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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- DENTISTS AND DENTAL
HYGIENISTS

Introduced By: Representatives McNamara, Azzinaro, and Corvese

Date Introduced: May 22, 2013

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 5-31.1-2 of the General Laws in Chapter 5-31.1 entitled "Dentists
2 and Dental Hygienists" is hereby amended to read as follows:

3 **5-31.1-2. Board of examiners in dentistry -- Members -- Compensation -- Funds. --**

4 (a) There is created within the department of health the Rhode Island board of examiners in
5 dentistry, which is composed of the following members:

6 (1) ~~Six (6)~~ Eight (8) licensed dentists; ~~no more than three (3) shall be dental specialists~~
7 as recognized by the American Dental Association (ADA);

8 (2) Four (4) public members not associated with the dental field;

9 (3) Two (2) licensed dental hygienists; and

10 (4) The chief of the office of dental public health, who ~~shall serves~~ serve as ~~a~~ an ex-
11 officio member of the board; and

12 (5) One certified dental assistant

13 (b) The governor shall appoint the members of the board, except that prior to appointing
14 the ~~six (6)~~ eight (8) dentist members the governor may submit a list of all candidates to the
15 appropriate dental societies for comments as to their qualifications. No member shall be
16 appointed for more than two (2) consecutive full terms. A member appointed for less than a full
17 term (originally or to fill a vacancy) may serve two (2) full terms in addition to that part of a full
18 term, and a former member is again eligible for appointment after a lapse of one or more years.

1 All subsequent appointments to the board shall be for a term of three (3) years. Any member of
2 the board may be removed by the governor for neglect of duty, misconduct, malfeasance, or
3 misfeasance in office after being given a written statement of the charges against him or her and
4 sufficient opportunity to be heard on the charges. The board shall elect from its members a
5 chairperson who shall be a dentist duly licensed under the laws of the state of Rhode Island, and a
6 vice-chairperson who shall in the absence of the chairperson exercise all powers of the
7 chairperson, and secretary, who serve for one year or until their successors are appointed and
8 qualified. The board shall meet at least once a month or more often upon the call of the
9 chairperson, director of health or dental administrator, at any times and places that the
10 chairperson designates.

11 (c) Members of the board shall not be paid for the discharge of official duties.

12 (d) The administration of the board shall be funded from annual fees. The director shall
13 in consultation with the board determine the amount of the annual fee to be charged to each
14 licensed dentist and dental hygienist, the payment of which is a condition to practicing dentistry
15 or dental hygiene in the state. The director or the dental administrator has the authority to suspend
16 or revoke the license of any dentist or dental hygienist who does not pay the annual fee. Monies
17 shall be received by the department and deposited in the general fund as general revenues.

18 SECTION 2. Section 5-31.1-30 of the General Laws in Chapter 5-31.1 entitled "Dentists
19 and Dental Hygienists" is hereby amended to read as follows:

20 **5-31.1-30. Licensure required -- Dental assistants excepted. --** No person shall
21 perform any act, which constitutes the practice of dentistry in this state, unless that person is
22 licensed under the provisions of this chapter as a dentist or a dental hygienist, or unless that
23 person performs limited auxiliary dental services, procedures, and duties as a dental assistant as
24 provided by this chapter. [The board of examiners in dentistry shall develop rules and procedures](#)
25 [to implement a listing of all dental assistants practicing in the state.](#)

26 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would add one certified dental assistant to the Rhode Island Board of Examiners
2 in Dentistry. It would also mandate that the board of examiners develop rules and procedures to
3 implement a listing of all dental assistants practicing in the state.

4 This act would take effect upon passage.

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