

# MAINE STATE LEGISLATURE

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SMO  
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L.D. 1230

Date: 3-5-14

(Filing No. H-658)

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
SECOND REGULAR SESSION

HOUSE AMENDMENT "B" to COMMITTEE AMENDMENT "C" to H.P. 870,  
L.D. 1230, Bill, "An Act To Improve Access to Oral Health Care"

Amend the amendment in section 7 in §1094-AA by striking out all of subsection 2  
(page 3, lines 13 to 23 in amendment) and inserting the following:

2. Educational program standards and requirements. Has successfully  
completed a dental hygiene therapy education program that:

A. Is accredited by the American Dental Association Commission on Dental  
Accreditation or a successor organization;

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, is consistent with existing dental hygiene therapy programs in other  
states and is approved by the board; and

D. Meets the requirements for dental hygiene therapy education programs adopted  
by the board;

3. Bachelor of Science degree. Has been awarded a Bachelor of Science degree in  
dental hygiene. In order to meet the requirements of this subsection, an applicant must  
hold at least an associate degree in dental hygiene before entering a dental hygiene  
therapy education program that meets the requirements of subsection 2, which may be  
completed concurrently or consecutively with a Bachelor of Science degree in dental  
hygiene;

Amend the amendment in section 7 in §1094-AA in subsection 3 in the last line (page  
3, line 27 in amendment) by inserting after the following: "dentistry" the following: '  
An applicant who fails the clinical examination twice may not take the clinical  
examination again until further education and training, as specified by the board, are  
obtained'

Amend the amendment in section 7 in §1094-AA in subsection 4 in the first line  
(page 3, line 28 in amendment) by striking out the following: "1,000" and inserting the  
following: '2,000'

ROF 8

- 1 Amend the amendment in section 7 in §1094-AA in subsection 4 in the last line (page  
2 3, line 31 in amendment) by inserting after the following: "1094-BB." the following:  
3 'For purposes of meeting the requirements of this subsection, an applicant's hours of  
4 supervised clinical experience while enrolled in the 4-semester dental training therapy  
5 program may be included.'
- 6 Amend the amendment in section 7 in §1094-AA by renumbering the subsections to  
7 read consecutively.
- 8 Amend the amendment in section 7 in §1094-BB in the first paragraph in the 3rd line  
9 (page 3, line 35 in amendment) by striking out the following: "3" and inserting the  
10 following: '4'
- 11 Amend the amendment in section 7 in §1094-FF in the first paragraph in the first line  
12 (page 4, line 35 in amendment) by striking out the following: "1,000" and inserting the  
13 following: '2,000'
- 14 Amend the amendment in section 7 in §1094-FF in the first paragraph in the 3rd line  
15 (page 4, line 37 in amendment) by striking out the following: "general" and inserting the  
16 following: 'direct'
- 17 Amend the amendment in section 7 in §1094-FF in the first paragraph in the 3rd line  
18 (page 4, line 37 in amendment) by inserting after the following: "dentist" the following:  
19 'who is licensed in this State'
- 20 Amend the amendment in section 7 in §1094-FF in the first paragraph by striking out  
21 the last 3 lines (page 5, lines 4 to 6 in amendment) and inserting the following: 'Health  
22 and Human Services; or a private dental practice in which at least 50% of the patients  
23 who are provided services by that dental hygiene therapist are covered by the MaineCare  
24 program under Title 22 or are underserved adults.'
- 25 Amend the amendment in section 7 in §1094-GG in the first paragraph in the first  
26 line (page 5, line 8 in amendment) by inserting after the following: "under the" the  
27 following: 'direct'
- 28 Amend the amendment in section 7 in §1094-GG in the first paragraph in the 2nd line  
29 (page 5, line 9 in amendment) by inserting after the following: "this State" the following:  
30 ', referred to in this subchapter as "the supervising dentist," '
- 31 Amend the amendment in section 7 in §1094-GG by striking out all of subsection 1  
32 (page 5, lines 16 to 21 in amendment)
- 33 Amend the amendment in section 7 in §1094-GG by renumbering the subsections to  
34 read consecutively.
- 35 Amend the amendment in section 7 in §1094-HH in the first paragraph in the 2nd line  
36 (page 6, line 19 in amendment) by striking out the following: "general" and inserting the  
37 following: 'direct'
- 38 Amend the amendment in section 7 in §1094-HH in the first paragraph in the 2nd line  
39 (page 6, line 19 in amendment) by inserting after the following: "dentist" the following:  
40 'licensed in this State'

ROFFS

1 Amend the amendment in section 7 in §1094-KK in the first paragraph in the first  
2 line (page 7, line 19 in amendment) by striking out the following: "chapter" and  
3 inserting the following: 'subchapter'

4 Amend the amendment in section 7 in §1094-KK in the first paragraph in the 2nd line  
5 (page 7, line 20 in amendment) by striking out the following: "major substantive" and  
6 inserting the following: 'routine technical'

7 Amend the amendment by striking out all of section 8 (page 7, lines 21 to 25 in  
8 amendment) and inserting the following:

9 **'Sec. 8. Board of Dental Examiners.** By January 1, 2015, the Department of  
10 Professional and Financial Regulation, Board of Dental Examiners shall adopt rules  
11 setting requirements for dental hygiene therapy education programs. Prior to adopting  
12 rules, the board shall consult with:

- 13 1. A member of the Maine Dental Association;
- 14 2. A member of the Maine Dental Hygienists' Association;
- 15 3. A dentist who practices at a dental clinic at which at least 50% of that dentist's  
16 patients are eligible for the MaineCare program;
- 17 4. A dental hygienist who practices at a dental clinic at which at least 50% of that  
18 dental hygienist's patients are eligible for the MaineCare program;
- 19 5. A person whose area of expertise is in public health; and
- 20 6. A member of an organization that advocates for low-income persons.

21 Rules adopted pursuant to this section are routine technical rules as defined in the  
22 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A. Notwithstanding Title 32,  
23 section 1094-AA, subsection 2, paragraph A, until a dental hygiene therapy education  
24 program has been accredited by the American Dental Association Commission on Dental  
25 Accreditation or a successor organization, the Board of Dental Examiners may approve  
26 the dental hygiene therapy education program.'

27 Amend the amendment by relettering or renumbering any nonconsecutive Part letter  
28 or section number to read consecutively.

## 29 SUMMARY

30 This amendment makes the following changes to Committee Amendment "C":

31 1. It requires an applicant for a dental hygiene therapy license to meet specific  
32 education requirements, including obtaining an associate degree in dental hygiene prior to  
33 successfully completing at least 4 semesters of dental hygiene therapy training, which  
34 may be done at the same time as or consecutively with obtaining a Bachelor of Science  
35 degree in dental hygiene, which is also required;

36 2. It requires the dental hygiene therapy education program to be accredited by the  
37 American Dental Association Commission on Dental Accreditation. Until that  
38 accreditation is obtained, the Board of Dental Examiners may approve the dental hygiene  
39 therapy education program;

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3. It increases from 1,000 to 2,000 the number of hours of supervised clinical practice required in order to obtain a dental hygiene therapy license, but allows the number of hours spent in supervised clinical practice while completing the 4-semester dental hygiene therapy training to be included in the calculation;

4. It prohibits an applicant for a license as a dental hygiene therapist who fails the clinical examination twice from taking the examination again until after the applicant has received more education and training, as specified by the Board of Dental Examiners;

5. It specifies that a dental hygiene therapist may practice only while under the direct supervision of a dentist and clarifies that the supervising dentist must be licensed to practice in Maine;

6. It removes the ability of the supervising dentist to authorize a dental hygiene therapist to provide services to a patient who has not first seen the dentist; and

7. It changes the category of rules adopted by the Board of Dental Examiners from major substantive rules to routine technical rules and requires the board to consult with dentists, dental hygienists and others before adopting the rules.

SPONSORED BY: *D. Sanderson*  
(Representative SANDERSON)  
TOWN: Chelsea

NOTE REQUIRED  
(See attached)



# 126th MAINE LEGISLATURE

LD 1230

LR 1022(13)

An Act To Improve Access to Oral Health Care

Fiscal Note for House Amendment *B*' to Committee Amendment "C"  
Sponsor: Rep. Sanderson of Chelsea  
Fiscal Note Required: Yes

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## Fiscal Note

Potential current biennium cost increase - Other Special Revenue Funds

### Fiscal Detail and Notes

Additional costs to contract with an education consultant, if necessary, to approve the dental hygiene therapy education program until a model curriculum is adopted will be borne by the Board of Dental Examiners within its available budgeted resources. The current unobligated balance in the Board of Dental Examiner's Other Special Revenue Funds account is \$883,393.