

Maryland State Board of Dental Examiners

IMPORTANT NOTICE FOR DENTISTS, DENTAL HYGIENISTS, AND AUXILIARY PERSONNEL

AMENDED DIRECTIVE AND ORDER REGARDING VARIOUS HEALTHCARE MATTERS

May 6, 2020

ROBERT R. NEALL, SECRETARY, MARYLAND DEPARTMENT OF HEALTH

On May 6, 2020, Maryland Health Secretary Robert R. Neall issued an Amended Directive and Order Regarding Various Healthcare Matters. The Directive and Order replaces and supersedes the Directive and Orders Regarding Various Healthcare Matters, dated April 5, and March 23, 2020, and the Directive and Order regarding Availability of Testing dated March 20, 2020.

Between March 23, 2020 and continuing until 7:00 AM on May 7, 2020, dentists in Maryland were permitted to “[P]erform only medical procedures that are critically necessary for the maintenance of health for a patient.”

Commencing at 7:00 AM on May 7, 2020, all licensed healthcare providers, including dentists, dental hygienists, and auxiliary personnel, may, resume elective and non-urgent medical procedures if certain conditions are met. Those conditions are contained in Secretary Neall’s May 6, 2020 Order which is attached in full and reproduced here in relevant part. A link to the order can also be found on the Board’s website. Note that a practitioner’s scope of practice has not been expanded with this order.

5.B. Resumption of Elective and Non-Urgent Medical Procedures - Conditions

All licensed healthcare facilities and healthcare providers may resume elective and non-urgent medical procedures and appointments at 7:00 A.M., May 7, 2020 provided all of the following measures are in place:

I. Licensed healthcare providers shall exercise their independent professional judgment in determining what procedures are appropriate to perform, which appointments should occur, and which patients to see in light of widespread COVID- 19 community transmission.

II. Any licensed healthcare facility or healthcare provider resuming elective and non-urgent medical procedures shall have at least one week’s supply of personal protective equipment (PPE) for themselves, staff, and as appropriate, for patients.

- o Note: PPE requests to any State or local health or emergency management agency will be denied for elective and non-urgent medical

procedures.

- Note: The healthcare facility or healthcare provider must be able to procure all necessary PPE for its desired services via standard supply chains.
- Note: For hospitals with COVID-19 patients, MDH will determine a daily PPE per patient use rate for PPE requests.

III. Social distancing requirements must be strictly maintained in all settings where people must wait in order to minimize direct contact between individuals within the healthcare setting and use of non-traditional alternatives is encouraged (*e.g.*, call ahead registration; waiting in a car until called).

IV. All healthcare workers, patients, and others must be screened for COVID-19 symptoms upon arrival for shift or visit. Staff must stay home if they are showing COVID-19 symptoms.

V. All healthcare facilities and healthcare providers must plan for and implement enhanced workplace infection control measures in accordance with the most current CDC guidelines: <https://www.cdc.gov/coronavirus/2019-ncov/hcp/infection-control.html>

- Note: All healthcare providers and staff shall wear appropriate face coverings, to include cloth face coverings, surgical face masks or N-95 masks, respirators, and/or face shields.
- Note: Patients should wear a face covering whenever possible.

VI. Any healthcare facility or healthcare provider who is unable to provide PPE for themselves, staff, and patients where appropriate shall immediately restrict operations to urgent and non-elective procedures and appointments.

C. Certification and Other Matters

VII. A healthcare facility's managing authority or the responsible healthcare provider shall certify to MDH via secretary.health@maryland.gov that all of the above conditions for resumption of elective and non-urgent medical procedures have been met prior to resuming operations. A copy of this self-certification notice shall be posted prominently in the facility for the attention of patients and staff.

VIII. Complaints about a healthcare facility's implementation of these measures may be directed to the Office of Health Care Quality at <https://health.maryland.gov/ohcq/Pages/Complaints.aspx>. A healthcare provider's failure to comply with the terms of this order shall be considered to constitute unprofessional conduct, and written complaints about such failures

may be directed to the appropriate health occupation board.

IX. MDH does not construe the immunity provisions in Pub. Safety Art. § 14- 3A-06 or Health Gen. Art. § 18-907 to apply to a healthcare provider or facility performing non-COVID-19 related procedures or appointments.

2. Personal Protective Order Conservation

Subject to availability, all healthcare providers are required to immediately implement the U.S. Centers for Disease Control and Prevention’s [Strategies to Optimize the Supply of PPE and Equipment](#), to include, but not limited to:

A. Use facemasks beyond the manufacturer-designated shelf-life during patient care activities.

B. Implement limited re-use of facemasks. The healthcare provider must not touch the outer surfaces of the mask during care, and mask removal and replacement must be done in a careful and deliberate manner.

C. Prioritize facemasks for:

I. Provision of essential surgeries and procedures;

II. During care activities where splashes and sprays are anticipated;

III. During activities where prolonged face-to-face or close contact with a potentially infectious patient is unavoidable; and

IV. Performing aerosol generating procedures, if respirators are no longer available.

D. Exclude healthcare providers at higher risk for severe illness from COVID-19 from contact with known or suspected COVID-19 patients.

NOTE: A facemask should be removed and discarded if soiled, damaged, or hard to breathe through.¹

At the present time dentists are not permitted to test for COVID-19. The Board will notify its licensees if its request to the Governor’s office to allow such testing is approved.

The Board appreciates your continued understanding and cooperation through these difficult times. Dentists and dental hygienists must follow this order and CDC guidelines in providing care to patients.² Finally, please use common sense and care in reopening your practice.

¹ <https://www.cdc.gov/coronavirus/2019-ncov/hcp/dental-settings.html>

² See Md. Code Ann., Health Occ. § 4-315(a)(30) and(b)(18) and COMAR 10.52.11.03(a) and (c).