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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- DENTISTS AND DENTAL
HYGIENISTS

Introduced By: Senators Tikoian, DiPalma, Lawson, Felag, Murray, LaMountain,
Ciccone, Appollonio, Thompson, and Rogers

Date Introduced: March 06, 2025

Referred To: Senate Health & Human Services

(Dept. of Health)

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
5 in dentistry composed of the following members:

6 (1) Eight (8) licensed dentists, no more than three (3) shall be dental specialists as
7 recognized by the American Dental Association (ADA) and at least one of the three (3) dental
8 specialists shall be an oral and maxillofacial surgeon;

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

10 (3) Two (2) licensed dental hygienists;

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

13 (5) One certified dental assistant.

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

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

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

14 (d) The director has the authority to suspend or revoke the license of any dentist or dental
15 hygienist who does not pay the annual fee. Monies shall be received by the department and
16 deposited in the general fund as general revenues.

17 SECTION 2. Section 5-34-40 of the General Laws in Chapter 5-34 entitled "Nurses" is
18 hereby amended to read as follows:

19 **5-34-40. Advanced practice nurse advisory committee.**

20 (a) The seven-member (7) committee consists of two (2) certified nurse practitioners, two
21 (2) certified registered nurse anesthetists, two (2) certified clinical nurse specialists, and one
22 consumer. The director of health shall appoint the committee. In making appointments to the
23 committee, the director shall consider persons recommended by professional nurse organizations
24 and professional medical associations. The professional members of the committee shall be
25 currently engaged in practice. The consumer members shall be: (1) Knowledgeable in consumer
26 health concerns; (2) A resident of the state; (3) Not licensed as a healthcare practitioner; (4) Not a
27 parent, spouse, sibling, or child of a person licensed as a healthcare practitioner and not a student
28 in a professional program; (5) Not having a direct financial interest in healthcare services; and (6)
29 Not a member or an employee of any board of control of any public or private healthcare service.

30 (b) Each member appointment shall be for three (3) years, ~~with no.~~ [No](#) member ~~serv~~
31 [shall be appointed to](#) more than two (2) consecutive, three-year (3) terms, except that in making the
32 initial appointments, the director designates: four (4) members for a term of two (2) years; three (3)
33 members for a term of three (3) years; and the consumer members for three-year (3) terms. [Upon](#)
34 [expiration of the term of office, a member shall continue to serve until a successor is appointed and](#)

1 [qualified.](#)

2 (c) This committee must meet not fewer than two (2) times per year. The committee has
3 the following functions:

4 (1) To assess advanced nursing practice for the purpose of improving patient care.

5 (2)(i) To review all complaints regarding advanced practice nurses and recommend any
6 and all disciplinary or corrective action that it deems appropriate, including revocation and
7 suspension of license upon proof that an advanced practice nurse has:

8 (A) Aided or abetted an uncertified person to practice as an advanced practice nurse;

9 (B) Become addicted to the use of liquor or controlled substances;

10 (C) Negligently, willfully, or intentionally acted in a manner inconsistent with the health
11 and safety of persons entrusted to his or her care;

12 (D) Had his or her authorization to practice as an advanced practice nurse denied, revoked,
13 or suspended in another state;

14 (E) Engaged in the performance of medical functions beyond the scope of practice
15 authorized by the provisions of this chapter;

16 (F) Willfully failed to file or record medical records and reports;

17 (G) Mental incompetence; or

18 (H) Willfully failed to maintain standards established by the nursing profession.

19 (ii) The recommendation shall be submitted to the board of nursing for implementation.

20 (3) To advise periodically the board of nurse registration and nursing education regarding
21 advanced nurse practice.

22 SECTION 3. Section 5-35.2-8 of the General Laws in Chapter 5-35.2 entitled "Opticians"
23 is hereby amended to read as follows:

24 **5-35.2-8. Advisory committee for opticianry.**

25 There is created an advisory committee for opticianry, appointed by the director, to consist
26 of five (5) members, who shall be residents of the state, four (4) of whom shall be licensed as
27 opticians under the provisions of this chapter, and shall have practiced as opticians for a period of
28 at least five (5) years, and one layperson who shall be from the public. The members of the advisory
29 committee shall be appointed for terms of three (3) years; ~~each member may serve a maximum of~~
30 [no member shall be appointed to more than](#) two (2) full terms. [Upon expiration of the term of office,](#)
31 [a member shall continue to serve until a successor is appointed and qualified. A majority of seats](#)
32 [filled shall constitute a quorum.](#) The duties of the advisory committee for opticianry shall include
33 but not be limited to advising the director on all matters pertaining to the licensure and regulation
34 of opticianry in this state.

1 SECTION 4. Sections 5-36.1-9 and 5-36.1-11 of the General Laws in Chapter 5-36.1
2 entitled "License of Naturopathy Act of 2017" are hereby amended to read as follows:

3 **5-36.1-9. Board of licensure.**

4 (a) The director of the department of health, with the approval of the governor, shall appoint
5 a board consisting of five (5) persons, all residents of the state, to constitute a board of licensure
6 for naturopathy with the duties, powers, and authority as stated in this chapter, and that board shall
7 be composed of the following:

8 (1) Two (2) members who shall be licensed physicians under chapter 37 of this title who
9 have been actively engaged in the practice of medicine;

10 (2) One member who is a representative of the general public not employed in any health-
11 related field; and

12 (3) Two (2) members who shall be doctors of naturopathy meeting the qualifications for
13 licensure under this chapter.

14 (b) Members shall be appointed for terms of three (3) years each ~~with no.~~ No member
15 ~~servi~~ shall be appointed to more than two (2) consecutive terms. Upon expiration of the term of
16 office, a member shall continue to serve until a successor is appointed and qualified.

17 (c) In their initial appointment, the director shall designate the members of the board of
18 licensure as follows: three (3) members to serve for terms of three (3) years; and two (2) members
19 to serve for a term of two (2) years.

20 (d) The director of the department of health may remove any member of the board for
21 cause.

22 (e) Vacancies shall be filled for the unexpired portion of any term in the same manner as
23 the original appointment.

24 **5-36.1-11. Board of licensure — Organization and meetings — Compensation of**
25 **members.**

26 The board shall elect its own chairperson annually and shall meet at the call of the
27 administrator, the chairperson, or upon the request of two (2) or more members of the board. ~~A~~
28 ~~quorum shall consist of at least three (3) members present~~ A majority of seats filled shall constitute
29 a quorum, one of whom must be a doctor of naturopathy. The board shall approve programs for
30 continuing naturopathic education. Board members shall serve without compensation.

31 SECTION 5. Section 5-37-1.1 of the General Laws in Chapter 5-37 entitled "Board of
32 Medical Licensure and Discipline" is hereby amended to read as follows:

33 **5-37-1.1. Board of medical licensure and discipline — Creation — Composition —**
34 **Appointment, removal, and compensation of members — Officers — Meetings — Funds.**

1 (a)(1) There is created within the department of health, the Rhode Island board of medical
2 licensure and discipline which is composed of the following members:

3 (i) Four (4) licensed physicians who possess the degree of doctor of allopathic medicine;
4 one of whom shall be a full-time medical school faculty member;

5 (ii) Two (2) licensed physicians who hold the degree of doctor of osteopathic medicine;

6 (iii) Five (5) public members, one of whom is an attorney with experience as plaintiff's
7 counsel in the presentation or prosecution of medical malpractice matters, and one of whom is a
8 member of the general public, not associated with the medical field, who is at least sixty (60) years
9 of age; and three (3) of whom are public members not associated with the medical field;

10 (iv) One hospital administrator; and

11 (v) The director of the department of health who shall serve as chairperson of the board.

12 (2) The governor shall appoint the members of the board except that prior to appointing
13 the six (6) physician members the governor may submit a list of all candidates to the appropriate
14 medical or osteopathic societies for comments as to their qualifications. When the board is first
15 selected, six (6) members shall be appointed for a term of three (3) years, five (5) members shall
16 be appointed for a term of two (2) years, and two (2) members shall be appointed for a term of one
17 year. No member shall be appointed for more than two (2) consecutive full terms. A member
18 appointed for less than a full term (originally or to fill a vacancy) may serve two (2) full terms in
19 addition to that part of a full term, and a former member is again eligible for appointment after a
20 lapse of one or more years. All subsequent appointments to the board shall be for a term of three
21 (3) years. Upon expiration of the term of office, a member shall continue to serve until a successor
22 is appointed and qualified. Any member of the board may be removed by the governor for neglect
23 of duty, misconduct, malfeasance, and misfeasance in office after being given a written statement
24 of the charges against him or her and sufficient opportunity to be heard. The board shall elect from
25 its members a vice-chairperson who, in the absence of the chairperson, shall exercise all powers of
26 the chairperson, and a secretary. These officers shall serve for one year or until their successors are
27 appointed and qualified. The board shall meet at least once a month or more often upon the call of
28 the chairperson, director of the department of health, or chief administrative officer, at the times
29 and places that the chairperson designates.

30 (3) A majority of seats filled shall constitute a quorum.

31 (b) Members of the board shall not be paid for the discharge of official duties.

32 (c) The administration of the board shall be funded from annual fees. The director, as stated
33 in § 5-37-10, in consultation with the board, shall determine the amount of the annual fee to be
34 charged to each licensed physician and to hospitals, the payment of which is a condition to

1 practicing medicine or rendering hospital services in the state. The director or chief administrative
2 officer has the authority to suspend or revoke the license of any physician who does not pay the
3 annual fee. Monies shall be received by the department and credited to a restricted receipt account.
4 All monies in that fund shall be utilized only for the purposes of maintaining, managing, operating,
5 and administering the board of medical licensure and discipline in carrying out its functions. The
6 fees and date of collection of all funds to be collected for the initial registrations and licenses issued
7 pursuant to this title shall be as the director by regulation shall establish.

8 SECTION 6. Section 5-37.2-1.1 of the General Laws in Chapter 5-37.2 entitled "The
9 Practice of Acupuncture and Chinese Medicine" is hereby amended to read as follows:

10 **5-37.2-1.1. Board of acupuncture and Chinese medicine.**

11 (a) The director of the department shall appoint a board of acupuncture and Chinese
12 medicine. The board shall consist of five (5) members, all of whom shall be residents of the state,
13 four (4) of whom shall be doctors of acupuncture and Chinese medicine licensed by the department
14 and engaged in the practice of acupuncture and Chinese medicine in the state for at least five (5)
15 years prior to their appointment, and there shall be one public member. The members shall be
16 appointed for terms of three (3) years; each member ~~may serve a maximum of~~ shall not be appointed
17 to more than two (2) consecutive, full terms. Upon expiration of the term of office, a member shall
18 continue to serve until a successor is appointed and qualified. A majority of seats filled shall
19 constitute a quorum. No member of the board of acupuncture and Chinese medicine shall receive
20 compensation for his or her attendance at meetings of the board.

21 (b) The director of health may remove any member from the board for neglect of any duty
22 required by law or for any incompetency, unprofessional, or dishonorable conduct. Vacancies
23 created by voluntary resignation or removal by the director of health shall be filled in the same
24 manner as the original appointment was made for the remainder of the term.

25 SECTION 7. Section 5-39.1-6 of the General Laws in Chapter 5-39.1 entitled "License
26 Procedure for Social Workers" is hereby amended to read as follows:

27 **5-39.1-6. Board of social work examiners.**

28 (a) Within the department, there is established a board of social work examiners.

29 (b) The governor shall appoint a board consisting of seven (7) members. Two (2) shall be
30 social workers; two (2) shall be licensed clinical social workers; and two (2) shall be licensed
31 independent clinical social workers (for the purposes of initial appointments, certified social
32 workers represent licensed clinical social workers and certified independent social workers
33 represent licensed independent social workers). One member shall be a public member. At least
34 one member shall be a NASW member.

1 (c) All board members shall be appointed for a term of three (3) years. No member shall
2 ~~serve~~ be appointed to more than ~~nine (9)~~ three (3) consecutive ~~years~~ terms. Upon expiration of the
3 term of office, a member shall continue to serve until a successor is appointed and qualified. In the
4 event a member cannot complete his or her term, a successor shall be appointed to serve the
5 unexpired term. A majority of seats filled shall constitute a quorum.

6 (d) Terms of initial members shall be staggered with two (2) members appointed for a one
7 year term, two (2) for two (2) years, and three (3) for three-year (3) terms.

8 (e) The governor may remove any member of the board for cause.

9 SECTION 8. Section 5-49-15 of the General Laws in Chapter 5-49 entitled "Hearing Aid
10 Dealers and Fitters" is hereby amended to read as follows:

11 **5-49-15. Board — Creation — Composition — Appointment and terms.**

12 (a) There is established a board of hearing aid dealers and fitters that guides, advises, and
13 makes recommendations to the department.

14 (b)(1) Members of the board shall be residents of the state.

15 (2) The board shall consist of three (3) hearing aid dealers and fitters; one otolaryngologist;
16 one audiologist; and one lay member who shall be a user of hearing aids and not employed in the
17 practice of fitting and dealing in hearing aids.

18 (3) Each hearing aid dealer and fitter on the board shall have no less than five (5) years'
19 experience and hold a valid license as a hearing aid dealer and fitter, as provided under this chapter.

20 (4) Excepted shall be the hearing aid dealers and fitters of the first board appointed, who
21 have no less than five (5) years of experience and fulfill all qualifications under § 5-49-7 as
22 provided under this chapter.

23 (c) All members of the board shall be appointed by the governor.

24 (d) The term of office of each member shall be three (3) years; except that of the members
25 of the first board appointed under this chapter, two (2) shall be appointed for two (2) years; two (2)
26 shall be appointed for three (3) years; and two (2) shall be appointed for four (4) years.

27 (e) Before a member's term expires, the governor shall appoint a successor to assume his
28 or her duties on the expiration of his or her predecessor's term. Upon expiration of the term of
29 office, a member shall continue to serve until a successor is appointed and qualified.

30 (f) A vacancy in the office of a member shall be filled by appointment for the unexpired
31 term.

32 (g) A majority of seats filled shall constitute a quorum.

33 ~~(e)~~(h) The members of the board shall annually designate one member to serve as chair
34 and another to serve as secretary-treasurer.

1 ~~(i)~~(i) No member of the board who has served two (2) or more full terms may be
2 reappointed to the board until at least one year after the expiration of his or her most recent full
3 term of office.

4 ~~(j)~~(j) Members of the board shall not be compensated for their services on the board.

5 SECTION 9. Sections 5-54-5 and 5-54-6 of the General Laws in Chapter 5-54 entitled
6 "Physician Assistants" are hereby amended to read as follows:

7 **5-54-5. Board of licensure.**

8 (a) The director of the department of health, with the approval of the governor, shall appoint
9 a board consisting of seven (7) persons, residents of the state, to constitute a board of licensure for
10 physician assistants with the duties, powers, and authority as stated in this chapter, and that board
11 shall be composed of the following:

12 (1) Two (2) members shall be licensed physicians under the provisions of chapter 37 of
13 this title who have been actively engaged in the practice of medicine;

14 (2) [Deleted by P.L. 2019, ch. 197, § 1 and P.L. 2019, ch. 230, § 1].

15 (3) Two (2) members who are representatives of the general public not employed in any
16 health-related field; and

17 (4) Three (3) members shall be physician assistants.

18 (b) Members shall be appointed for terms of three (3) years each ~~with no member serving.~~
19 No member shall be appointed to more than two (2) consecutive terms. Upon expiration of the term
20 of office, a member shall continue to serve until a successor is appointed and qualified.

21 (c) In his or her initial appointment, the director shall designate the members of the board
22 of licensure for physician assistants as follows: two (2) members to serve for terms of three (3)
23 years; two (2) members to serve for a term of two (2) years; and three (3) members to serve for a
24 term of one year. Any additional appointments shall serve for one year.

25 (d) The director of the department of health may remove any member of the board for
26 cause.

27 (e) Vacancies shall be filled for the unexpired portion of any term in the same manner as
28 the original appointment.

29 **5-54-6. Board of licensure — Organization and meetings — Compensation of**
30 **members.**

31 The board shall elect its own chairperson annually and shall meet at the call of the
32 administrator, the chairperson, or upon the request of two (2) or more members of the board. ~~A~~
33 ~~quorum shall consist of at least four (4) members present.~~ A majority of seats filled shall constitute
34 a quorum. The board shall approve programs for continuing medical education. Board members

1 shall serve without compensation.

2 SECTION 10. Section 5-60-4 of the General Laws in Chapter 5-60 entitled "Athletic
3 Trainers" is hereby amended to read as follows:

4 **5-60-4. Board — Composition — Appointment, terms, oaths, and removal of**
5 **members — Officers — Meetings.**

6 (a) The director of the department of health, with the approval of the governor, shall appoint
7 the members of the Rhode Island board of athletic trainers, which shall be composed of three (3)
8 licensed athletic trainers and one public member and one physician licensed to practice medicine
9 and with an interest in sports medicine. In making appointments to the board, the director shall give
10 consideration to recommendations made by professional organizations of athletic trainers and
11 physicians. Each appointee shall be licensed and practicing in the state, except that the director, in
12 appointing the athletic trainer members of the first board, may appoint any practicing athletic trainer
13 who possesses the qualification required by § 5-60-10. To qualify as a member, a person must be
14 a citizen of the United States and a resident of the state for five (5) years immediately preceding
15 appointment.

16 (b) The members of the board shall be appointed for terms of three (3) years, which expire
17 on August 1 of even-numbered years, except that in making the initial appointments, the director
18 shall designate one member to serve one year; two (2) members to serve two (2) years; and two (2)
19 members to serve three (3) years. In the event of death, resignation, or removal of any member, the
20 vacancy shall be filled for the unexpired portion of the term in the same manner as the original
21 appointment. The director may remove any member for cause at any time prior to the expiration of
22 his or her term. No member shall ~~serve~~ be appointed for more than two (2) consecutive three-year
23 (3) terms. Upon expiration of the term of office, a member shall continue to serve until a successor
24 is appointed and qualified.

25 (c) Each appointee to the board shall qualify by taking the constitutional oath of office
26 within thirty (30) days from the date of his or her appointment. On presentation of the oath, the
27 director shall issue commissions to appointees as evidence of their authority to act as members of
28 the board.

29 (d) The board shall elect from its members for a term of one year, a chairperson, vice-
30 chairperson, and secretary-treasurer, and may appoint committees that it considers necessary to
31 carry out its duties. The board shall meet at least two (2) times a year. Additional meetings may be
32 held on the call of the chairperson or at the written request of any three (3) members of the board.
33 The quorum required for any meeting of the board shall be ~~three (3) members~~ a majority of the
34 seats filled. No action by the board or its members has any effect unless a quorum of the board is

1 present.

2 SECTION 11. Sections 5-63.2-4 and 5-63.2-5 of the General Laws in Chapter 5-63.2
3 entitled "Mental Health Counselors and Marriage and Family Therapists" are hereby amended to
4 read as follows:

5 **5-63.2-4. Composition of board — Appointment and terms of members.**

6 The director of the department of health, with the approval of the governor, shall appoint
7 nine (9) electors as members of the board. Three (3) shall be clinical mental health counselors, at
8 least two (2) of whom shall meet the qualifications of § 5-63.2-9(b) and have at least five (5) years
9 of private practice experience in mental health counseling; three (3) shall be marriage and family
10 therapists, who shall be clinical marriage and family therapists who meet the qualifications of § 5-
11 63.2-10(b) and have at least five (5) years of private practice experience in marriage and family
12 therapy; three (3) shall be members of the public. Commencing September 1996, the director of
13 the department of health shall appoint one clinical mental health counselor for one year; one clinical
14 mental health counselor for two (2) years; one clinical mental health counselor for three (3) years;
15 one marriage and family therapist for one year; one marriage and family therapist for two (2) years;
16 one marriage and family therapist for three (3) years; one public member for two (2) years; and two
17 (2) public members for three (3) years. After this, all terms of appointments shall be for three (3)
18 years. ~~In no instance shall a person serve more than six (6) consecutive years on the board. No~~
19 ~~member shall serve for more than two (2) consecutive terms. Upon expiration of the term of office,~~
20 ~~a member shall continue to serve until a successor is appointed and qualified.~~

21 **5-63.2-5. Organization and meetings of board.**

22 The board shall organize immediately after the appointment and qualification of its
23 members. The board shall annually elect a chairperson and secretary. Meetings may be called by
24 the chairperson or the director of the department of health or by written request of four (4) members
25 of the board. ~~Five (5) members of the board shall constitute a quorum~~ A majority of seats filled
26 shall constitute a quorum; provided, that a clinical mental health counselor and a marriage and
27 family therapist must be present. The board shall meet as often as necessary.

28 SECTION 12. Section 5-64-5 of the General Laws in Chapter 5-64 entitled
29 "Dietitian/Nutritionist Act" is hereby amended to read as follows:

30 **5-64-5. Rhode Island state board of dietetics practice.**

31 (a) Within the division of professional regulation in the Rhode Island department of health
32 there is a board of dietetics practice.

33 (1) The board shall consist of nine (9) members appointed for terms of three (3) years each
34 with no member ~~servng~~ shall be appointed for more than two (2) consecutive terms. Upon

1 [expiration of the term of office, a member shall continue to serve until a successor is appointed and](#)
2 [qualified.](#) One shall be the director of the department of health or designee. Five (5) shall be
3 licensed dietitians/nutritionists appointed by the director of the department of health, with the
4 approval of the governor, except that the appointments made initially need not be licensed under
5 this chapter. (In his or her initial appointment, the director shall designate the licensed
6 dietitian/nutritionist members of the board as follows: one member to serve for a term of one year;
7 two (2) members to serve for a term of two (2) years; and two (2) members to serve for a term of
8 three (3) years). One member shall be a physician licensed to practice medicine in this state
9 appointed by the governor. Two (2) shall be consumers appointed by the governor. [A majority of](#)
10 [seats filled shall constitute a quorum.](#)

11 (2) The director of the department of health may remove any member of the board for
12 cause.

13 (3) Vacancies shall be filled for the unexpired portion of any term in the same manner as
14 the original appointment.

15 (b) The duties of the board shall be to:

16 (1) Recommend to the director rules and regulations necessary to implement this chapter;

17 (2) Determine the qualification and fitness of applicants and to issue and/or reinstate
18 licenses; and

19 (3) Recommend to the director revocation, suspension, and/or denial of a license.

20 SECTION 13. Section 5-68.1-3 of the General Laws in Chapter 5-68.1 entitled "Radiologic
21 Technologists" is hereby amended to read as follows:

22 **5-68.1-3. Board — Composition — Appointment and terms of members — Duties.**

23 (a) Within the Rhode Island department of health there shall be a board of radiologic
24 technology consisting of seven (7) members as follows:

25 (1) One member shall be a member of the public who has no financial interest in radiologic
26 technology other than as a consumer or possible consumer of its services. They shall have no
27 financial interest personally or through a spouse.

28 (2) Two (2) members of the board shall be licensed practitioners, one of whom shall be a
29 radiologist who utilizes ionizing radiation in the normal course of his or her practice. Nominations
30 for the licensed practitioner board members shall be submitted by the Rhode Island Medical Society
31 and the Rhode Island Radiological Society to the director for approval.

32 (3)(i) Three (3) members of the board shall be licensed under this chapter. One shall be
33 from radiography, one shall be from nuclear medicine, and one shall be from radiation therapy.

34 (ii) The director shall appoint as radiologic technologist members of the board, individuals

1 currently practicing as registered radiologic technologists in Rhode Island.

2 (4) One member shall be a representative of the hospital association who shall be
3 nominated by the Hospital Association of Rhode Island and submitted to the director for approval.

4 (5)(i) The director, with the approval of the governor, shall make appointments for a three-
5 year (3) term, but no individual shall ~~serve~~ be appointed to more than two (2) consecutive terms.
6 Upon expiration of the term of office, a member shall continue to serve until a successor is
7 appointed and qualified. Members of the board as of the effective date of this chapter, who were
8 previously appointed pursuant to § 5-68-4, shall continue to serve for the remainder of their
9 appointed term.

10 (ii) In the event of a vacancy in one of the positions, the director, with the approval of the
11 governor, may appoint an individual who shall fill the unexpired term.

12 (6) The board shall meet during the first month of each calendar year to select a chairperson
13 and for other purposes. At least one additional meeting shall be held during each calendar year.
14 Meetings may also be called at any time by the chairperson, the director, or by written request of
15 two (2) members of the board. ~~A majority of the fully authorized board constitutes a quorum.~~ A
16 majority of seats filled shall constitute a quorum.

17 (b) The duties of the board shall be as follows:

18 (1) To evaluate the qualifications of applicants and review the required examination results
19 administered by a testing agency approved by the board;

20 (2) To recommend to the director the issuance of licenses to applicants who meet the
21 requirements of this chapter;

22 (3) To administer, coordinate, and enforce the provisions of this chapter and investigate
23 persons engaging in practices that may violate the provisions of the chapter;

24 (4) To recommend to the director the denial or revocation of licenses to practice radiologic
25 technology as provided in this chapter; and

26 (5) To recommend to the director adoption of rules and regulations pursuant to this chapter.

27 SECTION 14. Section 23-39-5 of the General Laws in Chapter 23-39 entitled "Respiratory
28 Care Act" is hereby amended to read as follows:

29 **23-39-5. Board created.**

30 (a) Within the division of professional regulation of the health department shall be a board
31 of respiratory care consisting of five (5) members as follows:

32 (1) One physician licensed in the state who is knowledgeable in respiratory care;

33 (2) Three (3) licensed respiratory care practitioners;

34 (3) One public member who is a resident of Rhode Island. The public member shall not

1 have been licensed as a respiratory care practitioner nor shall he or she have any financial interest,
2 direct or indirect, in the occupation regulated.

3 (b) The director of the department of health, with the approval of the governor, within sixty
4 (60) days following November 1, 1986, shall appoint one board member for a term of one year;
5 two (2) for a term of two (2) years; and two (2) for a term of three (3) years. Appointments made
6 thereafter shall be for three-year terms but no person shall be appointed to ~~serve~~ more than two (2)
7 consecutive terms. Upon expiration of the term of office, a member shall continue to serve until a
8 successor is appointed and qualified. A majority of seats filled shall constitute a quorum.

9 (c) The director, in his or her initial appointment, shall appoint as the respiratory care
10 practitioner one of the members of the board or a person currently practicing as respiratory care
11 practitioners in Rhode Island.

12 (d) The board shall meet during the first month of each calendar year to select a chairperson
13 and for other purposes. At least one additional meeting shall be held before the end of each calendar
14 year. Other meetings may be convened at the call of the chairperson, the administrator of
15 professional regulation, or upon the written request of any two (2) board members.

16 (e) In the event of a vacancy in one of the positions, the director of the department of health,
17 with the approval of the governor, may appoint a person who shall fill the unexpired term.

18 SECTION 15. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO BUSINESSES AND PROFESSIONS -- DENTISTS AND DENTAL
HYGIENISTS

- 1 This act would standardize successor appointment language for various boards and adds
- 2 language providing that a quorum would be a majority of board seats filled and the language would
- 3 apply across several healthcare professional boards that currently lack this language.
- 4 This act would take effect upon passage.

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