

# HOUSE BILL 1030

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By: **Delegate Saab**

Introduced and read first time: February 5, 2021

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Dental Examiners – Membership – Nomination and Appointment**  
3 **Process**

4 FOR the purpose of repealing a provision of law that requires the Governor to appoint  
5 certain members of the State Board of Dental Examiners from a list of names  
6 submitted to the Governor by the Board; requiring the Governor to appoint certain  
7 members of the Board from a list of qualified individuals submitted by certain  
8 organizations and certain petitions submitted to the Secretary of Health and the  
9 Governor; repealing a requirement that a certain number of names be submitted for  
10 a certain vacancy on the Board; requiring the Board to send a certain notice of  
11 vacancy to certain licensees and certain organizations that includes certain  
12 information and within a certain period of time; repealing a requirement that the  
13 Board conduct a certain balloting process; repealing a requirement that the Board  
14 develop certain guidelines for the solicitation of nominations and a certain balloting  
15 process; and generally relating to nominations and appointments to the State Board  
16 of Dental Examiners.

17 BY repealing and reenacting, with amendments,  
18 Article – Health Occupations  
19 Section 4–202(a) and (b)  
20 Annotated Code of Maryland  
21 (2014 Replacement Volume and 2020 Supplement)

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

24 **Article – Health Occupations**

25 4–202.

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) Of the 16 Board members:

2 (i) 9 shall be licensed dentists;

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

4 (iii) 3 shall be consumer members.

5 (3) [(i)] Subject to subsection (b)(1) of this section, the Governor shall  
6 appoint the dentist Board members, with the advice of the Secretary and the advice and  
7 consent of the Senate, from [a]:

8 (I) A list of [names] **QUALIFIED INDIVIDUALS** submitted to the  
9 **SECRETARY AND THE** Governor by [the Board] **ANY STATE DENTAL ORGANIZATION**  
10 **AFFILIATED WITH A NATIONAL ORGANIZATION AND THAT REPRESENTS AT LEAST 25**  
11 **LICENSED DENTISTS; OR**

12 (II) **A VALID PETITION SUBMITTED TO THE SECRETARY AND**  
13 **THE GOVERNOR BY A LICENSED DENTIST WITH AN ACTIVE LICENSE UNDER THIS**  
14 **TITLE.**

15 [(ii)] The number of names on the list for one vacancy shall be at least  
16 four names, for two vacancies at least three names for each vacancy, and for three or more  
17 vacancies at least two names for each vacancy.]

18 (4) [(i)] Subject to subsection (b)(2) of this section, the Governor shall  
19 appoint the dental hygienist Board members, with the advice of the Secretary and the  
20 advice and consent of the Senate, from [a]:

21 (I) A list of names submitted to the **SECRETARY AND THE**  
22 Governor by [the Board] **ANY STATE DENTAL HYGIENIST ORGANIZATION AFFILIATED**  
23 **WITH A NATIONAL ORGANIZATION AND THAT REPRESENTS AT LEAST 25 LICENSED**  
24 **DENTAL HYGIENISTS; OR**

25 (II) **A VALID PETITION SUBMITTED TO THE SECRETARY AND**  
26 **THE GOVERNOR BY A LICENSED DENTAL HYGIENIST WITH AN ACTIVE LICENSE**  
27 **UNDER THIS TITLE.**

28 [(ii)] The number of names on the list shall be four times the number  
29 of vacancies.]

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

1 (6) To the extent practicable, the members appointed to the Board **BY THE**  
2 **GOVERNOR** shall reasonably reflect the geographic, racial, ethnic, cultural, and gender  
3 diversity of the State.

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

5 (i) Send] **SEND** by electronic mail or regular mail a [solicitation for  
6 nominations to fill the] **NOTICE OF** vacancy to:

7 [1.] **(I)** Each dentist licensed by the Board; and

8 [2.] **(II)** Each State dental organization affiliated with a  
9 national organization[; and

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

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

14 (i) Send] **SEND** by electronic mail or regular mail a [solicitation for  
15 nominations to fill the] **NOTICE OF** vacancy to:

16 [1.] **(I)** Each dental hygienist licensed by the Board; and

17 [2.] **(II)** Each State dental hygienist organization affiliated  
18 with a national organization[; and

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

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

26 **(3) A NOTICE OF VACANCY REQUIRED UNDER PARAGRAPHS (1) AND**  
27 **(2) OF THIS SUBSECTION SHALL:**

28 **(I) INCLUDE A DESCRIPTION OF THE NOMINATION AND**  
29 **APPOINTMENT PROCESS FOR MEMBERSHIP ON THE BOARD; AND**

30 **(II) BE SENT BY THE BOARD:**

