

Chapter 106

(House Bill 470)

AN ACT concerning

Health Occupations – Dental Hygienists – Administration of Nitrous Oxide

FOR the purpose of authorizing, subject to certain requirements, dental hygienists to administer nitrous oxide to certain patients; altering a certain definition; making certain conforming changes; and generally relating to the administration of nitrous oxide by dental hygienists.

BY repealing and reenacting, without amendments,
 Article – Health Occupations
 Section 4–101(a)
 Annotated Code of Maryland
 (2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
 Article – Health Occupations
 Section 4–101(k)(9), 4–205(a)(1)(ix), and 4–206.2
 Annotated Code of Maryland
 (2014 Replacement Volume and 2015 Supplement)

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

Article – Health Occupations

4–101.

(a) In this title the following words have the meaning indicated.

(k) “Practice dental hygiene” means to:

(9) [Monitor,] **ADMINISTER NITROUS OXIDE** in accordance with § 4–206.2 of this title[, a patient to whom nitrous oxide is administered]; or

4–205.

(a) In addition to the powers set forth elsewhere in this title, the Board may:

(1) Adopt regulations governing:

(ix) Reasonable requirements for:

1. The education, training, evaluation, and examination of a dental hygienist before a dental hygienist may [monitor a patient to whom] **ADMINISTER** nitrous oxide [is being administered, subject to] **UNDER § 4–206.2** of this subtitle; and

2. [Monitoring] **ADMINISTERING NITROUS OXIDE** by a dental hygienist[, in accordance with] **UNDER § 4–206.2** of this subtitle[, of a patient to whom nitrous oxide is being administered];

4–206.2.

(a) **[A] SUBJECT TO THE REQUIREMENTS OF SUBSECTIONS (B) AND (C) OF THIS SECTION, A** dental hygienist may [monitor a patient to whom] **ADMINISTER** nitrous oxide [is administered provided the monitoring of the] **TO A** patient **PROVIDED THE ADMINISTRATION OF NITROUS OXIDE** is under the supervision of a dentist who [is]:

(1) IS physically present on the premises; **AND**

(2) PRESCRIBES THE ADMINISTRATION OF NITROUS OXIDE BY THE DENTAL HYGIENIST.

(b) Before a dental hygienist may [monitor a patient to whom] **ADMINISTER** nitrous oxide [is administered] **UNDER SUBSECTION (A) OF THIS SECTION**, the dental hygienist shall successfully complete the following:

(1) Any educational requirements established by the Board; and

(2) A written and clinical examination as required by the Board.

(c) A dental hygienist shall complete the educational requirements established by the Board under subsection (b)(1) of this section through an accredited dental hygiene program.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

Approved by the Governor, April 12, 2016.