

Annual List of Rulemaking Activity
Rules Adopted January 1, 2021 to December 31, 2021
Prepared by the Secretary of State pursuant to 5 MRS §8053-A sub-§5

Agency name: Department of Professional and Financial Regulation,
Maine Board of Dental Practice

Umbrella-Unit: **02-313**

Statutory authority: 32 MRS §§ 18324, 18325(1), 18341, 18342, 18343, 18344, 18345, 18346, 18347, 18348, 18349, 18350, 18371, 18372, 18373, 18374, 18375, 18376, 18377, 18378, 18379, 18393, 10 MRS §8003(5)(G); PL 2021 ch. 44, 88, 163

Chapter numbers/titles: **Ch. 1,** Definitions
Ch. 2, Qualifications for Dental Hygienist Licensure and Dental Hygienist Practice Authorities
Ch. 3, Qualifications for Expanded Function Dental Assistant Licensure
Ch. 5, Qualifications for Denturist Licensure
Ch. 6, Qualifications for Dentist Licensure
Ch. 11, Qualifications for Licensure by Endorsement; Requirements for Renewal, Late Renewal, and Reinstatement of Licensure and Authorities
Ch. 17, Requirements for Establishing a Board Approved Dental Hygiene Therapy Program

Filing numbers: **2021-248 thru 254**

Effective date: 12/15/2021

Type of rules: Routine Technical

Emergency rules: No

Principal reason or purpose for rules:

The changes are to fully implement the amendments to the qualifications for licensure enacted during the legislative session. In addition, the changes to Board rule ch. 17 reflect statutory amendment that removed the term "hygiene" from the dental the therapy educational qualifications in 2019; see 32 MRS §18345(2)(C) and (F).

Basis statement:

The Maine Board of Dental Practice ("the Board") is charged by the Legislature with the regulation of dentists, dental hygienists, denturists, dental radiographers, and expanded function dental assistants in the State of Maine for the sole purpose to protect the public health and welfare. The Legislature granted the Board rulemaking authority pursuant to 32 MRS § 18324 to fully implement its statutory mandates.

The changes to Board rules ch. 1, 2, 3, 5, 6, and 11 are to fully implement the qualifications for licensure based on the following emergency legislation enacted during the First Special Session of the 130th Maine Legislature:

Public Law 2021 chapter 44: "An Act to Remove the Advanced Cardiac Life Support Certification Requirement for Dental Therapists" -- effective May 5, 2021.

Public Law 2021 chapter 88: "An Act to Modify the Qualifications for Resident Dentist Licensure" effective June 8, 2021.

Public Law 2021 chapter 163: "An Act to Modify Dental Licensure Requirements to Consider Credentialed Individuals from Other Jurisdictions" - effective June 11, 2021.

In addition, the changes to Board Rules chapter 17 reflect a statutory amendment that removed the term "hygiene" from the dental therapy educational qualifications in the First Regular Session of the 129th Maine Legislature - See Public Law 2019 ch. 388 effective September 19, 2019.

Chapter 1 - "Definitions"

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- Adds the term "jurisdiction" which is defined as another state, a United States territory, a foreign nation or a foreign administrative division that issues licenses in the dental profession.
- Chapter 2** - "Qualifications for Dental Hygienist Licensure and Dental Hygienist Practice Authorities"
- Adds educational equivalency in meeting the dental hygiene degree requirements
- Removes the ACLS certification requirement for both provisional and dental therapy authorities
- Replaces "state and Canadian provinces" with "jurisdiction"
- Chapter 3** - "Qualifications for Expanded Function Dental Assistant Licensure"
- Replaces "state and Canadian provinces" with "jurisdiction"
- Chapter 5** - "Qualifications for Denturist Licensure"
- Replaces "state and Canadian provinces" with "jurisdiction"
- Chapter 6** - "Qualifications for Dentist Licensure"
- Adds educational equivalency in meeting the dentist degree requirements
- Replaces "state and Canadian provinces" with "jurisdiction"
- Removes the national and regional examination requirements for resident dentist licensure
- Requires board approved settings
- Chapter 11** - "Qualifications for Licensure by Endorsement; Requirements for Renewal, Late Renewal, and Reinstatement of Licensure and Authorities"
- Adds the term "jurisdiction" to the endorsement provisions
- Chapter 17** - "Requirements for Establishing a Board Approved Dental Hygiene Therapy Program"
- Revises the Board's name and replaces the term "dental hygiene therapy" with "dental therapy" consistent with current statutory language

Fiscal impact of rules:

None.