WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1977

E N R O L L E D

Committee Substitute for

HOUSE BILL No. 1237

(By Mrs. Pitsenberger)

PASSED April 9, 1977

In Effect ninety days from Passage
ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 1237
(By Mrs. Pitsenberger)

{Passed April 9, 1977; in effect ninety days from passage.}

AN ACT to amend and reenact section four, article four, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to increasing the number of members of the board of dental examiners from five to six members, providing for the appointment, term and qualifications of a licensed dental hygienist to the board; providing that the dental hygienist on the board vote only on matters relating to dental hygiene; and method of appointment.

Be it enacted by the Legislature of West Virginia:

That section four, article four, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 4. DENTISTS, DENTAL HYGIENISTS AND DENTAL CORPORATIONS.

§30-4-4. Board of dental examiners.

1 The “West Virginia Board of Dental Examiners” heretofore established shall be continued and shall be composed of six members. The members of the board in office on the date this section takes effect shall, unless sooner removed, continue to serve until their respective terms expire and until their successors have been appointed and have qualified.
Members of the board shall serve for a term of five years. In addition to the five practicing dentists appointed to the board, there shall be appointed one dental hygienist with a degree in dental hygiene from an accredited college, who shall be appointed for a term beginning on the first day of July, one thousand nine hundred seventy-seven. The member of the board who is a licensed dental hygienist may vote only on those matters which concern the prerequisites to practice dental hygiene, the licensing of dental hygienists, the revocation of licenses of dental hygienists, the promulgation or adoption of rules and regulations concerning the practice of dental hygiene or any other matter directly affecting the practice of dental hygiene. The member of the board who is a licensed dental hygienist is empowered to participate in all other transactions of the board without voting privileges.

All members of the board shall be appointed by the governor, by and with the advice and consent of the Senate. Each member of the board, at the time of his appointment and during his term as such member, shall have been a citizen of this state and shall have been either a licensed dentist or a licensed dental hygienist for a period of not less than five years immediately preceding his appointment.

No person may be eligible for appointment to the board who is connected with or interested in any dental college or dental department of any institution of learning or in a dental supply business.

Except for the dental hygienist, any member shall be eligible for reappointment for one additional consecutive term.

Each appointment of a licensed dentist, whether for a full term or to fill a vacancy, shall be made by the governor from among three nominees therefor selected by the West Virginia dental society and each appointment of a licensed dental hygienist, whether for a full term or to fill a vacancy, shall be made by the governor from among three nominees therefor selected by the West Virginia dental hygienists' association. In the case of an appointment for a full term such nominations shall be submitted to the governor not later than eight months prior to the date on which the
appointment shall become effective. In the case of an appointment to fill a vacancy, such nominations shall be submitted to the governor within thirty days after a request for such nominations shall have been made by the governor to the president of the West Virginia dental society or the president of the West Virginia dental hygienists' association. In the event of the failure of the society or the association to submit to the governor nominations for an appointment in accordance with the requirements of this action, the governor may make the appointment without such nominations.

Each member of the board shall receive forty dollars for each day actually spent in attending meetings of the board, or of its committees, and shall also be reimbursed for all reasonable and necessary expenses actually incurred in the discharge of his duties under the provisions of this article.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Clairece E. Christian
Chairman House Committee

Originated in the House.
Takes effect ninety days from passage.

J.C. Dillon, Jr.
Clerk of the Senate

Clerk of the House of Delegates

W.F. Barfield
President of the Senate

Donald L. Kopp
Speaker House of Delegates

The within ___________ approved this the ________ day of ________, 1977.

JOHN D. BALLENGE
Governor
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OFFICE OF THE GOVERNOR

APPROVED AND SIGNED BY THE GOVERNOR

Date April 27, 1977
Time 8:30 A.M.

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