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1999 Regular Session 9lr0325

By: Senator Hollinger (Chairman, Health Subcommittee) and Senators Conway, Harris, Pinsky, and Sfikas Introduced and read first time: February 1, 1999 Assigned to: Economic and Environmental Affairs Committee Report: Favorable with amendments Senate action: Adopted Read second time: February 23, 1999 CHAPTER 1 AN ACT concerning 2 **State Board of Dental Examiners** 3 FOR the purpose of increasing the number of consumer members appointed to the State Board of Dental Examiners; defining a certain term; requiring the Board 4 5 to fund a certain dentist rehabilitation committee; subjecting the membership of the committee to the approval of the Secretary of the Department of Health and 6 Mental Hygiene Board; providing for the appointment of certain members of the 7 committee; requiring the Maryland State Dental Association to submit a budget 8 9 to the Board for the committee; requiring the Legislative Auditor to audit the 10 accounts and transactions of the committee; continuing the State Board of Dental Examiners by extending to a certain date the termination provisions 11 relating to the statutory and regulatory authority of the Board; requiring the 12 13 Board to submit a certain report on or before a certain date; and generally 14 relating to the State Board of Dental Examiners. 15 BY repealing and reenacting, with amendments, Article - Health Occupations 16 17 Section 4-202(a), 4-207, 4-501, and 4-702 Annotated Code of Maryland 18

(1994 Replacement Volume and 1998 Supplement)

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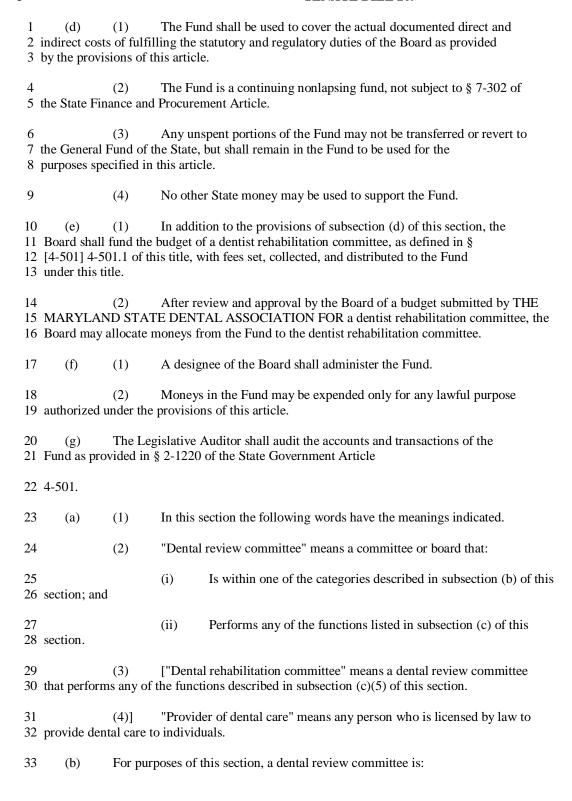
Article - Health Occupations

Annotated Code of Maryland

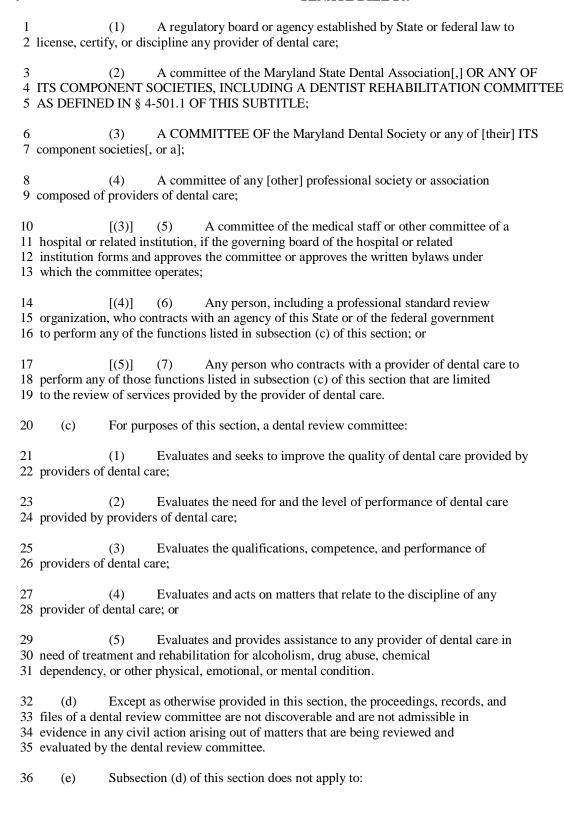
Section 4-501.1

1 2	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:				
3				Article - Health Occupations	
4	4-202.				
5	(a)	(1)	The Boa	ard consists of [14] 15 members.	
6		(2)	Of the [14] 15 Board members:	
7			(i)	9 shall be licensed dentists;	
8			(ii)	3 shall be licensed dental hygienists; and	
9			(iii)	[2] 3 shall be consumer members.	
12 13 14	(3) The Governor shall appoint the dentist Board members, with the advice of the Secretary, from a list of names submitted to the Governor jointly by the Maryland State Dental Association and the Maryland Dental Society. 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.				
18	(4) 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 Maryland Dental Hygienists' Association. The number of names on the list shall be four times the number of vacancies.				
20 21	the Secretary	(5) y and the		vernor shall appoint the consumer members with the advice of nd consent of the Senate.	
22	4-207.				
23	(a)	There is	s a State Board of Dental Examiners Fund.		
24 25	(b) licenses and	(1) The Board may set reasonable fees for the issuance and renewal of and its other services.			
26 27	maintaining	(2) the Boar		s charged shall be set so as to approximate the cost of	
28 29	Funds to cover the compensation and expenses of the Board members shall be generated by fees set under this section.				
30 31	(c) Comptroller	(1) of the St		ard shall pay all funds collected under this title to the	
32 33	Examiners I	(2) Fund	The Cor	mptroller shall distribute the fees to the State Board of Dental	

SENATE BILL 209



SENATE BILL 209



- 1 (1) A civil action brought by a party to the proceedings of the dental
- 2 review committee who claims to be aggrieved by the decision of the dental review
- 3 committee; or
- 4 (2) Any record or document that is considered by the dental review
- 5 committee and that otherwise would be subject to discovery and introduction into
- 6 evidence in a civil trial.
- 7 (f) A person who acts in good faith and within the scope of jurisdiction of a
- 8 dental review committee is not civilly liable for any action as a member of the dental
- 9 review committee or for giving information to, participating in, or contributing to the
- 10 function of the dental review committee.
- 11 4-501.1.
- 12 (A) IN THIS SECTION, "DENTIST REHABILITATION COMMITTEE" MEANS THE
- 13 COMMITTEE OF THE MARYLAND STATE DENTAL ASSOCIATION THAT EVALUATES
- 14 AND PROVIDES ASSISTANCE TO ANY PROVIDER OF DENTAL CARE IN NEED OF
- 15 TREATMENT AND REHABILITATION FOR ALCOHOLISM, DRUG ABUSE, CHEMICAL
- 16 DEPENDENCY, OR OTHER PHYSICAL, EMOTIONAL, OR MENTAL CONDITION.
- 17 (B) THE MARYLAND STATE DENTAL ASSOCIATION SHALL APPOINT THE
- 18 MEMBERS OF THE DENTIST REHABILITATION COMMITTEE, SUBJECT TO THE
- 19 APPROVAL OF THE SECRETARY BOARD.
- 20 (C) AT LEAST ONE MEMBER OF THE DENTIST REHABILITATION COMMITTEE
- 21 SHALL BE A MEMBER OF THE MARYLAND DENTAL SOCIETY.
- 22 (C) (D) THE BOARD SHALL FUND THE BUDGET OF THE DENTIST
- 23 REHABILITATION COMMITTEE AS PROVIDED IN § 4-207 OF THIS TITLE.
- 24 (D) (E) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND
- 25 TRANSACTIONS OF THE DENTIST REHABILITATION COMMITTEE AS PROVIDED IN §
- 26 2-1220 OF THE STATE GOVERNMENT ARTICLE.
- 27 4-702.
- Subject to the evaluation and reestablishment provisions of the Program
- 29 Evaluation Act, this title and all rules and regulations adopted under this title shall
- 30 terminate and be of no effect after July 1, [1999] 2003.
- 31 SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of Dental
- 32 Examiners shall report to the Senate Economic and Environmental Affairs
- 33 Committee and the House Environmental Matters Committee on or before October 1.
- 34 1999, in accordance with § 2-1246 of the State Government Article, on the
- 35 implementation of the recommendations of the Department of Legislative Services
- 36 contained in the sunset evaluation report dated October 31, 1998.
- 37 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 38 July 1, 1999.