

HOUSE BILL 1022

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7lr2537

By: **Delegate West**

Introduced and read first time: February 8, 2017

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Violations of the Maryland Dentistry Act – Penalties**

3 FOR the purpose of establishing certain penalties for a person who aids or abets a person
4 who practices or attempts to practice dentistry without a license; altering certain
5 penalties for certain acts related to the unauthorized practice of dentistry or dental
6 hygiene; altering certain penalties for violating certain provisions of law related to
7 dental laboratory work or advertising a dental appliance; providing for the
8 application of certain provisions of this Act; providing for a delayed effective date;
9 repealing certain provisions of law that specify certain places of imprisonment; and
10 generally relating to penalties for violations of the Maryland Dentistry Act.

11 BY repealing and reenacting, with amendments,
12 Article – Health Occupations
13 Section 4–606
14 Annotated Code of Maryland
15 (2014 Replacement Volume and 2016 Supplement)

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

18 **Article – Health Occupations**

19 4–606.

20 (a) **(1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
21 **SUBSECTION, A person who practices or attempts to practice dentistry without a license**
22 **in violation of § 4–601(a) of this subtitle, AIDS OR ABETS A PERSON WHO PRACTICES OR**
23 **ATTEMPTS TO PRACTICE DENTISTRY WITHOUT A LICENSE IN VIOLATION OF §**
24 **4–601(A) OF THIS SUBTITLE, or represents to the public in violation of § 4–602 of this**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 subtitle that the person is authorized to practice dentistry is guilty of a misdemeanor and
2 on conviction is subject to:

3 [(1)] (I) For a first offense, a fine not exceeding [\$2,000] **\$5,000** or
4 imprisonment [in jail] not exceeding [6 months] **1 YEAR**; or

5 [(2)] (II) For a subsequent offense, a fine not exceeding [\$6,000] **\$20,000**
6 **PER DAY** or imprisonment [in the State penitentiary] not exceeding [1 year] **5 YEARS**.

7 **(2) THIS SUBSECTION DOES NOT APPLY TO A PERSON WHO**
8 **PRACTICES OR ATTEMPTS TO PRACTICE DENTISTRY WITHOUT A LICENSE IF THE**
9 **PERSON'S LICENSE HAS BEEN EXPIRED FOR A PERIOD OF NOT MORE THAN 6**
10 **MONTHS.**

11 (b) (1) [A] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
12 **SUBSECTION, A** person who practices or attempts to practice dental hygiene without a
13 license in violation of § 4-601(a) of this subtitle, aids or abets unauthorized practice of
14 dental hygiene in violation of § 4-601(b) of this subtitle, or represents to the public in
15 violation of § 4-602 of this subtitle that the person is authorized to practice dental hygiene
16 is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000.

17 **(2) THIS SUBSECTION DOES NOT APPLY TO A PERSON WHO**
18 **PRACTICES OR ATTEMPTS TO PRACTICE DENTAL HYGIENE WITHOUT A LICENSE IF**
19 **THE PERSON'S LICENSE HAS BEEN EXPIRED FOR A PERIOD OF NOT MORE THAN 6**
20 **MONTHS.**

21 (c) A person who violates any provision of Subtitle 4 of this title, which relates to
22 dental laboratory work, or who advertises a dental appliance in violation of § 4-503(c) of
23 this title is guilty of a [misdemeanor] **FELONY** and on conviction is subject to a fine not
24 exceeding \$2,000 **PER DAY** or imprisonment [in jail] not exceeding [6 months] **2 YEARS**.

25 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July**
26 **1, 2018.**