

HOUSE BILL 1266

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HB 921/20 – HGO

2lr2946

By: **Delegates P. Young, Terrasa, and K. Young**

Introduced and read first time: February 11, 2022

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Dentists – Saliva Lead Poisoning Screening Tests – Scope of Practice and**
3 **Requirements**

4 FOR the purpose of authorizing a dentist to collect oral saliva samples to screen for lead
5 poisoning in individuals under a certain age; and generally relating to saliva lead
6 poisoning screening tests and dentists.

7 BY repealing and reenacting, without amendments,

8 Article – Health Occupations

9 Section 4–101(a)

10 Annotated Code of Maryland

11 (2021 Replacement Volume)

12 BY repealing and reenacting, with amendments,

13 Article – Health Occupations

14 Section 4–101(l)

15 Annotated Code of Maryland

16 (2021 Replacement Volume)

17 BY adding to

18 Article – Health Occupations

19 Section 4–510

20 Annotated Code of Maryland

21 (2021 Replacement Volume)

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

23 That the Laws of Maryland read as follows:

24 **Article – Health Occupations**

25 4–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

2 (l) (1) "Practice dentistry" means to:

3 (i) Perform or attempt to perform any intraoral dental service or
4 intraoral dental operation;

5 (ii) Diagnose, treat, or attempt to diagnose or treat any disease,
6 injury, malocclusion, or malposition of a tooth, gum, or jaw, or structures associated with a
7 tooth, gum, or jaw if the service, operation, or procedure is included in the curricula of an
8 accredited dental school or in an approved dental residency program of an accredited
9 hospital or teaching institution;

10 (iii) Perform or offer to perform dental laboratory work;

11 (iv) Place or adjust a dental appliance in a human mouth; [or]

12 (v) Administer anesthesia for the purposes of dentistry and not as a
13 medical specialty; **OR**

14 **(VI) COLLECT ORAL SALIVA SAMPLES TO SCREEN FOR LEAD**
15 **POISONING.**

16 (2) "Practice dentistry" includes:

17 (i) Patient evaluation, diagnosis, and determination of treatment
18 plans;

19 (ii) Determination of treatment options, including the choice of
20 restorative and treatment materials and diagnostic equipment; and

21 (iii) Determination and establishment of dental patient protocols,
22 dental standards of care, and dental practice guidelines.

23 **4-510.**

24 **(A) (1) A DENTIST MAY COLLECT AN ORAL SALIVA SAMPLE TO SCREEN**
25 **FOR LEAD POISONING IN AN INDIVIDUAL UNDER THE AGE OF 19 YEARS.**

26 **(2) THE DENTIST SHALL SEND AN ORAL SAMPLE COLLECTED UNDER**
27 **PARAGRAPH (1) OF THIS SUBSECTION FOR ANALYSIS TO A MEDICAL LABORATORY**
28 **CERTIFIED IN ACCORDANCE WITH THE FEDERAL CLINICAL LABORATORY**
29 **IMPROVEMENT AMENDMENTS OF 1988 AND THAT PARTICIPATES IN THE MARYLAND**
30 **MEDICAL ASSISTANCE PROGRAM.**

1 **(B) ON RECEIPT OF THE RESULTS OF A SALIVA LEAD POISONING**
2 **SCREENING TEST ANALYZED UNDER SUBSECTION (A) OF THIS SECTION, THE**
3 **DENTIST SHALL SEND:**

4 **(1) A WRITTEN NOTICE OF THE RESULTS AND ANY**
5 **RECOMMENDATIONS FOR FURTHER ACTION TO THE PARENT OR LEGAL GUARDIAN**
6 **OF THE CHILD WHO IS THE SUBJECT OF THE SALIVA LEAD POISONING SCREENING**
7 **TEST; AND**

8 **(2) A COPY OF THE RESULTS AND ANY OTHER REQUIRED**
9 **INFORMATION TO THE DEPARTMENT OF THE ENVIRONMENT IN ACCORDANCE WITH**
10 **§ 6-303 OF THE ENVIRONMENT ARTICLE.**

11 **(C) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE A DENTIST TO**
12 **CONDUCT SALIVA LEAD SCREENING TESTS.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2022.