

BULLETIN

Maryland State Board of Dental Examiners Pro Bono Dental and Dental Hygiene Services For Continuing Education Credit

On April 18, 2011 new regulations took effect in Maryland permitting dentists and dental hygienists, under certain prescribed conditions, to earn up to 8 hours of continuing education credits per renewal period for performing pro bono dental and dental hygiene services. Participation in the pro bono program is optional and not required. The amendments appear in the Code of Maryland Regulations, (COMAR) 10.44.22 titled Continuing Education.¹ The following is a summary of the significant provisions of the optional pro bono for continuing education amendments:

1. A dentist or dental hygienist may provide volunteer pro bono care at a Board-approved program that is a non-profit entity or event that provides substantial pro bono dental services to the indigent or dentally underserved populations.
2. 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.
3. With the exception of those pro bono services provided at a dentist's or dental hygienist's office as outlined in 4. below, 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.
4. A dentist or dental hygienist may provide pro bono services for continuing education credit at the dentist's or dental hygienist's office if: (a) the patient is referred to the dentist or dental hygienist by a Board-approved non-profit entity that provides substantial pro bono dental services to the indigent or dentally underserved populations; and (b) the dentist or dental hygienist applies to the Board and the Board provides prior written approval of the provision of the dental or dental hygiene services on an individual case by case basis.
5. 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.
6. Continuing education credit shall be calculated at the ratio of 1 continuing education credit for each 60 minutes of patient services.
7. Credit may not be provided for missed appointments.
8. Board-approved non-profit entities that provide substantial dental services for continuing education credit shall: (a) retain patient records; (b) retain documentation of all pro bono assignments and the hours of service provided; and (c) provide the records and a copy of the assignments and the hours of service provided to the Board upon request.

¹ Other amendments include earning up to 4 continuing education credit hours for the successful completion of courses on cultural competency offered by Board-approved sponsors. Please read the Bulletin titled Summary of Continuing Education Requirements which provides an overview of the entire chapter on continuing education.

9. The Board may revoke the approval status of any non-profit entity that fails to cooperate with the Board.
10. A dental hygienist who provides pro bono dental services shall work under the direct supervision of a dentist which means that the supervising dentist: (a) diagnosis the condition to be treated; (b) authorizes the procedure; and (c) examines the patient before dismissal.
11. A dentist or dental hygienist that is employed by a non-profit 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 non-profit entities.
12. 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.
13. In accordance with COMAR 10.44.12 (Anesthesia and Sedation), 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.
14. A dental hygienist may administer local anesthesia by infiltration only with the appropriate Board recognition.
15. Dentists and dental hygienists who provide pro bono dental services shall: (a) maintain proof of such services for at least 5 years on a Board-approved form; and (b) provide documentation of the services to the Board upon request. In addition, dentists who provide pro bono dental services in their office for continuing education credit shall maintain patient records for those patients in accordance with the applicable law.
16. Dentists and dental hygienists who fail to maintain accurate and complete records of services rendered may not receive continuing education credit for those services.
17. A dentist shall use a Board-approved form for patients with clear instructions for any follow-up care.
18. Dentists and dental hygienists 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.
19. Failure to comply with the regulation constitutes unprofessional conduct.

Note that the provision of pro bono dental and dental hygiene services for continuing education credit may only be provided in connection with a Board-approved non-profit entity or event. The services must be provided either:

- a) At the offices of the non-profit entity;
- b) At the entity's Board-approved non-profit event; or
- c) At a dentist's office if the patient is referred to the dentist by a Board-approved non-profit entity, and the dentist or dental hygienist applies for, and receives prior written approval from the Board to provide the services.

(April 4, 2012)