 disciplinary actions against applicants for a license to practice dentistry or
6 dental hygiene, licensed dentists, or licensed dental hygienists if the applicant
7 or licensee demonstrates a certain course of conduct or provides a certain
8 service that is inconsistent with certain standards of care under certain
9 circumstances; and generally relating to the discipline of applicants for
10 licensure and licensees of the State Board of Dental Examiners.

11 BY renumbering

12 Article – Health Occupations

13 Section 4–315(a)(18) through (32) and (b)(11) through (18), respectively

14 to be Section 4–315(a)(20) through (34) and (b)(13) through (20), respectively

15 Annotated Code of Maryland

16 (2009 Replacement Volume and 2013 Supplement)

17 BY adding to

18 Article – Health Occupations

19 Section 4–315(a)(18) and (19) and (b)(11) and (12)

20 Annotated Code of Maryland

21 (2009 Replacement Volume and 2013 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That Section(s) 4–315(a)(18) through (32) and (b)(11) through (18),
24 respectively, of Article – Health Occupations of the Annotated Code of Maryland be
25 renumbered to be Section(s) 4–315(a)(20) through (34) and (b)(13) through (20),
26 respectively.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
2 read as follows:

3 **Article – Health Occupations**

4 4–315.

5 (a) Subject to the hearing provisions of § 4–318 of this subtitle, the Board
6 may deny a general license to practice dentistry, a limited license to practice dentistry,
7 or a teacher’s license to practice dentistry to any applicant, reprimand any licensed
8 dentist, place any licensed dentist on probation, or suspend or revoke the license of
9 any licensed dentist, if the applicant or licensee:

10 **(18) DEMONSTRATES A COURSE OF CONDUCT OF PROVIDING**
11 **DENTAL CARE THAT IS INCONSISTENT WITH GENERALLY ACCEPTED**
12 **PROFESSIONAL STANDARDS OF CARE IN THE PRACTICE OF DENTISTRY,**
13 **REGARDLESS OF WHETHER ACTUAL INJURY TO THE PATIENT OCCURS;**

14 **(19) PROVIDES A DENTAL SERVICE IN A MANNER THAT IS**
15 **SIGNIFICANTLY INCONSISTENT WITH GENERALLY ACCEPTED PROFESSIONAL**
16 **STANDARDS OF CARE IN THE PRACTICE OF DENTISTRY, REGARDLESS OF**
17 **WHETHER ACTUAL INJURY TO THE PATIENT OCCURS;**

18 (b) Subject to the hearing provisions of § 4–318 of this subtitle, the Board
19 may deny a general license to practice dental hygiene, a teacher’s license to practice
20 dental hygiene, or a temporary license to practice dental hygiene to any applicant,
21 reprimand any licensed dental hygienist, place any licensed dental hygienist on
22 probation, or suspend or revoke the license of any licensed dental hygienist, if the
23 applicant or licensee:

24 **(11) DEMONSTRATES A COURSE OF CONDUCT OF PROVIDING**
25 **DENTAL HYGIENE CARE THAT IS INCONSISTENT WITH GENERALLY ACCEPTED**
26 **PROFESSIONAL STANDARDS OF CARE IN THE PRACTICE OF DENTAL HYGIENE,**
27 **REGARDLESS OF WHETHER ACTUAL INJURY TO THE PATIENT OCCURS;**

28 **(12) PROVIDES A DENTAL HYGIENE SERVICE IN A MANNER THAT IS**
29 **SIGNIFICANTLY INCONSISTENT WITH GENERALLY ACCEPTED PROFESSIONAL**
30 **STANDARDS OF CARE IN THE PRACTICE OF DENTAL HYGIENE, REGARDLESS OF**
31 **WHETHER ACTUAL INJURY TO THE PATIENT OCCURS;**

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2014.