

Article - Health Occupations

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§4-202.

- (a) (1) The Board consists of 16 members.
 - (2) Of the 16 Board members:
 - (i) 9 shall be licensed dentists;
 - (ii) 4 shall be licensed dental hygienists; and
 - (iii) 3 shall be consumer members.
 - (3) (i) Subject to subsection (b)(1) of this section, the Governor shall appoint the dentist Board members, with the advice of the Secretary, from a list of names submitted to the Governor by the Board.
 - (ii) The number of names on the list for one vacancy shall be at least four names, for two vacancies at least three names for each vacancy, and for three or more vacancies at least two names for each vacancy.
 - (4) (i) Subject to subsection (b)(2) of this section, the Governor shall appoint the dental hygienist Board members, with the advice of the Secretary, from a list of names submitted to the Governor by the Board.
 - (ii) The number of names on the list shall be four times the number of vacancies.
 - (5) The Governor shall appoint the consumer members with the advice of the Secretary and the advice and consent of the Senate.
 - (6) To the extent practicable, the members appointed to the Board shall reasonably reflect the geographic, racial, ethnic, cultural, and gender diversity of the State.
- (b) (1) For each licensed dentist vacancy, the Board shall:
 - (i) Send by electronic mail or regular mail a solicitation for nominations to fill the vacancy to:
 - 1. Each dentist licensed by the Board; and
 - 2. Each State dental organization affiliated with a national organization; and
 - (ii) Conduct a balloting process by which each dentist licensed by the

State is eligible to vote to select the names of the licensed dentists to be submitted to the Governor.

(2) For each licensed dental hygienist vacancy, the Board shall:

(i) Send by electronic mail or regular mail a solicitation for nominations to fill the vacancy to:

1. Each dental hygienist licensed by the Board; and
2. Each State dental hygienist organization affiliated with a national organization; and

(ii) Conduct a balloting process by which each dental hygienist licensed by the State is eligible to vote to select the names of the licensed dental hygienists to be submitted to the Governor.

(3) The Board shall develop guidelines for the solicitation of nominations and balloting process that to the extent possible will result in the overall composition of the Board reasonably reflecting the geographic, racial, ethnic, and gender diversity of the State.

(c) Each dentist Board member:

- (1) Shall be an individual of recognized ability and honor;
- (2) Shall be a practicing holder of a general license to practice dentistry who has practiced dentistry actively in this State for at least 5 years immediately before appointment;
- (3) Shall be a resident of this State; and
- (4) In the case of a Board member belonging to an association whose members are regulated by the Board, may not be:
 - (i) An officer of the association;
 - (ii) A member of the association's governing board or committee;
 - (iii) A member of the association's house of delegates; or
 - (iv) A voting member of a committee of the association that contributes to the establishment of governmental, regulatory, or legislative policy objectives of the association.

(d) Each dental hygienist Board member:

- (1) Shall be a practicing holder of a general license to practice dental hygiene who has practiced dental hygiene actively in this State for at least 3 years

immediately before appointment;

(2) Shall be a resident of this State;

(3) In the case of a Board member belonging to an association whose members are regulated by the Board, may not be:

(i) An officer of the association;

(ii) A member of the association's governing board or committee;

(iii) A member of the association's house of delegates; or

(iv) A voting member of a committee of the association that contributes to the establishment of governmental, regulatory, or legislative policy objectives of the association.

(e) Each consumer member of the Board:

(1) Shall be a member of the general public;

(2) May not be or ever have been a dentist or dental hygienist or in training to become a dentist or dental hygienist;

(3) May not have a household member who is a dentist or dental hygienist or in training to become a dentist or dental hygienist;

(4) May not participate or ever have participated in a commercial or professional field related to dentistry;

(5) May not have a household member who participates in a commercial or professional field related to dentistry; and

(6) May not have had within 2 years before appointment a substantial financial interest in a person regulated by the Board.

(f) While a member of the Board, a consumer member may not have a substantial financial interest in a person regulated by the Board.

(g) Before taking office, each appointee to the Board shall take the oath required by Article I, § 9 of the Maryland Constitution.

(h) (1) The term of a member is 4 years.

(2) The terms of the members are staggered as required by the terms provided for members of the Board on October 1, 2006.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(5) A member may not be appointed for more than 2 consecutive full terms.

(6) To the extent practicable, the Governor shall fill any vacancy on the Board within 60 days of the date of the vacancy.

(i) (1) The Governor may remove a member for incompetence, misconduct, continued neglect of duties imposed by this subtitle, unprofessional conduct, or dishonorable conduct.

(2) The Governor shall remove a member whom the Governor finds to have been absent from 2 successive Board meetings without adequate reason.

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