

# SENATE BILL 20

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By: **Senator Colburn**

Introduced and read first time: January 17, 2011

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Facilities for Dental Radiology**

3 FOR the purpose of authorizing a licensed dentist to own and operate a certain  
4 facility; authorizing the staffing of certain facilities and the operation of certain  
5 equipment during certain time periods without the availability of a licensed  
6 dentist on the premises under a certain circumstance; requiring the State Board  
7 of Dental Examiners to adopt certain regulations; authorizing certified dental  
8 radiation technologists to practice dental radiation technology in certain  
9 facilities without the availability of a licensed dentist on the premises under a  
10 certain circumstance; requiring certified dental radiation technologists to  
11 provide certain protection of a patient's body during the use of radiation;  
12 making a certain exception; defining certain terms; and generally relating to the  
13 practice of dental radiation technology in facilities for dental radiology.

14 BY repealing and reenacting, without amendments,  
15 Article – Health Occupations  
16 Section 4–505  
17 Annotated Code of Maryland  
18 (2009 Replacement Volume and 2010 Supplement)

19 BY adding to  
20 Article – Health Occupations  
21 Section 4–505.1  
22 Annotated Code of Maryland  
23 (2009 Replacement Volume and 2010 Supplement)

24 BY repealing and reenacting, with amendments,  
25 Article – Health Occupations  
26 Section 4–506  
27 Annotated Code of Maryland  
28 (2009 Replacement Volume and 2010 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Health Occupations**

4 4–505.

5 (a) The Board of Dental Examiners shall:

6 (1) Define, for the purpose of this section, the terms “dental radiation  
7 technologist” and “practice dental radiation technology”;

8 (2) Adopt rules and regulations concerning qualifications, training,  
9 certification, monitoring of, and enforcement requirements for a dental radiation  
10 technologist; and

11 (3) Provide for a requirement to ensure competency in new safety and  
12 technological advances.

13 (b) The qualifications required of applicants for Board certification as a  
14 dental radiation technologist shall include requirements established by:

15 (1) The American Dental Association; or

16 (2) Any applicable federal standards for training and certification.

17 (c) After July 1, 1988, an individual must be certified by the Board as a  
18 dental radiation technologist before a licensed dentist may employ the individual to  
19 practice dental radiation technology.

20 (d) After July 1, 1988, an individual may not practice dental radiation  
21 technology unless certified by the Board.

22 **4–505.1.**

23 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**  
24 **MEANINGS INDICATED.**

25 **(2) “CERTIFIED DENTAL RADIATION TECHNOLOGIST” MEANS A**  
26 **DENTAL RADIATION TECHNOLOGIST WHO IS CERTIFIED BY THE BOARD TO**  
27 **PRACTICE DENTAL RADIATION TECHNOLOGY.**

28 **(3) “PRACTICE DENTAL RADIATION TECHNOLOGY” MEANS TO**  
29 **PLACE OR EXPOSE A DENTAL RADIOGRAPH.**

1           **(B) (1) A LICENSED DENTIST MAY OWN AND OPERATE A FACILITY**  
2 **FOR DENTAL RADIOLOGY THAT IS PHYSICALLY SEPARATE FROM THE OFFICE OF**  
3 **THE LICENSED DENTIST.**

4           **(2) IF A LICENSED DENTIST EVALUATES THE RESULTS OF A**  
5 **DENTAL RADIOGRAPH, THE FACILITY FOR DENTAL RADIOLOGY MAY BE STAFFED**  
6 **AND THE EQUIPMENT MAY BE OPERATED AT ALL TIMES DURING REGULAR**  
7 **BUSINESS HOURS BY A CERTIFIED DENTAL RADIATION TECHNOLOGIST**  
8 **WITHOUT THE AVAILABILITY OF A LICENSED DENTIST ON THE PREMISES OF THE**  
9 **FACILITY.**

10           **(3) (I) THE BOARD SHALL ADOPT REGULATIONS FOR THE**  
11 **OPERATION OF A FACILITY FOR DENTAL RADIOLOGY TO ENSURE THE QUALITY**  
12 **AND SAFETY OF THE SERVICES PROVIDED BY THE FACILITY.**

13                   **(II) THE REGULATIONS SHALL REQUIRE A LICENSED**  
14 **DENTIST WHO IS CERTIFIED BY A NATIONAL CERTIFYING BOARD FOR DENTAL**  
15 **RADIOLOGY TO EVALUATE EACH CONE-BEAM COMPUTER TOMOGRAPHY SCAN**  
16 **FOR POSSIBLE PATHOLOGY.**

17           **(C) IF A LICENSED DENTIST EVALUATES THE RESULTS OF A DENTAL**  
18 **RADIOGRAPH, AN INDIVIDUAL WHO IS CURRENTLY CERTIFIED BY THE BOARD**  
19 **AS A DENTAL RADIATION TECHNOLOGIST MAY PRACTICE DENTAL RADIATION**  
20 **TECHNOLOGY IN A FACILITY FOR DENTAL RADIOLOGY WITHOUT THE**  
21 **AVAILABILITY OF A LICENSED DENTIST ON THE PREMISES OF THE FACILITY.**

22           **(D) WHEN USING RADIATION FOR THE PURPOSES OF DENTAL**  
23 **DIAGNOSIS IN A FACILITY FOR DENTAL RADIOLOGY, A DENTAL RADIATION**  
24 **TECHNOLOGIST SHALL PROVIDE FOR THE PROTECTION OF A PATIENT'S BODY**  
25 **DURING THE USE OF RADIATION IN ACCORDANCE WITH THE REGULATIONS OF**  
26 **THE BOARD.**

27 4-506.

28           **[When] EXCEPT AS PROVIDED IN § 4-505.1 OF THIS SUBTITLE, WHEN** using  
29 radiation for the purposes of dental diagnosis a patient's body shall be protected under  
30 the supervision of a licensed dentist. The State Board of Dental Examiners shall adopt  
31 rules and regulations of patient protection to be applied during the use of radiation.

32           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
33 **October 1, 2011.**