

2. NOT ON THE PREMISES WHILE AUTHORIZED DENTAL HYGIENE SERVICES ARE PROVIDED WHEN THE REQUIREMENTS OF SUBSECTION (1) OF THIS SECTION HAVE BEEN FULLY SATISFIED; AND

(ii) Only in a:

1. Dental office;
2. Dental clinic;
3. Hospital;
4. School;
5. Charitable institution; or

6. Health maintenance organization certified by the State Insurance Commissioner.

(2) The Board may waive, on a case by case basis only, the supervision requirements of this subsection for:

(i) A dental facility owned and operated by the federal, the State, or a local government;

(ii) A health facility licensed by the Department of Health and Mental Hygiene;

(iii) A facility providing medical care to the poor, elderly, or handicapped that is owned and operated by:

1. The State or a local government; or
2. A bona fide charitable organization; or

(iv) Any other setting authorized under regulations adopted by the Board.

(3) The Board may grant a waiver under paragraph (2) of this subsection if:

(i) The facility requesting the waiver has submitted a written application;

(ii) The facility requesting the waiver has submitted a medical emergency plan of action at the time of application; and

(iii) The Board finds that:

1. Good cause exists to justify the granting of the waiver;
2. Adequate facilities and equipment, including portable equipment where appropriate and appropriate armamentarium, are available for the appropriate delivery of dental hygiene services; and