



STATE OF MARYLAND

DHMH

Maryland State Board of Dental Examiners

Maryland Department of Health and Mental Hygiene

Spring Grove Hospital Center • Benjamin Rush Building

55 Wade Avenue/Tulip Drive • Catonsville, Maryland 21228

Larry Hogan, Governor - Boyd Rutherford, Lt. Governor - Van Mitchell, Secretary

May 4, 2016

The Honorable Joan Carter Conway

Chair

Senate Education, Health, and Environmental Affairs Committee

2 West, Miller Senate Office Building

Annapolis, Maryland 21401

The Honorable Peter A. Hammen

Chair

House Health and Government Operations Committee

Room 241, House Office Building

Annapolis, Maryland 21401

Re: Report to the Education, Health and Environmental Affairs Committee and the Health and Government Operations Committee – SB 344, Ch. 219 and HB 172, Ch. 220, (Cross-file) Laws of Maryland 2012

Dear Senator Conway and Delegate Hammen:

This report is submitted by the Maryland State Board of Dental Examiners in accordance with Section 2 of SB 344, and Section 2 of HB 172, Chapters 219 and 220, respectively, Laws of Maryland 2012, and in accordance with the Annotated Code of Maryland, State Government Article, § 2-1246. Pursuant to Section 2 of the bills the Board was directed to report to your committees on the implementation of the bills and how they have impacted the dental profession.

The bills have had a positive impact upon the dental profession. The bills permit dental hygienists to administer local anesthesia by inferior alveolar nerve block after completing certain educational requirements established by the Board, and applying to the Board and receiving “recognition” to administer the nerve block. As passed the bill limited the application of local anesthesia by inferior alveolar nerve block to “anesthetizing soft tissue to facilitate the performance of dental hygiene procedures.” In other words, a dental hygienist could not administer the local anesthesia solely for a dentist. The administration had to be for a dental hygienist’s purposes, that is, for dental hygiene procedures, or for both dental hygiene and dental procedures.

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Through the date of this writing out of a total of 3558 licensed dental hygienists, the Board has issued 931 "Recognitions." In the 3 years since SB 344 and HB 172 have been effective, there have been no complaints received by the Board stemming from a dental hygienist's use of local anesthesia.

The Board notes that in 2016 the General Assembly passed SB 460 (not yet signed by the Governor or vetoed as duplicative), and HB 680, Chapter 111. The bills eliminate the limitation that the administration of local anesthesia by inferior alveolar nerve block be limited to dental hygiene procedures. HB 680 which will become effective October 1, 2016 will permit a dental hygienist to administer local anesthesia by inferior alveolar nerve block either for dental hygiene or dental procedures.¹

The positive effect upon the dental profession over the previous 3 years has been the reasonable expansion of a dental hygienist's scope of practice resulting in greater access to care without compromising patient safety.

Very truly yours,



Tony W. Torain
Executive Director
State Board of Dental Examiners

cc: Honorable Thomas V. Mike Miller, Jr., President of the Senate
Honorable Michael E. Busch, Speaker of the House
Sarah Albert, Mandated Report Specialist, Dept. of Legislative Services (5 copies)
Allison Taylor, Director, DHMH Office of Governmental Affairs

¹ SB 602 and HB 576, Chapters 565 and 556, Laws of Maryland 2009, permit a dental hygienist to administer local anesthesia by infiltration to "facilitate the performance of dental hygiene procedures." That law too will be affected by SB 460 and HB 680 in the same manner as SB 344 and HB 172. Effective October 1, 2016, a dental hygienist will be permitted to administer local anesthesia by infiltration for both dental hygiene and dental procedures.