

HOUSE BILL 101

J2

4lr0703

(PRE-FILED)

By: **Delegate Kipke**

Requested: October 22, 2013

Introduced and read first time: January 8, 2014

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Dental Hygienists – Nitrous Oxide – Repeal of Termination Date**

3 FOR the purpose of repealing the termination date of certain provisions of law relating
4 to the authority of a dental hygienist to monitor a patient to whom nitrous oxide
5 is administered; and generally relating to the practice of dental hygiene.

6 BY repealing and reenacting, without amendments,
7 Article – Health Occupations
8 Section 4–101(k)(9), 4–205(a)(1)(ix), and 4–206.2
9 Annotated Code of Maryland
10 (2009 Replacement Volume and 2013 Supplement)

11 BY repealing and reenacting, with amendments,
12 Chapter 271 of the Acts of the General Assembly of 2011
13 Section 2

14 BY repealing and reenacting, with amendments,
15 Chapter 272 of the Acts of the General Assembly of 2011
16 Section 2

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 4–101.

21 (k) “Practice dental hygiene” means to:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (9) Monitor, in accordance with § 4–206.2 of this title, a patient to
2 whom nitrous oxide is administered; or

3 4–205.

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

5 (1) Adopt regulations governing:

6 (ix) Reasonable requirements for:

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

10 2. Monitoring by a dental hygienist, in accordance with §
11 4–206.2 of this subtitle, of a patient to whom nitrous oxide is being administered;

12 4–206.2.

13 (a) A dental hygienist may monitor a patient to whom nitrous oxide is
14 administered provided the monitoring of the patient is under the supervision of a
15 dentist who is physically present on the premises.

16 (b) Before a dental hygienist may monitor a patient to whom nitrous oxide is
17 administered, the dental hygienist shall successfully complete the following:

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

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

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

23 **Chapter 271 of the Acts of 2011**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2011. [It shall remain effective for a period of 3 years and, at the end of
26 September 30, 2014, with no further action required by the General Assembly, this Act
27 shall be abrogated and of no further force and effect.]

28 **Chapter 272 of the Acts of 2011**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2011. [It shall remain effective for a period of 3 years and, at the end of

1 September 30, 2014, with no further action required by the General Assembly, this Act
2 shall be abrogated and of no further force and effect.]

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 July 1, 2014.