

HOUSE BILL 1030

J2

11r2149

By: **Delegate Saab**

Introduced and read first time: February 5, 2021

Assigned to: Health and Government Operations

Committee Report: Favorable

House action: Adopted

Read second time: March 21, 2021

CHAPTER _____

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:

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.



Article – Health Occupations

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 and the advice and consent of the Senate, from [a]:

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

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

[(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 and the advice and consent of the Senate, from [a]:

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

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

1 (ii) The number of names on the list shall be four times the number
2 of vacancies.]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (I) INCLUDE A DESCRIPTION OF THE NOMINATION AND
2 APPOINTMENT PROCESS FOR MEMBERSHIP ON THE BOARD; AND

3 (II) BE SENT BY THE BOARD:

4 1. AT LEAST 120 DAYS BEFORE THE EXPIRATION OF THE
5 TERM OF A MEMBER; OR

6 2. WITHIN 60 DAYS AFTER A VACANCY ON THE BOARD
7 OCCURS.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.