

Title 10 Maryland Department of Health

Subtitle 44 BOARD OF DENTAL EXAMINERS

10.44.22.00 Chapter 22 Continuing Education

10.44.22.01 Scope.

These regulations govern the continuing education requirements for dentists and dental hygienists seeking renewal of their licenses.

10.44.22.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) Advanced Clinical Training Program.

(a) "Advanced clinical training program" means:

(i) A program of postgraduate training developed, offered, and sponsored by the University of Maryland Dental School as part of its curriculum for dental students or dental school graduates;

(ii) A program of postgraduate training offered by the University of Maryland Dental School as continuing education for licensed dentists; or

(iii) A program of postgraduate training offered by an approved continuing education sponsor or its equivalent as provided in Regulation .08 of this chapter.

(b) "Advanced clinical training program" includes clinical treatment provided to a patient by a student of dentistry while under the supervision of the training faculty.

(2) "Board" means the State Board of Dental Examiners.

(3) "Continuing education" means any eligible course or program approved by the Board.

(4) "Cultural competency" means courses or programs that teach a defined set of values, principles, demonstrated behaviors, attitudes, policies, and structures that will increase a licensee's ability to work effectively in a cross-cultural manner.

(5) "Direct supervision" means that the supervising dentist personally:

(a) Diagnoses the condition to be treated;

(b) Authorizes the procedure; and

(c) Examines the patient before dismissal.

(6) "Licensee" means a licensed dentist or a licensed dental hygienist.

(7) "Student of dentistry" means:

(a) A student enrolled in a doctoral program in an accredited dental school with a curriculum leading to either a Doctor of Dental Surgery or Doctor of Dental Medicine degree;

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(b) A graduate of a dental doctoral program enrolled in an advanced dental education program offered as a course of one semester or longer by the University of Maryland Dental School;

(c) A dentist licensed in Maryland who enrolls in an advanced clinical training program offered as a continuing education program for licensed dentists;

(d) A dentist licensed in another state, who does not hold a Maryland dental license and who:

(i) Enrolls in an advanced clinical training program offered as a continuing education program for licensed dentists; and

(ii) Receives written approval from the Board to participate in the advanced clinical training program;

(e) A dentist licensed in Maryland who enrolls in an advanced clinical training program offered as continuing education by an approved sponsor or its equivalent as provided in Regulation .08 of this chapter; or

(f) A dentist licensed in another state, who does not hold a Maryland dental license and who:

(i) Enrolls in an advanced clinical training program offered as continuing education by an approved sponsor or its equivalent as provided in Regulation .08 of this chapter; and

(ii) Receives written approval from the Board to participate in the advanced clinical training program.

10.44.22.03 Records.

A. The licensee shall:

(1) Maintain for 5 years accurate records of continuing education courses or programs in which the licensee has participated under these regulations; and

(2) Make continuing education records available to the Board or the Board's representative or representatives on request.

B. On a renewal form provided by the Board, a licensee shall verify compliance with this regulation.

10.44.22.04 Requirements.

A. A licensee shall maintain cardiopulmonary resuscitation certification from one of the following programs:

(1) The American Heart Association's Basic Life Support for Healthcare Providers;

(2) The American Red Cross's Cardiopulmonary Resuscitation for Professional Rescuers; or

(3) An equivalent program approved by the Board.

B. A licensee seeking renewal shall complete not less than 30 full hours of continuing education, including 2 hours of infection control.

C. A licensee seeking renewal in 2011 and thereafter shall complete a Board-approved course of 2 hours in abuse and neglect.

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D. The 2-hour, board-approved course in abuse and neglect required by §C of this regulation shall:

- (1) Be completed by each licensee every other renewal cycle;
- (2) Relate to Maryland law on the subject of abuse and neglect; and
- (3) Count toward the 30 full hours of required continuing education.

E. A dentist seeking renewal in 2015 and thereafter shall complete a 2-hour Board-approved course on proper prescribing and disposal of prescription drugs. This course shall count toward the 30 full hours of required continuing education.

F. The 2-hour Board-approved course on proper prescribing and disposal of prescription drugs required by E of this regulation shall be completed by each dentist every other renewal cycle.

G. Optional Pro Bono Program. A licensee seeking renewal may receive up to 8 continuing education hours for providing volunteer pro bono dental or dental hygiene services in accordance with Regulation .07 of this chapter.

H. Cultural Competency. A licensee may receive up to 4 continuing education hours for Board-approved courses on cultural competency.

I. A licensee may receive up to 2 continuing education hours for Board-approved courses on abuse and neglect.

J. A licensee who has received a license within 6 months of graduation from an approved dental or dental hygiene school is not required to fulfill the continuing education requirements of the Board for the first renewal following initial licensure.

K. A licensee who is on inactive status shall provide evidence of compliance with the continuing education requirements of the Board for the 2-year period preceding application for reactivation of the licensee's license.

L. A licensee who fails to obtain the required continuing education due to disability or retirement shall comply with this regulation within 6 months of the licensee's return to practice.

10.44.22.05 Time Frame for Completing Continuing Education.

A. The period for completing continuing education requirements extends for a 2-year period from January 1 through December 31 of the following year.

B. The 2-year period in which the continuing education shall be completed ends on December 31 of the year preceding the year in which the license is due for renewal.

10.44.22.06 Course and Program Eligibility.

A. Eligibility Guidelines.

(1) General. With the exceptions listed in §A(2) of this regulation, only those courses or programs that satisfy the following eligibility guidelines qualify for continuing education credit for license renewal:

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(a) The course or program is designed to enhance the licensee's clinical knowledge and ability to treat dental patients; and

(b) The course or program is offered by a Board-approved sponsor.

(2) Abuse and Neglect Courses, Cultural Competency Courses, and Pro Bono Programs. To qualify for continuing education credit for license renewal:

(a) The mandatory course in abuse and neglect identified in Regulation .04C and D of this chapter:

(i) Do not need to be designed to enhance the licensee's clinical knowledge and ability to treat dental patients; and

(ii) Shall be offered by a Board-approved sponsor;

(b) Cultural competency courses:

(i) Do not need to enhance the licensee's clinical knowledge; and

(ii) Shall be offered by a Board-approved sponsor; and

(c) Pro bono programs:

(i) Do not need to enhance the licensee's clinical knowledge and ability to treat dental patients; and

(ii) Shall be offered by a Board-approved sponsor.

B. Excluded Courses and Programs. Courses and programs that are not approved for continuing education credit for license renewal include, but are not limited to, the subjects of:

(1) Money management;

(2) Personal finance;

(3) Personal business matters;

(4) With the exception of those courses or programs on cultural competency, cultural subjects;

(5) Personal health and recreation;

(6) Politics;

(7) Memory training; and

(8) Speed reading.

10.44.22.07 Pro Bono Dental and Dental Hygiene Services

A. Beginning on the effective date of this regulation dentists or dental hygienists may receive continuing education credit for providing volunteer pro bono dental and dental hygiene services within the State as provided in this regulation.

B. A dentist or dental hygienist may provide volunteer pro bono care at a Board-approved program that:

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(1) Is a non-profit entity or event; and

(2) Provides substantial pro bono dental services to the indigent or dentally underserved populations.

C. With the exception of food, lodging, and parking fees, a dentist or dental hygienist may not receive direct or indirect remuneration of any kind, including but not limited to remuneration for materials purchased or used.

D. With the exception of those pro bono services provided at a dentist's or dental hygienist's office as outlined in §E of this regulation, the program shall require a dentist or dental hygienist to sign in and sign out daily upon commencement and termination of the provision of services.

E. A dentist or dental hygienist may provide pro bono services for continuing education credit at the dentist's or dental hygienist's office:

(1) If the patient is referred to the dentist or dental hygienist by a Board-approved nonprofit entity that provides substantial pro bono dental services to the indigent or dentally underserved populations; and

(2) If the Board provides prior approval of the provision of the dental or dental hygiene services.

F. Continuing education credit shall be calculated based on the time a dentist or dental hygienist has actually dedicated to the performance of dental or dental hygiene services.

G. Continuing education credit shall be calculated at the ratio of 1 continuing education credit for each 60 minutes of patient services.

H. Credit may not be provided for missed appointments.

I. Board-approved nonprofit entities that provide substantial dental services for continuing education credit shall:

(1) Retain patient records;

(2) Retain documentation of all pro bono assignments and the hours of service provided; and

(3) Provide the records and a copy of the assignments and the hours of service provided to the Board upon request.

J. The Board may revoke the approval status of any nonprofit entity that fails to cooperate with the Board.

K. A dental hygienist who provides pro bono dental services shall work under the direct supervision of a dentist.

L. A dentist or dental hygienist that is employed by a nonprofit entity that provides substantial pro bono dental services to the indigent or dentally underserved populations may not obtain credit for pro bono services at the entity at which the dentist or dental hygienist is employed, but may receive credit for qualified pro bono services at other nonprofit entities.

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M. A dentist who is a Board-recognized specialist and who has announced a specialization shall limit the pro bono services exclusively to the announced special areas.

N. In accordance with COMAR 10.44.12, a dentist may administer general anesthesia or sedation only with the appropriate Board permit issued for the specific practice location at which the dentist wishes to administer general anesthesia or sedation.

O. A dental hygienist may administer local anesthesia by infiltration only with the appropriate Board recognition.

P. A dentist and dental hygienist who provide pro bono dental services shall:

- (1) Maintain proof of such services for at least 5 years on a Board-approved form; and
- (2) Provide documentation of the services to the Board on request.

Q. A dentist or dental hygienist who fails to maintain accurate and complete records of services rendered may not receive continuing education credit for those services.

R. A dentist shall use a Board-approved form for patients with clear instructions for any follow-up care.

S. A dentist or a dental hygienist under a formal or informal Board order or agreement that provides for the provision of pro bono services may not receive continuing education credit for the provision of the pro bono services.

T. Failure to comply with the provisions of this regulation constitutes unprofessional conduct.

10.44.22.08 Approved Sponsors and Equivalents.

A. The Board approves for credit any course or program that:

- (1) Satisfies all eligibility criteria in Regulations .06 and .07 of this chapter; and
- (2) Is sponsored by any one of the following entities:
 - (a) An accredited dental school;
 - (b) An accredited dental hygiene school;
 - (c) The American Dental Association;
 - (d) The National Dental Association;
 - (e) The American Dental Hygienists' Association;
 - (f) The National Dental Hygiene Association;
 - (g) The American Medical Association;
 - (h) The American Hospital Association;
 - (i) The American Heart Association;

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- (j) The American Red Cross;
- (k) The American Society of Dentistry for Children;
- (l) Any American Dental Association recognized specialty society;
- (m) The Academy of General Dentistry;
- (n) The Veterans Administration;
- (o) The United States uniformed services;
- (p) The U.S. Department of Health and Human Services;
- (q) The Maryland Department of Health;
- (r) Any American Medical Association recognized specialty society;
- (s) The Mid-Atlantic PANDA Coalition; and
- (t) Any constituent or component organization of the groups in §A(2)(a)(s) of this regulation.

B. The Board may approve other sponsors of continuing education credits according to the following:

- (1) Sponsors not identified in §A(2) of this regulation may petition the Board for approval of continuing education that they offer; and
- (2) The Board shall evaluate the sponsors in §B(1) of this regulation and may, at its discretion, set standards and criteria.

C. If the subject matter of a course, program, or activity satisfies the requirements of Regulation .06 of this chapter, a licensee may petition the Board to accept as the equivalent of an eligible continuing education course or program offered by an approved sponsor:

- (1) Courses or programs offered by other sponsors; or
- (2) Time spent in any of the following activities:
 - (a) Preparing and presenting table clinics;
 - (b) Preparing lectures;
 - (c) Preparing articles for publication in dental journals; or
 - (d) Attending study clubs or other meetings involved with clinical dentistry.

D. The Board may accept from any licensee up to 17 hours of continuing education credits for self-study activities for the following:

- (1) Courses or programs from approved sponsors identified in §A(2) of this regulation that are designed to enhance the licensee's clinical knowledge and ability to treat dental patients; and
- (2) Courses or programs from sponsors not identified in §A(2) of this regulation if the:

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(a) Sponsor has petitioned the Board for and received approval of the sponsor's continuing education course or program; and

(b) Continuing education activities qualify under §C of this regulation.

10.44.2209 Advanced Clinical Training Programs for a Dentist Licensed in Another State.

A. A dentist licensed in another state who does not hold a Maryland dental license and who wishes to participate in an advanced clinical training program of postgraduate training offered as continuing education for licensed dentists shall receive written approval from the Board before participation in the advanced clinical training program as provided in Regulation .10B of this chapter.

B. At least 45 days before the commencement of an advanced clinical training program of postgraduate training offered as continuing education for licensed dentists, a dentist who is licensed in another state and who is not licensed in Maryland shall apply to the Board for written approval to participate in the advanced clinical training program as provided in Regulation .10A of this chapter.

C. To qualify to participate in an advanced clinical training program, a dentist who is licensed in another state and who does not hold a Maryland dental license shall hold a degree of Doctor of Dental Surgery or Doctor of Dental Medicine, or the equivalent, from a college or university that is authorized by any state or province of Canada to grant the degree.

10.44.22.10 Advanced Clinical Training Programs-Application Procedures and Practice Limitations.

A. To apply for written approval to participate in an advanced clinical training program offered as continuing education for licensed dentists, a dentist licensed in another state who does not hold a Maryland dental license shall:

- (1) Apply to the Board on a form approved by the Board;
- (2) Pay a nonrefundable fee to the Board as set forth in COMAR 10.44.20;
- (3) Submit to the Board a copy of the applicant's National Practitioner Data Bank file;
- (4) Submit documentation of change of name if the name on any of the documents submitted to the Board differs from the applicant's name; and
- (5) Submit any other pertinent documents or information requested by the Board.

B. After review of the documentation and other pertinent information provided to the Board, the Board shall provide the applicant with a written notice stating that the application to participate in the advanced clinical training program has been approved or denied.

C. The Board's approval or denial of an application to participate in an advanced clinical training program shall apply only to the advanced clinical training program for which the applicant has made application.

D. A dentist whose application to participate in an advanced clinical training program for continuing education has been approved shall be covered by a policy of malpractice insurance during the period in which the dentist participates in the advanced clinical training program.

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E. An individual who is a student of dentistry under Regulation .02B(6)(d) and (f) of this chapter may only practice dentistry in Maryland in accordance with the advanced clinical training program.

10.44.22.11 Examination in Lieu of Continuing Education Requirements.

A. Successful completion of a Board-approved examination within the preceding 2-year period may be substituted for continuing education credits.

B. The Board recognizes successful completion of the following written examinations as equivalent to 30 full hours of continuing education:

(1) For dental hygienists only, the North East Regional Board's (NERB) Dental Hygiene Comprehensive Examination;

(2) NERB's Simulated Clinical Examinations;

(3) Academy of General Dentistry's Fellowship Examination;

(4) Examinations leading to recognized specialty boards' Diplomate status;

(5) National Board's Part II examination;

(6) Central Regional Dental Testing Agency's written examinations;

(7) South East Regional Testing Agency's written examinations; or

(8) Western Regional Examining Board's written examination.

10.44.22.12 Audit of Continuing Education Records

A. The Board may request verification of compliance with these regulations through inspection of continuing education records maintained by licensees in accordance with Regulation .03A of this chapter.

B. A licensee who receives notice of a continuing education audit shall:

(1) Verify compliance with this chapter by the date specified in the notice; or

(2) Request an extension of time to verify compliance as specified in §C of this regulation.

C. After making a written request to the Board, a licensee who receives notice of a continuing education audit shall have until June 30 of the year in which the licensee's license is due for renewal to verify compliance with this chapter.

D. The licensee shall outline in the request under §C of this regulation a plan for completing the continuing education requirement.

E. A licensee who receives notice of a continuing education audit may not be granted a license until the licensee verifies compliance with this chapter and meets all other applicable requirements for licensure.

10.44.22.13 Active Military Service

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The Board may waive any or all of the requirements of this chapter for a licensee who is unable to complete the requirements due to the licensee's active military service.

10.44.22.14 Penalties for Violation.

A. Violation of these regulations by a licensee, pertaining to the continuing education requirements for license renewal, shall result in nonrenewal of the license.

B. A false statement on a renewal form constitutes unprofessional conduct and may result in disciplinary action against the licensee as set forth in Health Occupations Article, §4-315, Annotated Code of Maryland.