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Department of Professional
& Financial Regulation

Sunrise Review: Request for Information from Interested Parties

LD 1129 "Resolve, Directing the Commissioner of
Professional and Financial Regulation to Conduct a
Sunrise Review of Oral Health Care Issues"

**Department of Professional and Financial Regulation
Office of the Commissioner
June 21, 2007**

Sunrise Review Survey: Oral Health Issues

Please return the completed survey to the Commissioner's Office by July 20, 2007. You may respond to any or all questions. The survey should be e-mailed to Doug Dunbar, Assistant to the Commissioner. The address is doug.dunbar@maine.gov. An electronic version of the survey is available by contacting the Commissioner's Office.

General Information

1. Group or organization you represent (if any):

Myself - MDHA Past President, RDH for 28⁺ years
CDA (Certified Dental Assistant) - 3 yrs

Public Health
• General
• Periodontal
Fields
• Program Mgr
Public Health
Schools +
Comm. Hlth.
Ctr.

2. Position on proposed legislation. Does this group or organization support or oppose:

- Expanding the scope of practice of dental hygienists by creating a mid-level dental hygienist license category (LD 1246):

Support

- Permitting dental hygienists to practice independently without supervision of a licensed dentist (LD 550):

Support

- Permitting dental graduates of foreign universities to become licensed in Maine pursuant to standards acceptable to the Maine Board of Dental Examiners (LD 1129):

Support - similar to other state dental grads coming to ME requirements

- Creating a new licensing board within the Department of Professional and Financial Regulation for denturists and dental hygienists separate from the Board of Dental Examiners (LD 1462):

Support

Evaluation Criteria (32 M.R.S.A. § 60-J)

1. Data on group proposed for regulation. Please provide a description of the professional or occupational groups proposed for regulation, including:

Dental Hygienists, Denturists

- (a) The number of individuals or business entities that would be subject to regulation;

Dental Hygienists in ME - 1257

Denturists - 56

- (b) The names and addresses of associations, organizations and other groups representing potential licensees; and

MDHA - Michelle Gallant Rockport until 4/2/07
then Mary Lynne Murray-Ryder Herman, ME

* In this sunrise review, "mid-level dental hygienist" means a dental hygienist with an expanded scope of practice similar to the scope of practice proposed in LD 1246.

(c) An estimate of the number of potential licensees in each group.

1257 - Hygienists
56 - Denturists

2. **Specialized skill.** Please describe whether the proposed law changes in the areas of oral health care outlined below require such a specialized skill that the public is not qualified to select a competent individual or entity without assurances that minimum qualifications have been met:

- a mid-level dental hygienist license category (LD 1246): *follow guidelines as outlined in the ADHA (American Dental Hygienists' Association) Advanced Dental Hygiene Practitioner (ADHP) - draft June 2006*
- dental hygienists practicing independently without supervision of a licensed dentist (LD 550): *To be licensed in ME - a DH has to meet criteria and pass National + Regional Boards - the specialty skill is there now. Many office Hyg. + Public Health Hyg work alone now.*
- dental graduates of foreign universities becoming licensed in Maine pursuant to standards acceptable to the Maine Board of Dental Examiners (LD 1129): *follow guidelines for out of state dentists to become licensed in ME.*

3. **Threat to public health, safety, or welfare.** Please describe:

(a) The nature and extent of potential harm to the public, if any, if regulation of the practitioners listed below is not expanded:

- a mid-level dental hygienist: *- more potential harm to public by not allowing a mid-level DH. This would allow more care accessibility for citizens in ME. There is a shortage of dentists which is making it difficult for many to access care.*
- dental hygienists practicing independently without supervision of a licensed dentist: *Would allow a hygienist to practice the full extent of their license and education. This is difficult in settings with supervision according to what many dentists allow.*
- dental graduates of foreign universities licensed in Maine pursuant to standards acceptable to the Maine Board of Dental Examiners: *follow the guidelines for out of state dentists will allow all to be qualified and not harm the public*

(b) The extent to which there is a threat to the public's health, safety or welfare (Please provide evidence of the potential harm, including: a description of any complaints filed with state law enforcement authorities, courts, departmental agencies, other professional or occupational boards and professional and occupational associations that have been lodged against dental hygienists or dental graduates of foreign universities in this State within the past 5 years).

I am not aware of any -

4. **Voluntary and past regulatory efforts.** Please provide a description of the voluntary efforts made by dental hygienists or dental graduates of foreign universities to protect the

public through self-regulation, private certifications, membership in professional or occupational associations or academic credentials and a statement of why these efforts are inadequate to protect the public.

• ~~PH~~ increase in continuing Education, professional organizations help protect the public
• Dental grads - foreign - I cannot comment on this other than I feel they should meet the

5. **Costs and benefits of regulation.** Please describe the extent to which regulation or expanded regulation of the occupations (or proposed occupations) listed below will increase the cost of services provided by those practitioners, and the overall cost-effectiveness and economic impact of the proposed regulation, including the indirect costs to consumers.

- a mid-level dental hygienist: costs may be the same or less than what is now incurred, there will be more competition and more access to care which will reduce medical care costs + increase the overall health of the citizens

• dental hygienists practicing independently without supervision of a licensed dentist: Same as above

- dental graduates of foreign universities licensed in Maine pursuant to standards acceptable to the Maine Board of Dental Examiners: that now exists for out of State grads

- a new licensing board within the Department of Professional and Financial Regulation for denturists and dental hygienists separate from the Board of Dental Examiners: Will work as it does now - license fees

6. **Service availability under regulation.** Please describe the extent to which regulation or expanded regulation of the occupations (or proposed occupations) listed below would increase or decrease the availability of oral health services to the public.

- a mid-level dental hygienist: will increase the availability of services to the public more access in more locations -

- dental hygienists practicing independently without supervision of a licensed dentist:

would allow for services that are now limited by supervision

- dental graduates of foreign universities licensed in Maine pursuant to standards acceptable to the Maine Board of Dental Examiners:

not sure of how many foreign dental grads are requesting licensing in ME.

- a new licensing board within the Department of Professional and Financial Regulation for denturists and dental hygienists separate from the Board of Dental Examiners (LD 1462):

would allow both professions to work to their level of expertise - full scope of practice -

7. **Existing laws and regulations.** Please discuss the extent to which existing legal remedies are inadequate to prevent or redress the kinds of harm potentially resulting from

non-regulation and whether regulation can be provided through an existing state agency or in conjunction with presently regulated practitioners.

Each profession knows the most about their profession making them the best to regulate the practice and education.

8. **Method of regulation.** Please describe why registration, certification, license to use the title, license to practice or another type of regulation is being proposed, why that regulatory alternative was chosen and whether the proposed method of regulation is appropriate.

National + Regional boards of the Professions set the standard. Each profession that has these requirements would best be appropriate to regulate themselves.

9. **Other states.** Please provide a list of other states that regulate the profession, the type of regulation, copies of other states' laws and available evidence from those states of the effect of regulation on commercial leasing agents in terms of a before-and-after analysis.

There are about 17 states that have DH participation in regulation. Iowa, Florida, Connecticut, Arizona, New Mexico, Nevada, Missouri, Montana, Michigan, Maryland, OK, Oklahoma, Washington + a few others - ADHA should have this info -

10. **Previous efforts to regulate.** Please provide the details of any previous efforts in this State to implement regulation or expand regulation of the occupations (or proposed occupations) listed below:

MDHA may submit

- a mid-level dental hygienist: *Public Health DH -*
- dental hygienists practicing independently without supervision of a licensed dentist: *MBDE - DH subcommittee*
- dental graduates of foreign universities: *do not know*
- a new licensing board within the Department of Professional and Financial Regulation for denturists and dental hygienists separate from the Board of Dental Examiners (LD 1462): *not sure of previous history*

11. **Minimal competence.** Please describe whether the proposed requirements for regulation exceed the standards of minimal competence and what those standards are.

Yes, the standards will exceed standards of minimal competence following the guide of the Am DH Assoc. Advanced DH Practitioner Curriculum draft at an entry level/certificate level to help access sooner than later.

12. **Financial analysis.** Please describe the method proposed to finance the proposed regulation and financial data pertaining to whether the proposed regulation can be reasonably financed by current or proposed licensees through dedicated revenue mechanisms.

This should be covered through licensing fees.

*to complete
DPA-DHP
Master's
level*

13. **Mandated benefits.** Please describe whether the profession or occupation plans to apply for mandated benefits.

Date: 7/18, 2007

Completed by:

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