

Chapter 594

(House Bill 754)

AN ACT concerning

State Board of Dental Examiners – Licenses – Examination Requirements for Dentists and Dental Hygienists

FOR the purpose of requiring certain limited licensees to pass a certain examination before the State Board of Dental Examiners is authorized to issue a certain license; clarifying that the Board or its designee will give a certain examination; altering certain examination requirements that certain dentists licensed in certain states are required to satisfy to be granted a certain license in this State; altering certain examination requirements that certain dental hygienists licensed in certain states are required to satisfy to be granted a certain license in this State; defining certain terms; and generally relating to the State Board of Dental Examiners, licenses, and examination requirements for dentists and dental hygienists.

BY repealing and reenacting, with amendments,
 Article – Health Occupations
 Section 4–303.1(d) and 4–306
 Annotated Code of Maryland
 (2009 Replacement Volume and 2011 Supplement)

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

Article – Health Occupations

4–303.1.

(d) The Board may issue a general license to a limited licensee who was granted a waiver under this section if the limited licensee:

(1) Successfully completes at least a 2–year contractual obligation to provide pediatric dental care in accordance with subsection (b)(1)(iv) of this section;

(2) Submits an application for a general license to practice dentistry on a form provided by the Board;

(3) Passes the [written and clinical examinations of the North East Regional Board] **ADLEX AS DEFINED IN § 4–306(A)(3) OF THIS SUBTITLE;**

(4) Passes the Maryland Dental Jurisprudence Examination **GIVEN BY THE BOARD OR ITS DESIGNEE**;

(5) Passes the National Board Examinations;

(6) Demonstrates oral English competency by scoring 220 or better for overall comprehension and 2.0 or better for pronunciation, grammar, and fluency on the test of spoken English administered by the Educational Testing Service; and

(7) Is found to be of good moral character.

4-306.

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

[(2) “NERB” means the North East Regional Board of Dental Examiners, Inc.

(3) “Passed a regional board” means an applicant earned a score of 75% in each discipline, clinical skill, procedure, or knowledge area that is tested on the NERB examination using the internal weighting and scoring methods the NERB uses to score the NERB’s examination of dentistry or dental hygiene, respectively.

(4) “Regional board” means an examination offered by any of the following dental examination organizations:

(i) The Central Regional Dental Testing Service;

(ii) The North East Regional Board of Dental Examiners, Inc.;

(iii) The Southern Regional Testing Agency, Inc.; and

(iv) The Western Regional Examining Board, Inc.]

(2) “ADEX” MEANS THE AMERICAN BOARD OF DENTAL EXAMINERS, INC., OR ITS SUCCESSOR ORGANIZATION.

(3) (I) “ADLEX” MEANS THE AMERICAN DENTAL LICENSING EXAMINATION DESIGNED AND DEVELOPED BY ADEX, OR ITS SUCCESSOR EXAMINATION.

(II) “ADLEX” INCLUDES A WRITTEN COMPONENT AND A CLINICAL COMPONENT.

(4) (i) “ADHLEX” MEANS THE AMERICAN DENTAL HYGIENE LICENSING EXAMINATION DESIGNED AND DEVELOPED BY ADEX, OR ITS SUCCESSOR EXAMINATION.

(ii) “ADHLEX” INCLUDES A WRITTEN COMPONENT AND A CLINICAL COMPONENT.

(b) (1) [(i)] A dentist licensed in any other state [who has passed a regional board] shall be [granted] **ISSUED** a license in this State if the applicant [passes the following examinations given by or designated by the Board:

1. A comprehensive examination on applied clinical diagnosis and treatment planning; and

2. A law examination.];

(i) 1. HAS PASSED THE ADLEX; AND

2. HAS PASSED THE MARYLAND DENTAL JURISPRUDENCE EXAMINATION GIVEN BY THE BOARD OR ITS DESIGNEE; OR

(ii) [A dentist licensed in any other state who has not passed a regional board shall be granted a license in this State if:]

1. For the 5 preceding years [the dentist], has been actively engaged in practicing dentistry for at least 850 hours on average per year; [and]

2. [The applicant passes the following examinations given by or designated by the Board:] **HAS PASSED AN EXAMINATION WITH A CLINICAL COMPONENT AS A REQUIREMENT FOR LICENSURE IN ANOTHER STATE;**

[A.] 3. [A] HAS PASSED A comprehensive WRITTEN examination on applied clinical diagnosis and treatment planning ADMINISTERED BY ADEX; and

[B. A law examination.]

4. HAS PASSED THE MARYLAND DENTAL JURISPRUDENCE EXAMINATION GIVEN BY THE BOARD OR ITS DESIGNEE.

(2) [(i)] A dental hygienist licensed in any other state [who has passed a regional board] shall be [granted] **ISSUED** a license in this State if the applicant [passes an examination given by the Board.]:

(i) 1. **HAS PASSED THE ADHLEX; AND**

2. **HAS PASSED THE MARYLAND DENTAL HYGIENE JURISPRUDENCE EXAMINATION GIVEN BY THE BOARD OR ITS DESIGNEE; OR**

(ii) [A dental hygienist licensed in any other state who has not passed a regional board shall be granted a license in this State if:]

1. For the 3 preceding years [the dental hygienist], has been actively engaged in practicing dental hygiene for at least 150 hours on average per year; [and]

2. [The applicant passes an examination given by or designated by the Board] **HAS PASSED AN EXAMINATION WITH A CLINICAL COMPONENT AS A REQUIREMENT FOR LICENSURE IN ANOTHER STATE;**

3. **HAS PASSED A COMPREHENSIVE WRITTEN EXAMINATION ON APPLIED CLINICAL DIAGNOSIS AND TREATMENT PLANNING ADMINISTERED BY ADEX; AND**

4. **HAS PASSED THE MARYLAND DENTAL HYGIENE JURISPRUDENCE EXAMINATION GIVEN BY THE BOARD OR ITS DESIGNEE.**

(c) (1) The Board may adopt regulations for the content and administration of examinations and any other regulations necessary to provide for the licensure of individuals who apply for a license to practice dentistry under [subsection (a)] **SUBSECTION (B)(1)** of this section.

(2) The Board may adopt regulations for the content and administration of examinations and any other regulations necessary to provide for the licensure of individuals who apply for a license to practice dental hygiene under [subsection (a)] **SUBSECTION (B)(2)** of this section.

(d) An applicant for a general license to practice dentistry under this section shall:

(1) Pay the application fee required by § 4-304 of this subtitle; and

(2) Provide adequate evidence that the applicant:

(i) Meets the qualifications otherwise required by this title for a general license to practice dentistry;

(ii) Holds a license to practice dentistry in another state [which was granted after the applicant, in that or any other state, passed a regional board, or an examination other than a regional board that is similar to the examination for which the applicant is seeking waiver];

(III) HAS SATISFIED THE EXAMINATION REQUIREMENTS PROVIDED IN SUBSECTION (B)(1) OF THIS SECTION;

~~[(iii)](IV)~~ Is not being investigated by a disciplinary authority of another state, does not have charges pending against the applicant's license, and has not been disciplined by a disciplinary or licensing authority of any other state or country, or been convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under § 4-315 of this subtitle; and

~~[(iv)](V)~~ Has not previously failed an examination for licensure as a dentist in this State.

(e) An applicant for a general license to practice dental hygiene under this section shall:

(1) Pay the application fee required by § 4-304 of this subtitle; and

(2) Provide adequate evidence that the applicant:

(i) Meets the qualifications otherwise required by this title for a general license to practice dental hygiene;

(ii) Holds a license to practice dental hygiene in another state [which was granted after the applicant, in that or any other state, passed a regional board, or an examination other than a regional board that is similar to the examination for which the applicant is seeking waiver];

(III) HAS SATISFIED THE EXAMINATION REQUIREMENTS PROVIDED IN SUBSECTION (B)(2) OF THIS SECTION;

~~[(iii)](IV)~~ Is not being investigated by a disciplinary authority of another state, does not have charges pending against the applicant's license, and has not been disciplined by a disciplinary or licensing authority of any other state or country, or been convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under § 4-315 of this subtitle; and

[(iv)](v) Has not previously failed an examination for licensure as a dental hygienist in this State.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2012.

Approved by the Governor, May 22, 2012.