

MAINE STATE LEGISLATURE

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L.D. 1514

Date: 4-8-16

(Filing No. S-506)

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STATE OF MAINE
SENATE
127TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "B" to H.P. 1037, L.D. 1514, Bill, "An Act To Conform Maine Law to the Requirements of the American Dental Association Commission on Dental Accreditation"

Amend the amendment by striking out everything after the first occurrence of "Amend the bill" and inserting the following:

by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 32 MRSA §18345, sub-§2, ¶C, as enacted by PL 2015, c. 429, §21, is amended to read:

C. For dental hygiene therapist authority:

(1) Verification of having successfully completed a bachelor's degree or higher in dental hygiene therapy from an educational program that:

(a) Is accredited by the American Dental Association Commission on Dental Accreditation or a successor organization approved by the board; or

(b) ~~Is a minimum of 4 semesters;~~

(c) ~~Is consistent with the model curriculum for educating dental hygiene therapists adopted by the American Association of Public Health Dentistry or a successor organization;~~

(d) ~~Is consistent with existing dental hygiene therapy programs in other states approved by the board; and~~

(e) Meets the requirements for dental hygiene therapy education programs adopted by board rule;

(2) ~~Verification of a bachelor's degree or higher in dental hygiene, dental hygiene therapy or dental therapy from a school accredited by the American Dental Association Commission on Dental Accreditation or a successor organization;~~

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1 (3) Verification of passing a clinical examination and all other examinations
2 required by board rule. The clinical examination must be a comprehensive,
3 competency-based clinical examination approved by the board and administered
4 independently of an institution providing dental hygiene therapy education;

5 (4) Verification of having engaged in 2,000 hours of supervised clinical practice
6 under the supervision of a dentist and in conformity with rules adopted by the
7 board, during which supervised clinical practice the applicant is authorized to
8 practice pursuant to paragraph F.

9 For purposes of meeting the clinical requirements of this subparagraph, an
10 applicant's hours of supervised clinical experience while enrolled in the dental
11 hygiene therapy program under subparagraph (1) may be included as well as
12 hours completed under the supervision of a dentist licensed in another state or a
13 Canadian province, ~~provided that~~ as long as the applicant was operating lawfully
14 under the laws and rules of that state or province; and

15 (5) A copy of the written practice agreement and standing orders required by
16 section 18377, subsection 3;

17 **Sec. 2. 32 MRSA §18371, sub-§5**, as enacted by PL 2015, c. 429, §21, is
18 amended to read:

19 **5. Supervision of dental therapists.** A dentist, referred to in this section as the
20 "supervising dentist," who employs or supervises a dental hygiene therapist shall comply
21 with this subsection.

22 A. A supervising dentist shall arrange for another dentist or specialist to provide any
23 services needed by a patient of a dental hygiene therapist supervised by that dentist
24 that are beyond the scope of practice of the dental hygiene therapist and that the
25 supervising dentist is unable to provide.

26 B. The supervising dentist is responsible for all authorized services and procedures
27 performed by the dental hygiene therapist pursuant to a written practice agreement
28 executed by the dentist pursuant to section 18377.

29 C. Revisions to a written practice agreement must be documented in a new written
30 practice agreement signed by the supervising dentist and the dental hygiene therapist.

31 D. A supervising dentist who signs a written practice agreement shall file a copy of
32 the agreement with the board, keep a copy for the dentist's own records and make a
33 copy available to patients of the dental hygiene therapist upon request.

34 E. A dentist may not supervise more than 5 dental therapists at one time.

35 **Sec. 3. Maine Revised Statutes amended; revision clause.** Wherever in the
36 Maine Revised Statutes the words "dental hygiene therapist" appear or reference is made
37 to those words, they are amended to read or mean, as appropriate, "dental therapist," and
38 the Revisor of Statutes shall implement this revision when updating, publishing or
39 republishing the statutes.

40 **Sec. 4. Maine Revised Statutes amended; revision clause.** Wherever in the
41 Maine Revised Statutes the words "dental hygiene therapy" appear or reference is made

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1 to those words, they are amended to read or mean, as appropriate, "dental therapy," and
2 the Revisor of Statutes shall implement this revision when updating, publishing or
3 republishing the statutes.'

4 **SUMMARY**

5 This amendment corrects conflicts created by the enactment of Public Law 2015,
6 chapter 429, which repealed and replaced the laws governing dental professionals. This
7 amendment amends the minority report of the committee and makes the following
8 changes to the provisions of law enacted in chapter 429:

- 9 1. It changes the term "dental hygiene therapist" to "dental therapist";
- 10 2. It changes the term "dental hygiene therapy" to "dental therapy";
- 11 3. It specifies that an applicant who has successfully completed a dental therapy
12 education program that is accredited by either the Board of Dental Practice or the
13 American Dental Association Commission on Dental Accreditation or a successor
14 organization approved by the board meets the requirements for having completed a dental
15 therapy education program;
- 16 4. It removes the requirements that a dental therapy education program be consistent
17 with a specified model curriculum, be consistent with programs in other states and be
18 approved by the board;
- 19 5. It limits to 5 the number of dental therapists that a single dentist may supervise at
20 one time; and
- 21 6. It retains the requirement that a dental therapist practice under the direct
22 supervision of a dentist licensed in the State.

23 **SPONSORED BY:** Amy F Volk
 24 **(Senator VOLK)**
 25 **COUNTY: Cumberland**

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