

IMPORTANT INFORMATION FOR ALL MARYLAND DENTISTS WHO DISPENSE PRESCRIPTION STRENGTH DRUGS INCLUDING HOME FLUORIDE PRODUCTS, DENTIN/ENAMEL REMINERALIZING PRODUCTS, AND ANTIMICROBIAL RINSES

NEW LAW TO TAKE EFFECT OCTOBER 1, 2014

Under the law now in effect, (prior to October 1, 2014) a dentist who wishes to dispense any prescription strength drug must hold a Full Drug Dispensing Permit issued by the Maryland Dental Board. A dentist holding a Full Drug Dispensing Permit is subject to 2 in-office inspections conducted by the Department of Health and Mental Hygiene, Division of Drug Control over the term of the 5-year permit, as well as a requirement that the dentist complete an additional 10 hours of continuing education as a condition of permit renewal. The cost of the Full Drug Dispensing Permit is \$1075. Of that amount, \$75 is retained by the Board and \$1000 is “passed through” from the Dental Board to Maryland’s General Fund to cover the costs of the periodic inspections. The Board has no control over the \$1000 inspection fee.

On October 1, 2014 a new law will take effect in Maryland that affects all dentists who wish to dispense **only prescription strength home fluoride products, dentin/enamel remineralizing products, and antimicrobial rinses**. As a result of Senate Bill 413, Chapter 496, Laws of Maryland 2014, a new Limited Drug Dispensing Permit will be available for dentists who wish to dispense these products. The Limited Drug Dispensing Permit will be issued by the Dental Board for a 5-year period at a cost of \$75. There are no periodic office inspections and no increased continuing education requirements.

With one limited exception, a dentist who wishes to dispense prescription strength drugs other than home fluoride products, dentin/enamel remineralizing products, and antimicrobial rinses, will be required to obtain a Full Drug Dispensing Permit both now and after October 1, 2014. The exception is a dentist who wishes to dispense a full course of antibiotics to a pro bono patient without charge. If there is a charge for the dental service, or if there is a charge for the antibiotics, the exception does not apply and a Full Drug Dispensing Permit will be required.

Note that a dentist who administers a prescription strength drug to a patient in the dentist’s office is not subject to the drug dispensing laws. Note also that a dentist who dispenses “samples” of prescription strength drugs, or “starter dosages” of prescription strength drugs is not required to obtain a drug dispensing permit. A “starter dosage” is an amount of a drug to begin therapy of 72 hours or less, or prior to obtaining a larger quantity of the drug to complete the therapy. If you provide amoxicillin to a patient to take prior to an appointment, or if you provide amoxicillin to a patient in your office, a permit is not required.

The Board anticipates that a large number of dentists will seek a Limited Drug Dispensing Permit. The permits may not be issued by the Board until October 1, 2014 or shortly thereafter. In September the Board will post a conspicuous message on the Home Page of its website advising dentists when it will begin to accept applications for the Limited Drug Dispensing Permit. The website address is www.dhmf.md.gov/dental. The Board asks for your cooperation and patience during the transition.

Dentists with drug dispensing permits issued by the Board prior to July 1, 2013 may continue to dispense all prescription drugs under the permits. Those dentists will need to choose the appropriate permit when their permit expires. A Full Drug Dispensing Permit will require additional continuing education while a Limited Drug Dispensing Permit will not.

Basic Summary

- No permit is required to administer a prescription strength drug in the dental office in the course of treating a patient.
- No permit is required to dispense samples or “starter dosages” of any prescription strength drug for a period of 72 hours or less, or prior to obtaining a larger quantity of the drug to complete the therapy. Therefore no permit is required to dispense a single dose of an antibiotic to the patient to take at home and no permit is required to give a single dose of an antibiotic to the patient to take in the office prior to treatment.
- No permit is required to dispense a full course of antibiotics (over 72 hours) but **only** if the patient is a pro bono patient **and** the antibiotic is being dispensed free of charge. If otherwise, a Full Drug Dispensing Permit is required. (See below.)
- Effective October 1, 2014 a Limited Drug Dispensing Permit will be available. It is appropriate if the dentist is dispensing only prescription strength home fluoride products, dentin/enamel remineralizing products, or antimicrobial rinses. If dispensing any other prescription strength drug and it does not fall within the exceptions above, a Full Drug Dispensing Permit is required. A Limited Drug Dispensing Permit is issued for 5 years; no scheduled inspections; no additional continuing education required for renewal of permit; cost is \$75. (Inspections may be conducted for investigatory purposes.)
- Full Drug Dispensing Permit is issued for 5 years; 2 inspections by State Division of Drug Control during the course of the permit; additional continuing education required to renew the permit; cost is \$1075. Of that amount, \$75 is retained by the Dental Board and \$1000 is deposited into the State’s General Fund.
- Dentists who hold drug dispensing permits issued by the Board prior to July 1, 2013 may continue to dispense prescription strength drugs under the permit. There will be continuing education requirements if the dentist chooses a Full Drug Dispensing Permit upon expiration.

Finally, please keep in mind that the dental laws and regulations change over time. All licensees are responsible for keeping apprised of the latest developments.

If you have any questions please contact either Ms. Debbie Welch Licensing Coordinator at 410-402-8511, or Ms. Sandra Sage at 410-402-8510.