

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1977



ENROLLED

Committee Substitute for

HOUSE BILL No. *1237*

(By Mrs. *Pitkenberger*)



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
2 established shall be continued and shall be composed of six
3 members. The members of the board in office on the date
4 this section takes effect shall, unless sooner removed, con-
5 tinue to serve until their respective terms expire and until
6 their successors have been appointed and have qualified.

7 Members of the board shall serve for a term of five years.
8 In addition to the five practicing dentists appointed to the
9 board, there shall be appointed one dental hygienist with a
10 degree in dental hygiene from an accredited college, who
11 shall be appointed for a term beginning on the first day of
12 July, one thousand nine hundred seventy-seven. The member
13 of the board who is a licensed dental hygienist may vote only
14 on those matters which concern the prerequisites to practice
15 dental hygiene, the licensing of dental hygienists, the revoca-
16 tion of licenses of dental hygienists, the promulgation or
17 adoption of rules and regulations concerning the practice of
18 dental hygiene or any other matter directly affecting the
19 practice of dental hygiene. The member of the board who is
20 a licensed dental hygienist is empowered to participate in all
21 other transactions of the board without voting privileges.

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

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

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

35 Each appointment of a licensed dentist, whether for a
36 full term or to fill a vacancy, shall be made by the governor
37 from among three nominees therefor selected by the West
38 Virginia dental society and each appointment of a licensed
39 dental hygienist, whether for a full term or to fill a vacancy,
40 shall be made by the governor from among three nominees
41 therefor selected by the West Virginia dental hygienists'
42 association. In the case of an appointment for a full term
43 such nominations shall be submitted to the governor not
44 later than eight months prior to the date on which the

45 appointment shall become effective. In the case of an ap-
 46 pointment to fill a vacancy, such nominations shall be
 47 submitted to the governor within thirty days after a request
 48 for such nominations shall have been made by the governor
 49 to the president of the West Virginia dental society or the
 50 president of the West Virginia dental hygienists' association.
 51 In the event of the failure of the society or the association
 52 to submit to the governor nominations for an appointment
 53 in accordance with the requirements of this action, the gov-
 54 ernor may make the appointment without such nominations.

55 Each member of the board shall receive forty dollars for
 56 each day actually spent in attending meetings of the board, or
 57 of its committees, and shall also be reimbursed for all
 58 reasonable and necessary expenses actually incurred in the
 59 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

Clarence C. Chustone
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

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

C. A. Blankenship
Clerk of the House of Delegates

W. T. Buntline
President of the Senate

Donald L. Hogg
Speaker House of Delegates

The within is approved this the 27
day of April, 1977.

John J. Rhyne
Governor

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APPROVED AND SIGNED BY THE GOVERNOR

APR 21 2 21 PM '77

OFFICE OF THE GOVERNOR

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

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OFFICE
SECY. OF STATE