

SENATE BILL 42

J2

(6lr0958)

ENROLLED BILL

— *Education, Health, and Environmental Affairs/Health and Government Operations* —

Introduced by **Senator Conway**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **State Board of Dental Examiners – Appointment of Dentist and Dental**
3 **Hygienist Members – Advice and Consent of the Senate**

4 FOR the purpose of requiring the dentist and dental hygienist members of the State Board
5 of Dental Examiners to be appointed with the advice and consent of the Senate;
6 ~~subject to a certain condition; requiring a certain balloting process to be verified by~~
7 ~~the Department of Health and Mental Hygiene;~~ and generally relating to the
8 appointment of the dentist and dental hygienist members of the State Board of
9 Dental Examiners.

10 BY repealing and reenacting, without amendments,
11 Article – Health Occupations
12 Section 4–201 and 4–202(b)
13 Annotated Code of Maryland
14 (2014 Replacement Volume and 2015 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, with amendments,
2 Article – Health Occupations
3 Section 4–202(a)
4 Annotated Code of Maryland
5 (2014 Replacement Volume and 2015 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
7 That the Laws of Maryland read as follows:

8 **Article – Health Occupations**

9 4–201.

10 There is a State Board of Dental Examiners in the Department.

11 4–202.

12 (a) (1) The Board consists of 16 members.

13 (2) Of the 16 Board members:

14 (i) 9 shall be licensed dentists;

15 (ii) 4 shall be licensed dental hygienists; and

16 (iii) 3 shall be consumer members.

17 (3) (i) Subject to subsection (b)(1) of this section, the Governor shall
18 appoint the dentist Board members, with the advice of the Secretary **AND THE ADVICE**
19 **AND CONSENT OF THE SENATE**, from a list of names submitted to the Governor by the
20 Board ~~THAT REFLECTS THE RESULTS OF THE BALLOTING PROCESS CONDUCTED~~
21 ~~UNDER SUBSECTION (B)(1)(II) OF THIS SECTION.~~

22 (ii) The number of names on the list for one vacancy shall be at least
23 four names, for two vacancies at least three names for each vacancy, and for three or more
24 vacancies at least two names for each vacancy.

25 (4) (i) Subject to subsection (b)(2) of this section, the Governor shall
26 appoint the dental hygienist Board members, with the advice of the Secretary **AND THE**
27 **ADVICE AND CONSENT OF THE SENATE**, from a list of names submitted to the Governor
28 by the Board ~~THAT REFLECTS THE RESULTS OF THE BALLOTING PROCESS~~
29 ~~CONDUCTED UNDER SUBSECTION (B)(2)(II) OF THIS SECTION.~~

30 (ii) The number of names on the list shall be four times the number
31 of vacancies.

1 (5) The Governor shall appoint the consumer members with the advice of
2 the Secretary and the advice and consent of the Senate.

3 (6) To the extent practicable, the members appointed to the Board shall
4 reasonably reflect the geographic, racial, ethnic, cultural, and gender diversity of the State.

5 (b) (1) For each licensed dentist vacancy, the Board shall:

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

8 1. Each dentist licensed by the Board; and

9 2. Each State dental organization affiliated with a national
10 organization; and

11 (ii) Conduct a balloting process by which each dentist licensed by the
12 State is eligible to vote to select the names of the licensed dentists to be submitted to the
13 Governor.

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

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

17 1. Each dental hygienist licensed by the Board; and

18 2. Each State dental hygienist organization affiliated with a
19 national organization; and

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

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

26 ~~(4) THE BALLOTING PROCESS CONDUCTED UNDER THIS SUBSECTION~~
27 ~~SHALL BE VERIFIED BY THE DEPARTMENT.~~

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2016.