

HB1302/156784/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1302

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Montgomery” and substitute “Montgomery, Bromwell, Donoghue, Elliott, Hammen, Krebs, McDonough, Nathan-Pulliam, Oaks, Pendergrass, Tarrant, and V. Turner”; in line 7, after “agreement;” insert “requiring certain dental hygienists to ensure that the supervising dentist is available for consultation with the dental hygienist;”; in line 10, after “manner;” insert “requiring certain dental hygienists to limit dental hygiene tasks and procedures; requiring certain dental hygienists to submit findings of the initial assessment to the supervising dentist for a certain determination; authorizing certain dental hygienists to perform certain services without the supervising dentist on the premises under certain circumstances;”; and in line 11, after “equipment;” insert “requiring the Department of Health and Mental Hygiene to submit a certain report by a certain date to certain committees; providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 2, in line 29, strike “**HOLD**” and substitute “:

**(I) HOLD**”;

in the same line, after “**STATE**” insert “:

**(II) HOLD A CURRENT CERTIFICATE EVIDENCING HEALTH PROVIDER LEVEL C PROFICIENCY, OR ITS EQUIVALENT, IN CARDIOPULMONARY RESUSCITATION;**

**(III) HAVE AT LEAST 2 YEARS OF ACTIVE CLINICAL PRACTICE IN DIRECT PATIENT CARE; AND**

(Over)

(IV) ENSURE THAT THE LONG-TERM CARE FACILITY WHERE THE DENTAL HYGIENIST WILL PRACTICE UNDER GENERAL SUPERVISION HAS:

1. A WRITTEN MEDICAL EMERGENCY PLAN IN PLACE;

2. ADEQUATE EQUIPMENT, INCLUDING PORTABLE EQUIPMENT AND APPROPRIATE ARMAMENTARIUM, AVAILABLE FOR THE APPROPRIATE DELIVERY OF DENTAL HYGIENE SERVICES; AND

3. ADEQUATE SAFEGUARDS TO PROTECT THE PATIENT'S HEALTH AND SAFETY.

(4) BEFORE A DENTAL HYGIENIST IS AUTHORIZED TO PRACTICE DENTAL HYGIENE UNDER GENERAL SUPERVISION IN A LONG-TERM CARE FACILITY IN ACCORDANCE WITH THIS SUBSECTION, THE SUPERVISING DENTIST SHALL:

(I) HOLD AN ACTIVE GENERAL LICENSE TO PRACTICE DENTISTRY IN THE STATE;

(II) HOLD A CURRENT CERTIFICATE EVIDENCING HEALTH PROVIDER LEVEL C PROFICIENCY, OR ITS EQUIVALENT, IN CARDIOPULMONARY RESUSCITATION; AND

(III) HAVE AT LEAST 2 YEARS OF ACTIVE CLINICAL PRACTICE IN DIRECT PATIENT CARE”;

in line 30, strike “(4)” and substitute “(5)”; and in line 31, after “FACILITY” insert “AND PERFORMING AN AUTHORIZED DENTAL HYGIENE SERVICE FOR A PATIENT’S INITIAL APPOINTMENT”.

On page 3, after line 6, insert:

“(II) ENSURE THAT THE SUPERVISING DENTIST IS AVAILABLE FOR CONSULTATION WITH THE DENTAL HYGIENIST:

1. IN PERSON;
2. BY TELEPHONE; OR
3. ELECTRONICALLY;”;

in line 7, strike “(II)” and substitute “(III)”; in line 8, after “WITH” insert “INITIAL”; in line 10, strike “(III)” and substitute “(IV)”; in line 12, strike “AND”; after line 12, insert:

“(V) LIMIT DENTAL HYGIENE TASKS AND PROCEDURES TO:

1. TOOTHBRUSH PROPHYLAXIS;
2. APPLICATION OF FLUORIDE;
3. DENTAL HYGIENE INSTRUCTION;
4. ASSESSMENT OF THE PATIENT’S APPARENT NEED FOR FURTHER EVALUATION BY A DENTIST IN ORDER TO DIAGNOSE THE PRESENCE OF DENTAL DISEASE; AND

(Over)

5. OTHER DUTIES AS MAY BE DELEGATED, VERBALLY OR IN WRITING, BY THE SUPERVISING DENTIST; AND

(VI) SUBMIT FINDINGS OF THE INITIAL ASSESSMENT TO THE SUPERVISING DENTIST FOR A DETERMINATION OF FUTURE TREATMENT.”;

and strike in their entirety lines 13 through 18, inclusive, and substitute:

“(6) A DENTAL HYGIENIST MAY PERFORM SUBSEQUENT AUTHORIZED DENTAL HYGIENE SERVICES WITHOUT THE SUPERVISING DENTIST ON THE PREMISES ONLY IF:

(I) THE SUPERVISING DENTIST EXAMINES THE PATIENT AND AUTHORIZES IN THE PATIENT’S RECORD A PRESCRIPTION OF SPECIFIC TREATMENT TO BE PROVIDED BY THE DENTAL HYGIENIST;

(II) AN AUTHORIZED TREATMENT IS PROVIDED BY THE DENTAL HYGIENIST AS SOON AS POSSIBLE, BUT NO LATER THAN 7 MONTHS FROM THE DATE THE PATIENT WAS EXAMINED BY THE SUPERVISING DENTIST; AND

(III) UPON EXPIRATION OF A PRESCRIBED TREATMENT, THE SUPERVISING DENTIST IS RESPONSIBLE FOR DETERMINING FUTURE PROTOCOLS FOR THE TREATMENT OF THE PATIENT.”.

AMENDMENT NO. 3

On page 3, after line 18, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31, 2013, the Department of Health and Mental Hygiene shall evaluate the use, effectiveness, and impact of this Act, and, in accordance with § 2-1246 of the State Government Article, submit a report of its findings to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee.”;

in line 19, strike “2.” and substitute “3.”; in line 20, strike “October” and substitute “July”; and in the same line, after “2010.” insert “It shall remain effective for a period of 4 years and, at the end of June 30, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.