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July 26, 2023

**Informational Letter Regarding Enacted Laws
During the 131st First Regular/Special Session of the Maine State Legislature**

During the 131st First Regular session and Special session, certain laws were enacted that either directly or indirectly impact the Maine Board of Dental Practice (“the Board”) and its enabling statute referred to as the “Dental Practice Act” (Ref. Title 32, Chapter 143). Below is a list and summary of those laws, including their effective dates and implementation status, as applicable.

Newly enacted legislation:

- 1) Public Law 2023, chapter 17 “An Act Making Certain Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2023, June 30, 2024 and June 30, 2025” (**effective June 29, 2023**)
- 2) Public Law 2023, chapter 36 “An Act to Establish Adult Protective Services Training Requirements for Professionals Mandated to Report Suspected Abuse, Neglect or Exploitation to Enhance Protection of Incapacitated and Dependent Adults” (**effective date: October 25, 2023**).
- 3) Public Law 2023, chapter 165 “An Act Regarding Dental Licensure for Charitable Care” (**effective date: October 25, 2023**).
- 4) Public Law 2023, chapter 354 “An Act Regarding Dental Hygienists and Dental Therapists” (**effective date: October 25, 2023**).

Summary/Implementation:

- 1) Public Law 2023, chapter 17 (Board of Dental Practice Transition into OPOR):
 - a. **Summary:** Part P of the budget bill moved the Board of Dental Practice from an affiliated board to a licensure board with the Office of Professional and Occupational Regulation (“OPOR”). The enacted legislation resulted in various organizational and technical revisions to Title 32, Chapter 143 and Title 10, chapter 901 to maintain the Board’s statutory authorities.
 - b. **Implementation:** Rulemaking changes to fully implement this legislation will be posted on the Board’s proposed rule changes: <https://www.maine.gov/dental/statutes-rules/statutes-rules.html>
- 2) Public Law 2023, chapter 36 (Mandated reporting – Board rulemaking):
 - a. **Summary:** Similar to the existing child mandated reporting training, this law requires dentists, dental hygienists, dental assistants and unlicensed assistive personnel who are mandated to make reports of abuse, neglect and exploitation of an incapacitated and dependent adult to complete training once every four years.

The Board does not have any enforcement authority on this new law. However, the Board will make efforts to educate applicants and licensees regarding the new law via email, website, applications, etc.

Additionally, at its July 14, 2023 meeting, the Board voted to adopt a policy stating that it will recognize 1 hour of continuing education credit for dentists or dental hygienists who complete the required mandated trainings recognized by the Maine Department of Health and Human Services (“DHHS”) in meeting the biennial registration renewal requirements. However, the following criteria must be met: licensees must complete the DHHS training within the licensure biennium and licensees are responsible for maintaining and producing a record of the training in the event they are audited by the Board.

- b. Implementation:** Possible rule changes to the continuing education requirements outlined in Board Rules, Chapter Chapter 13 “Continuing Education”. Proposed changes will be posted to the Board’s website. FMI: <https://www.maine.gov/dental/statutes-rules/statutes-rules.html>
- 3) Public Law 2023, chapter 165 (Temporary Licensure – Charitable Care)

 - a. Summary:** Amends the Dental Practice Act by authorizing the Board to waive the fee for a temporary license if the purpose of the license is to provide free dental care in conjunctions with a charitable nonprofit organization.
 - b. Implementation:** Rulemaking changes to fully implement this legislation will be posted on the Board’s proposed rule changes: <https://www.maine.gov/dental/statutes-rules/statutes-rules.html>
- 4) Public Law 2023, chapter 354 (Life support certification, dental hygiene and dental therapy changes):

 - a. Summary:** Raises the standard for life support certification from cardiopulmonary resuscitation (cpr) to basic life support (bls) for both initial and renewal of licensure, amends the levels of supervision for dental hygiene practice, dental therapy practice and local anesthesia authority practice, removes the practice agreement requirement between a dentist and a public health dental hygienist, removes the 21-day requirement for a independent practice dental hygienist and a public health dental hygienist to have a dentist interpret radiographs, and aligns the dental hygiene scope of practice with national accreditation standards.
 - b. Implementation:** Rulemaking changes to the licensure chapters and continuing education chapter to fully implement this legislation will be posted on the Board’s proposed rule changes: <https://www.maine.gov/dental/statutes-rules/statutes-rules.html>

Should you have any questions regarding this notification, please contact board staff at dental.board@maine.gov

FMI:

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

MBDP 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>