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September 20, 2021

**Informational Letter Regarding Enacted Laws
By the Maine State Legislature During the 130th First Special Session**

During the 130th First Special legislative session, certain laws were enacted that directly impact the Maine Board of Dental Practice and its enabling statute as outlined in Title 32 Chapter 143, referred to as the “Dental Practice Act.” Below is a list and summary of those laws, including their effective dates and implementation status, as applicable.

Newly enacted legislation:

- 1) Public Law 2021, chapter 44 “An Act to Remove the Advanced Cardiac Life Support Certification Requirement for Dental Therapists” (**effective May 5, 2021**).
- 2) Public Law 2021, chapter 88 “An Act to Modify the Qualifications for Resident Dentist Licensure” (**effective June 8, 2021**).
- 3) Public Law 2021, chapter 134 “An Act to Allow a Dentist to Administer Botulinum Toxin and Dermal Fillers” (**effective June 10, 2021**).
- 4) Public Law 2021, chapter 163 “An Act to Modify Dental Licensure Requirements to Consider Credentialed Individuals from Other Jurisdictions” (**effective June 11, 2021**).
- 5) Public Law 2021, chapter 223 “An Act Amend the Dental Practice Act to Define “Supervision” and Authorize Teledentistry” (**effective June 16, 2021**).
- 6) Public Law 2021, chapter 290 “An Act Regarding Remote Participation in Public Proceedings” (**effective June 21, 2021**).
- 7) Public Law 2021, chapter 106 “An Act to Allow Veterans, Active Duty Service Members and Their Spouses to Apply for Temporary Occupational Licenses and Certifications” (**October 18, 2021**).

Summary/Implementation:

- 1) Public Law 2021, chapter 44 (Dental Therapy Qualifications – Board rulemaking):
 - a. **Summary:** removes the advanced cardiac life support certification requirement for both the provisional dental therapy authority and the dental therapy authority.
 - b. **Implementation:** the Board’s proposed rule changes are set for public hearing on October 8, 2021. FMI: <https://www.maine.gov/dental/statutes-rules/statutes-rules.html>

- 2) Public Law 2021, chapter 88 (Resident Licensure Qualifications – Board rulemaking):
 - a. **Summary:** removes both the national examination and regional examination requirement; requires the Board to approve the practice settings; and authorizes the Board to consider on a case by case basis the educational equivalent of a doctoral degree in dentistry from an applicant who graduated from a dental program not accredited by the Commission on Dental Accreditation (“CODA”).
 - b. **Implementation:** the Board’s proposed rule changes are set for public hearing on October 8, 2021. FMI: <https://www.maine.gov/dental/statutes-rules/statutes-rules.html>

- 3) Public Law 2021, chapter 134 (Botulinum Toxin and Dermal Fillers – Board rulemaking):
 - a. **Summary:** authorizes a dentist to administer botulinum toxins and dermal fillers to a patient with a diagnosed dental condition, or identified as part of a patient’s dental treatment plan; clarifies the authorized administration of botulinum toxins and dermal fillers to a patient with conditions authorized to be treated by a dentist with specialty training in oral and maxillofacial surgery; and amends the unprofessional conduct provisions to include the administration of botulinum toxins or dermal fillers when the administration is not supported by a diagnosed dental condition or not part of a patient’s treatment plan.
 - b. **Implementation:** the Board’s Rules Committee is to convene and recommend rulemaking changes to identify practice requirements to ensure patient safety.

- 4) Public Law 2021, chapter 163 (Credential Individuals from Other Jurisdictions – Board rulemaking)
 - a. **Summary:** authorizes the Board to consider on a case by case basis the educational equivalent when meeting an educational requirement requiring CODA accreditation; and authorizes the Board to consider applicants who are licensed or credentialed in other jurisdictions such as another state, a United States territory, a foreign nation or a foreign administrative division that issues licenses in the dental professions.
 - b. **Implementation:** Board’s proposed rule changes set for public hearing on October 8, 2021. FMI: <https://www.maine.gov/dental/statutes-rules/statutes-rules.html>

- 5) Public Law 2021, chapter 223 (Supervision/Teledentistry – Board rulemaking)
 - a. **Summary:** redefines supervision provisions; removes list of delegated duties and duplicative delegated language in various scopes of practice provisions; amends expanded function dental assisting practice scope of practice to reflect current practice; and authorizes use of teledentistry requiring the Board to adopt by rulemaking to ensure safe practices for use of teledentistry.
 - b. **Implementation:** the Board will convene a stakeholder process for the purpose of making recommendations to the Board in anticipation of a rulemaking proposal.

- 6) Public Law 2021, chapter 290 (Remote Participation in Public Proceedings – Adopt written policy)
 - a. **Summary:** authorizes the Board to adopt a written policy to allow members to participate in board meetings remotely.
 - b. **Implementation:** the Board adopted a policy after public hearing was held on September 10, 2021. The Board’s policies can be accessed online at: <https://www.maine.gov/dental/statutes-rules/policies.html>

- 7) Public Law 2021, chapter 106 (Streamline licensing for Veterans, Active Duty Service Members, Spouses and Domestic Partners – Adopt written policy)
- a. **Summary:** amends existing licensure provisions to reduce barriers to licensing otherwise qualified veterans, active duty service members, spouses and domestic partners.
 - b. **Implementation:** the Board will be revising its existing Veteran’s Policy and once adopted will be posted to the Board’s policy page at: <https://www.maine.gov/dental/statutes-rules/policies.html>

Should you have any questions regarding this notification, please contact board staff using the contact information listed below.

FMI:

Recently Enacted Legislation: <https://www.maine.gov/dental/statutes-rules/statutes-rules.html>

MBDP Proposed Rulemaking: <https://www.maine.gov/dental/statutes-rules/statutes-rules.html>

Maine State Legislature: <http://legislature.maine.gov/>

State Agency Rulemaking: <http://www.maine.gov/sos/cec/rules/index.html>

Board’s Website: <http://www.maine.gov/dental/>

Board staff email: dental.board@maine.gov