

SENATE BILL 836

J2

(11r2033)

ENROLLED BILL

— *Education, Health, and Environmental Affairs/Health and Government Operations* —

Introduced by **Senators Beidle and Elfreth**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **State Board of Dental Examiners ~~Disciplinary Action~~ ~~Disclosure~~**
3 **~~Requirements and Licensee Profiles~~ Disciplinary Process and Actions Task**
4 **~~Force Report~~**

5 FOR the purpose of ~~requiring the State Board of Dental Examiners to disclose certain~~
6 ~~information contained in a certain record to certain committees of certain facilities~~
7 ~~and entities under certain circumstances; requiring the Board to notify certain~~
8 ~~facilities or entities of certain complaints under certain circumstances; requiring the~~
9 ~~Board to notify certain facilities and entities of certain action taken by the Board~~
10 ~~within a certain period of time and to provide certain facilities or entities with certain~~
11 ~~reports within a certain period of time; requiring the Board to provide certain~~
12 ~~information to a person who has made a complaint on request; requiring the Board~~
13 ~~to disclose a certain filing or notice on the Board's website following the filing of~~
14 ~~certain charges or notice of certain denial of a license application; authorizing the~~

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.

Italics indicate opposite chamber/conference committee amendments.



~~Board to disclose any information in a certain record to a licensing or disciplinary authority of another state under certain circumstances; authorizing the Board to disclose any information as authorized by a certain licensee to certain persons under certain circumstances; authorizing the Board to disclose certain information to certain government entities under certain circumstances; requiring the Board to disclose certain information to a law enforcement or prosecutorial official under certain circumstances; authorizing the Board to allow certain inspection of records by a person who is engaged in a research project under certain circumstances; requiring the Board to provide a certain portion of a transcript to a certain person who provided certain testimony; authorizing the Board to publish a certain summary of allegations; prohibiting a certain summary from identifying certain persons; requiring the Board to disclose certain information in a record to the Governor, the Secretary of Health, or the Legislative Auditor for purposes of a certain audit and prohibiting the disclosure of personally identifiable information by certain individuals; requiring the Board to create and maintain certain profiles on licensees that include certain information; requiring the Board to include a certain statement on each licensee's profile; requiring the Board to forward certain written copies of certain profiles, under certain circumstances, and maintain a certain website for certain profiles; requiring the Board to provide a certain mechanism for making certain corrections to a profile; requiring the Board to include certain disciplinary information in a certain profile within a certain period of time; providing for the application of certain provisions of this Act; defining certain terms; and generally relating to disciplinary action, disclosure requirements, licensee profiles, and the State Board of Dental Examiners establishing the State Board of Dental Examiners Disciplinary Process and Actions Task Force; providing for the composition and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the ~~Task Force~~ State Board of Dental Examiners to study and make recommendations regarding certain matters; requiring the ~~Task Force Board~~ to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; and generally relating to the State Board of Dental Examiners Disciplinary Process and Actions Task Force.~~

BY adding to

~~Article — Health Occupations~~

~~Section 4-322 and 4-323~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume and 2020 Supplement)~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That ~~the Laws of Maryland read as follows:~~

(a) ~~There is a State Board of Dental Examiners Disciplinary Process and Actions Task Force.~~

(b) ~~The Task Force consists of the following members:~~

1 ~~(1) one member of the Senate of Maryland, appointed by the President of~~
2 ~~the Senate;~~

3 ~~(2) one member of the House of Delegates, appointed by the Speaker of the~~
4 ~~House;~~

5 ~~(3) the Attorney General, or the Attorney General's designee;~~

6 ~~(4) two members of the State Board of Dental Examiners, designated by~~
7 ~~the Chair of the Board;~~

8 ~~(5) two members of the Maryland State Dental Association, designated by~~
9 ~~the President of the Association;~~

10 ~~(6) one member of the Maryland Dental Hygienists' Association,~~
11 ~~designated by the President of the Association;~~

12 ~~(7) one member of the faculty of the University of Maryland School of~~
13 ~~Dentistry, designated by the Dean of the School;~~

14 ~~(8) one member who is an employee of a dental service organization,~~
15 ~~designated by the President of the Association of Dental Support Organizations; and~~

16 ~~(9) two consumer advocates, designated by the Office of the Attorney~~
17 ~~General.~~

18 ~~(c) (1) Subject to paragraph (2) of this subsection, one of the two members of~~
19 ~~the Task Force designated under subsection (b)(4) of this section shall chair the Task Force.~~

20 ~~(2) The chair shall be chosen by the members in attendance at the first~~
21 ~~meeting of the Task Force.~~

22 ~~(d) The Department of Legislative Services shall provide staff for the Task Force.~~

23 ~~(e) A member of the Task Force:~~

24 ~~(1) may not receive compensation as a member of the Task Force; but~~

25 ~~(2) is entitled to reimbursement for expenses under the Standard State~~
26 ~~Travel Regulations, as provided in the State budget.~~

27 ~~(f) (a) The Task Force State Board of Dental Examiners shall:~~

28 ~~(1) study:~~

29 ~~(i) how many complaints are filed annually;~~

- 1 (ii) how a complaint is filed;
- 2 (iii) who is eligible to file a complaint;
- 3 (iv) the length of time a complaint is open;
- 4 (v) the time frame to provide updates and a resolution to the
5 complainant;
- 6 (vi) the average time between steps in the disciplinary process,
7 including:
- 8 1. the issuance of an Order of Summary Suspension;
- 9 2. a Show Cause Hearing;
- 10 3. a Case Resolution Conference;
- 11 4. execution of a Consent Order;
- 12 5. a full evidentiary hearing; and
- 13 6. issuance of a Final Board Order;
- 14 (vii) instances in which the time between steps in the disciplinary
15 process were longer than the averages studied under item (vi) of this item and explanations
16 for why those instances deviated from the average;
- 17 ~~(vi)~~ (viii) the manner in which disciplinary action from the Board is
18 publicly reported; and
- 19 ~~(vii)~~ (ix) whether a dentist should be required to carry malpractice
20 insurance; and
- 21 (x) Board rules and guidelines for show cause hearings, including
22 when licensees may waive rights to a show cause hearing;
- 23 (xi) how the Board's disciplinary processes and actions compare to the
24 processes and actions of other boards established under the Health Occupations Article;
- 25 (xii) how the Board's disciplinary processes and actions compare to the
26 processes and actions of boards that license, regulate, and discipline dentists and dental
27 hygienists in other states; and
- 28 (xiii) how the Board's disciplinary processes and actions compare to
29 best practices established or recommended by policy experts; and

1 (2) make recommendations regarding revisions to the disciplinary process
 2 and actions of the State Board of Dental Examiners that are necessary to improve the
 3 process of the disciplining dentists in the State and the disclosure of disciplinary actions.

4 ~~(g) (b) On or before December~~ November 1, 2021, the State Board of Dental
 5 Examiners Disciplinary Process and Actions Task Force shall report its findings and
 6 recommendations to the Governor and, in accordance with § 2-1257 of the State
 7 Government Article, the General Assembly.

8 ~~Article — Health Occupations~~

9 ~~4-322.~~

10 (A) (1) ~~IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~
 11 ~~INDICATED.~~

12 (2) ~~“DISCIPLINARY COMMITTEE” MEANS A COMMITTEE~~
 13 ~~ESTABLISHED BY THE BOARD TO REVIEW, INVESTIGATE, OR OTHERWISE ADVISE~~
 14 ~~THE BOARD ON DISCIPLINARY MATTERS.~~

15 (3) ~~“RECORD” MEANS THE PROCEEDINGS, RECORDS, OR FILES OF~~
 16 ~~THE BOARD OR A DISCIPLINARY COMMITTEE.~~

17 (B) ~~EXCEPT AS OTHERWISE EXPRESSLY PROVIDED IN THIS SECTION AND §~~
 18 ~~4-323 OF THIS SUBTITLE, THE BOARD OR A DISCIPLINARY COMMITTEE MAY NOT~~
 19 ~~DISCLOSE ANY INFORMATION CONTAINED IN A RECORD.~~

20 (C) ~~THIS SECTION MAY NOT BE CONSTRUED TO PREVENT OR LIMIT THE~~
 21 ~~DISCLOSURE OF:~~

22 (1) ~~GENERAL LICENSURE INFORMATION MAINTAINED BY THE~~
 23 ~~BOARD, IF THE REQUEST FOR RELEASE COMPLIES WITH THE CRITERIA OF § 4-323~~
 24 ~~OF THE GENERAL PROVISIONS ARTICLE;~~

25 (2) ~~PROFILE INFORMATION COLLECTED AND DISSEMINATED UNDER~~
 26 ~~§ 4-323 OF THIS SUBTITLE; OR~~

27 (3) ~~PERSONAL AND OTHER IDENTIFYING INFORMATION OF A~~
 28 ~~LICENSEE, AS REQUIRED BY THE NATIONAL PRACTITIONER DATA BANK FOR~~
 29 ~~PARTICIPATION IN THE PROACTIVE DISCLOSURE SERVICE.~~

30 (D) ~~THE BOARD SHALL DISCLOSE ANY INFORMATION CONTAINED IN A~~
 31 ~~RECORD TO A DISCIPLINARY COMMITTEE OF A FACILITY WHERE THE LICENSEE~~
 32 ~~PRACTICES OR AN ENTITY THAT EMPLOYS THE LICENSEE IF:~~

1 ~~(1) THE COMMITTEE REQUESTS THE INFORMATION IN WRITING;~~

2 ~~(2) THE BOARD HAS ISSUED AN ORDER AS TO THE LICENSEE ON~~
3 ~~WHOM THE INFORMATION IS REQUESTED; AND~~

4 ~~(3) THE BOARD DETERMINES THAT THE INFORMATION REQUESTED~~
5 ~~IS NECESSARY FOR AN INVESTIGATION OR ACTION OF THE DISCIPLINARY~~
6 ~~COMMITTEE AS TO THE PRACTICE OF A LICENSEE AT THE FACILITY OR FOR THE~~
7 ~~ENTITY.~~

8 ~~(E) (1) THE BOARD SHALL NOTIFY ALL FACILITIES WHERE A LICENSEE~~
9 ~~PRACTICES OR ENTITIES THAT EMPLOY A LICENSEE OF A COMPLAINT FILED~~
10 ~~AGAINST THAT LICENSEE IF:~~

11 ~~(I) THE BOARD DETERMINES, IN ITS DISCRETION, THAT THE~~
12 ~~FACILITY OR ENTITY SHOULD BE INFORMED ABOUT THE COMPLAINT; OR~~

13 ~~(II) THE NATURE OF THE COMPLAINT SUGGESTS A REASONABLE~~
14 ~~POSSIBILITY OF AN IMMINENT THREAT TO PATIENT SAFETY.~~

15 ~~(2) THE BOARD SHALL DISCLOSE ANY INFORMATION RELATING TO A~~
16 ~~LICENSEE'S COMPETENCY TO PRACTICE DENTISTRY OR DENTAL HYGIENE~~
17 ~~CONTAINED IN A RECORD TO A COMMITTEE OF A FACILITY WHERE A LICENSEE~~
18 ~~PRACTICES OR AN ENTITY THAT EMPLOYS A LICENSEE IF:~~

19 ~~(I) THE COMMITTEE IS CONCERNED WITH DISCIPLINE AND~~
20 ~~REQUESTS THE INFORMATION IN WRITING; AND~~

21 ~~(II) THE BOARD HAS RECEIVED A COMPLAINT AS DESCRIBED IN~~
22 ~~PARAGRAPH (1) OF THIS SUBSECTION ON THE LICENSEE ON WHOM THE~~
23 ~~INFORMATION IS REQUESTED.~~

24 ~~(3) THE BOARD SHALL, AFTER FORMAL ACTION IS TAKEN UNDER §~~
25 ~~4-315 OF THIS SUBTITLE, NOTIFY THE FACILITY WHERE THE LICENSEE PRACTICES~~
26 ~~OR THE ENTITY THAT EMPLOYS THE LICENSEE OF ITS FORMAL ACTION WITHIN 10~~
27 ~~DAYS AFTER THE ACTION IS TAKEN AND SHALL PROVIDE THE FACILITY OR ENTITY~~
28 ~~WITH PERIODIC REPORTS AS TO ENFORCEMENT OR MONITORING OF A FORMAL~~
29 ~~DISCIPLINARY ORDER AGAINST A LICENSEE WITHIN 10 DAYS AFTER RECEIPT OF~~
30 ~~THOSE REPORTS.~~

31 ~~(F) ON THE REQUEST OF A PERSON WHO HAS MADE A COMPLAINT TO THE~~
32 ~~BOARD REGARDING A LICENSEE, THE BOARD SHALL PROVIDE THE PERSON WITH~~
33 ~~INFORMATION ON THE STATUS OF THE COMPLAINT.~~

~~(G) FOLLOWING THE FILING OF CHARGES OR NOTICE OF INITIAL DENIAL OF A LICENSE APPLICATION, THE BOARD SHALL DISCLOSE THE FILING OR NOTICE TO THE PUBLIC ON THE BOARD'S WEBSITE.~~

~~(H) THE BOARD MAY DISCLOSE ANY INFORMATION CONTAINED IN A RECORD TO A LICENSING OR DISCIPLINARY AUTHORITY OF ANOTHER STATE IF:~~

~~(1) THE LICENSING OR DISCIPLINARY AUTHORITY OF ANOTHER STATE THAT REGULATES LICENSEES IN THAT STATE REQUESTS THE INFORMATION IN WRITING; AND~~

~~(2) THE DISCLOSURE OF ANY INFORMATION IS LIMITED TO THE PENDING OF AN ALLEGATION OF A GROUND FOR DISCIPLINARY OR OTHER ACTION BY THE BOARD UNTIL:~~

~~(i) THE BOARD HAS PASSED AN ORDER UNDER § 4-315 OF THIS SUBTITLE; OR~~

~~(ii) A LICENSEE ON WHOM THE INFORMATION IS REQUESTED AUTHORIZES A DISCLOSURE AS TO THE FACTS OF AN ALLEGATION OR THE RESULTS OF AN INVESTIGATION BEFORE THE BOARD.~~

~~(I) THE BOARD MAY DISCLOSE ANY INFORMATION CONTAINED IN A RECORD TO A PERSON IF:~~

~~(1) A LICENSEE ON WHOM ANY INFORMATION IS REQUESTED AUTHORIZES THE PERSON TO RECEIVE THE DISCLOSURE;~~

~~(2) THE PERSON REQUESTS THE INFORMATION IN WRITING; AND~~

~~(3) THE AUTHORIZATION FOR THE DISCLOSURE IS IN WRITING.~~

~~(J) THE BOARD MAY DISCLOSE ANY INFORMATION CONTAINED IN A RECORD TO THE DEPARTMENT, THE SECRETARY OF THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES OR THE SECRETARY'S DESIGNEE, OR ANY HEALTH OCCUPATIONAL REGULATORY BOARD IF:~~

~~(1) (i) THE DEPARTMENT OR HEALTH OCCUPATIONAL REGULATORY BOARD REQUESTS THE INFORMATION IN WRITING; OR~~

~~(ii) THE SECRETARY OF THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES OR THE SECRETARY'S DESIGNEE IS ENTITLED TO RECEIVE THE INFORMATION OR HAVE ACCESS TO THE INFORMATION UNDER 42 U.S.C. § 1396r-2;~~

1 ~~(2) (i) THE BOARD HAS ISSUED AN ORDER UNDER § 4-315 OF THIS~~
2 ~~SUBTITLE; OR~~

3 ~~(ii) AN ALLEGATION IS PENDING BEFORE THE BOARD; AND~~

4 ~~(3) THE BOARD DETERMINES THAT THE REQUESTED INFORMATION~~
5 ~~IS NECESSARY FOR THE PROPER CONDUCT OF THE BUSINESS OF THAT ENTITY OR~~
6 ~~BOARD.~~

7 ~~(k) IF THE BOARD DETERMINES THAT THE INFORMATION CONTAINED IN A~~
8 ~~RECORD CONCERNS POSSIBLE CRIMINAL ACTIVITY, THE BOARD SHALL DISCLOSE~~
9 ~~THE INFORMATION TO A LAW ENFORCEMENT OR PROSECUTORIAL OFFICIAL.~~

10 ~~(l) THE BOARD MAY ALLOW INSPECTION OF RECORDS FOR WHICH~~
11 ~~INSPECTION OTHERWISE IS NOT AUTHORIZED BY A PERSON WHO IS ENGAGED IN A~~
12 ~~RESEARCH PROJECT IF:~~

13 ~~(1) THE RESEARCHER SUBMITS TO THE EXECUTIVE DIRECTOR AND~~
14 ~~THE BOARD APPROVES A WRITTEN REQUEST THAT:~~

15 ~~(i) DESCRIBES THE PURPOSE OF THE RESEARCH PROJECT;~~

16 ~~(ii) DESCRIBES THE INTENT, IF ANY, TO PUBLISH THE~~
17 ~~FINDINGS;~~

18 ~~(iii) DESCRIBES THE NATURE OF THE REQUESTED PERSONAL~~
19 ~~RECORDS;~~

20 ~~(iv) DESCRIBES THE SAFEGUARDS THAT THE RESEARCHER~~
21 ~~WOULD TAKE TO PROTECT THE IDENTITY OF THE PERSONS IN INTEREST; AND~~

22 ~~(v) STATES THAT PERSONS IN INTEREST WILL NOT BE~~
23 ~~CONTACTED UNLESS THE EXECUTIVE DIRECTOR APPROVES AND MONITORS THE~~
24 ~~CONTACT;~~

25 ~~(2) THE EXECUTIVE DIRECTOR IS SATISFIED THAT THE PROPOSED~~
26 ~~SAFEGUARDS WILL PREVENT THE DISCLOSURE OF THE IDENTITY OF PERSONS IN~~
27 ~~INTEREST; AND~~

28 ~~(3) THE RESEARCHER MAKES AN AGREEMENT WITH THE EXECUTIVE~~
29 ~~DIRECTOR THAT:~~

30 ~~(i) DEFINES THE SCOPE OF THE RESEARCH PROJECT;~~

1 ~~(H) SETS OUT THE SAFEGUARDS FOR PROTECTING THE~~
2 ~~IDENTITY OF THE PERSONS IN INTEREST; AND~~

3 ~~(H) STATES THAT A BREACH OF ANY CONDITION OF THE~~
4 ~~AGREEMENT IS A BREACH OF CONTRACT.~~

5 ~~(M) ON THE REQUEST OF A PERSON WHO HAS TESTIFIED IN A BOARD OR~~
6 ~~OFFICE OF ADMINISTRATIVE HEARINGS PROCEEDING, THE BOARD SHALL PROVIDE~~
7 ~~TO THE PERSON WHO TESTIFIED A COPY OF THE PORTION OF THE TRANSCRIPT OF~~
8 ~~THAT PERSON'S TESTIMONY.~~

9 ~~(N) (1) THE BOARD MAY PUBLISH A SUMMARY OF ANY ALLEGATIONS OF~~
10 ~~GROUND FOR DISCIPLINARY OR OTHER ACTION.~~

11 ~~(2) A SUMMARY MAY NOT IDENTIFY:~~

12 ~~(I) ANY PERSON WHO MAKES AN ALLEGATION TO THE BOARD~~
13 ~~OR ANY OF ITS INVESTIGATORY BODIES;~~

14 ~~(H) A LICENSEE ABOUT WHOM AN ALLEGATION IS MADE; OR~~

15 ~~(H) A WITNESS IN AN INVESTIGATION OR A PROCEEDING~~
16 ~~BEFORE THE BOARD OR ANY OF ITS INVESTIGATORY BODIES.~~

17 ~~(O) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE BOARD~~
18 ~~SHALL DISCLOSE INFORMATION IN A RECORD ON THE REQUEST OF THE GOVERNOR,~~
19 ~~THE SECRETARY, OR THE LEGISLATIVE AUDITOR, IN ACCORDANCE WITH §~~
20 ~~2-1223(A) OF THE STATE GOVERNMENT ARTICLE.~~

21 ~~(2) THE GOVERNOR, THE SECRETARY, OR THE LEGISLATIVE~~
22 ~~AUDITOR, OR ANY OF THEIR EMPLOYEES MAY NOT DISCLOSE PERSONALLY~~
23 ~~IDENTIFIABLE INFORMATION FROM ANY OF THESE RECORDS THAT ARE OTHERWISE~~
24 ~~CONFIDENTIAL BY LAW.~~

25 ~~(P) THIS SECTION DOES NOT APPLY TO:~~

26 ~~(1) ANY DISCLOSURE OF A RECORD BY THE BOARD TO A~~
27 ~~DISCIPLINARY COMMITTEE OR ANY OF ITS OTHER INVESTIGATORY BODIES; OR~~

28 ~~(2) A LICENSEE WHO HAS BEEN CHARGED UNDER THIS TITLE OR A~~
29 ~~PARTY TO A PROCEEDING BEFORE THE BOARD WHO CLAIMS TO BE AGGRIEVED BY~~
30 ~~THE DECISION OF THE BOARD OR THE DISCIPLINARY PANEL.~~

~~(Q) IF ANY INFORMATION CONTAINED IN ANY DENTAL RECORD OR ANY OTHER EXHIBIT IS OTHERWISE OPEN FOR DISCLOSURE UNDER LAW, THE USE OF THAT DOCUMENT OR EXHIBIT IN ANY RECORD OF THE BOARD, A DISCIPLINARY COMMITTEE, OR ANY OF ITS OTHER INVESTIGATORY BODIES DOES NOT PREVENT ITS DISCLOSURE IN ANY OTHER PROCEEDING.~~

~~4-323.~~

~~(A) THE BOARD SHALL CREATE AND MAINTAIN A PUBLIC INDIVIDUAL PROFILE ON EACH LICENSEE THAT INCLUDES THE FOLLOWING INFORMATION:~~

~~(1) A SUMMARY OF CHARGES FILED AGAINST THE LICENSEE, INCLUDING A COPY OF THE CHARGING DOCUMENT, UNTIL THE BOARD HAS TAKEN ACTION UNDER § 4-315 OF THIS SUBTITLE BASED ON THE CHARGES OR HAS RESCINDED THE CHARGES;~~

~~(2) A DESCRIPTION OF ANY DISCIPLINARY ACTION TAKEN BY THE BOARD AGAINST THE LICENSEE WITHIN THE MOST RECENT 10-YEAR PERIOD THAT INCLUDES A COPY OF THE PUBLIC ORDER;~~

~~(3) A DESCRIPTION IN SUMMARY FORM OF ANY FINAL DISCIPLINARY ACTION TAKEN BY A LICENSING BOARD IN ANY OTHER STATE OR JURISDICTION AGAINST THE LICENSEE WITHIN THE MOST RECENT 10-YEAR PERIOD;~~

~~(4) A DESCRIPTION OF A CONVICTION OR ENTRY OF A PLEA OF GUILTY OR NOLO CONTENDERE BY THE LICENSEE FOR A CRIME INVOLVING MORAL TURPITUDE REPORTED TO THE BOARD UNDER § 4-604 OF THIS TITLE; AND~~

~~(5) AS REPORTED TO THE BOARD BY THE LICENSEE, EDUCATION AND PRACTICE INFORMATION ABOUT THE LICENSEE INCLUDING:~~

~~(i) THE NAME OF ANY DENTAL OR DENTAL HYGIENIST SCHOOL THAT THE LICENSEE ATTENDED AND THE DATE ON WHICH THE LICENSEE GRADUATED FROM THE SCHOOL;~~

~~(ii) A DESCRIPTION OF ANY INTERNSHIP AND RESIDENCY TRAINING;~~

~~(iii) A DESCRIPTION OF ANY SPECIALTY BOARD CERTIFICATION BY A NATIONAL CERTIFYING BODY RECOGNIZED BY THE BOARD;~~

~~(iv) THE NAME OF ANY OFFICE OR FACILITY WHERE THE LICENSEE PRACTICES;~~

~~(V) WHETHER THE LICENSEE PARTICIPATES IN THE MARYLAND HEALTHY SMILES PROGRAM OR THE MARYLAND MEDICAL ASSISTANCE PROGRAM ADULT DENTAL PILOT PROGRAM OR A SUCCESSOR PROGRAM;~~

~~(VI) WHETHER THE LICENSEE MAINTAINS DENTAL PROFESSIONAL LIABILITY INSURANCE; AND~~

~~(VII) THE NUMBER OF DENTAL MALPRACTICE FINAL COURT JUDGMENTS AND ARBITRATION AWARDS AGAINST THE LICENSEE WITHIN THE MOST RECENT 10-YEAR PERIOD.~~

~~(B) IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION, THE BOARD SHALL INCLUDE A STATEMENT ON EACH LICENSEE'S PROFILE OF INFORMATION TO BE TAKEN INTO CONSIDERATION BY A CONSUMER WHEN VIEWING A LICENSEE'S PROFILE, INCLUDING FACTORS TO CONSIDER WHEN EVALUATING A LICENSEE'S MALPRACTICE DATA, AND A DISCLAIMER STATING THAT A CHARGING DOCUMENT DOES NOT INDICATE A FINAL FINDING OF GUILT BY A DISCIPLINARY PANEL.~~

~~(C) THE BOARD:~~

~~(1) ON RECEIPT OF A WRITTEN REQUEST FOR A LICENSEE'S PROFILE FROM ANY PERSON, SHALL FORWARD A WRITTEN COPY OF THE PROFILE TO THE PERSON; AND~~

~~(2) SHALL MAINTAIN A WEBSITE THAT SERVES AS A SINGLE POINT OF ENTRY WHERE ALL LICENSEE PROFILE INFORMATION IS AVAILABLE TO THE PUBLIC.~~

~~(D) THE BOARD SHALL PROVIDE A MECHANISM FOR THE NOTIFICATION AND PROMPT CORRECTION OF ANY FACTUAL INACCURACIES IN A LICENSEE'S PROFILE.~~

~~(E) THE BOARD SHALL INCLUDE INFORMATION RELATING TO CHARGES FILED AGAINST A LICENSEE BY THE BOARD AND ANY FINAL DISCIPLINARY ACTION TAKEN BY THE BOARD AGAINST A LICENSEE IN THE LICENSEE'S PROFILE WITHIN 10 DAYS AFTER THE CHARGES ARE FILED OR THE ACTION BECOMES FINAL.~~

~~(F) THIS SECTION DOES NOT LIMIT THE BOARD'S AUTHORITY TO DISCLOSE INFORMATION AS REQUIRED UNDER § 4-322 OF THIS SUBTITLE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ June 1, 2021. It shall remain effective for a period of 1 year and 1 month and, at

1 the end of June 30, 2022, this Act, with no further action required by the General Assembly,
2 shall be abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.