

SENATE BILL 42

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6lr0958

(PRE-FILED)

By: **Senator Conway**

Requested: October 23, 2015

Introduced and read first time: January 13, 2016

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

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; and
6 generally relating to the appointment of the dentist and dental hygienist members
7 of the State Board of Dental Examiners.

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

13 BY repealing and reenacting, with amendments,
14 Article – Health Occupations
15 Section 4–202(a)
16 Annotated Code of Maryland
17 (2014 Replacement Volume and 2015 Supplement)

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

20 **Article – Health Occupations**

21 4–201.

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

23 4–202.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (a) (1) The Board consists of 16 members.
- 2 (2) Of the 16 Board members:
- 3 (i) 9 shall be licensed dentists;
- 4 (ii) 4 shall be licensed dental hygienists; and
- 5 (iii) 3 shall be consumer members.
- 6 (3) (i) Subject to subsection (b)(1) of this section, the Governor shall
- 7 appoint the dentist Board members, with the advice of the Secretary **AND THE ADVICE**
- 8 **AND CONSENT OF THE SENATE**, from a list of names submitted to the Governor by the
- 9 Board.
- 10 (ii) The number of names on the list for one vacancy shall be at least
- 11 four names, for two vacancies at least three names for each vacancy, and for three or more
- 12 vacancies at least two names for each vacancy.
- 13 (4) (i) Subject to subsection (b)(2) of this section, the Governor shall
- 14 appoint the dental hygienist Board members, with the advice of the Secretary **AND THE**
- 15 **ADVICE AND CONSENT OF THE SENATE**, from a list of names submitted to the Governor
- 16 by the Board.
- 17 (ii) The number of names on the list shall be four times the number
- 18 of vacancies.
- 19 (5) The Governor shall appoint the consumer members with the advice of
- 20 the Secretary and the advice and consent of the Senate.
- 21 (6) To the extent practicable, the members appointed to the Board shall
- 22 reasonably reflect the geographic, racial, ethnic, cultural, and gender diversity of the State.
- 23 (b) (1) For each licensed dentist vacancy, the Board shall:
- 24 (i) Send by electronic mail or regular mail a solicitation for
- 25 nominations to fill the vacancy to:
- 26 1. Each dentist licensed by the Board; and
- 27 2. Each State dental organization affiliated with a national
- 28 organization; and
- 29 (ii) Conduct a balloting process by which each dentist licensed by the
- 30 State is eligible to vote to select the names of the licensed dentists to be submitted to the
- 31 Governor.

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

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

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

5 2. Each State dental hygienist organization affiliated with a
6 national organization; and

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

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

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