



JANET T. MILLS
GOVERNOR

STATE OF MAINE
BOARD OF DENTAL PRACTICE
143 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0143

MARK D. ZAJKOWSKI, DDS, MD, CHAIR
TRACEY L. JOWETT, RDH, VICE CHAIR
GLEN S. DAVIS, DMD
STEPHEN G. MORSE, DMD
KATHRYN WALKER NORRIS, RDH, EFDA
TODD RAY, DMD
M. LOURDES WELLINGTON, PUBLIC MEMBER
PENNY VAILLANCOURT
EXECUTIVE DIRECTOR

TESTIMONY OF

MARK D. ZAJKOWSKI, D.D.S., M.D.
CHAIR OF THE MAINE BOARD OF DENTAL PRACTICE

IN SUPPORT OF 26

“An Act to Allow a Dentist to Administer Botulinum Toxin and Dermal Fillers”
(Emergency)

Sponsored by Senator Brenner

BEFORE THE JOINT STANDING COMMITTEE ON
HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES

April 27, 2021 10:00 A.M.

Good morning Senator Sanborn, Representative Tepler, and Members of the Committee. My name is Dr. Mark Zajkowski and I am the Chair of the Maine Board of Dental Practice. Thank you for the opportunity to provide testimony on LD 26.

The Board of Dental Practice (“the Board”) is a professional licensing board affiliated with the Department of Professional and Financial Regulation (“the DPF”), and its sole purpose is to protect the public health and welfare of Maine citizens. The Board accomplishes this mission by ensuring that the public is served by competent and honest practitioners through its licensure process, conducting investigations into allegations of unprofessional conduct and imposing sanctions when deemed appropriate.

LD 26 is a technical proposal submitted by the Board as identified in its Government Evaluation Report dated November 1, 2019, that places into statute language authorizing a dentist to use botulinum toxins and dermal fillers when supported by a patient’s diagnosed dental condition or as part of a patient’s dental treatment. The bill also amends the Dental Practice Act to include as unprofessional conduct a dentist who utilizes the products on a patient for a nondental condition or treatment.

By way of background, the Board's former rule governing unprofessional conduct limited a dentist's scope of practice when utilizing botulinum toxins and derma filler products. That rule was repealed and replaced on April 5, 2020, with the intent to place into statute the same authorization and limitation necessary to protect the public.

LD 26, as presented with amended language today, clarifies the permissible use of the products specific to conditions treated by a dentist who completed a specialty training in oral and maxillofacial surgery. This amendment is necessary to avoid restricting the existing practice of oral surgeons.

Again, thank you for the opportunity to comment. I would be happy to answer any questions now or at work session.