

HOUSE BILL No. 2392

By Committee on Health and Human Services

2-7

AN ACT concerning the Kansas dental board; membership thereof; amending K.S.A. 2000 Supp. 74-1404 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2000 Supp. 74-1404 is hereby amended to read as follows: 74-1404. (a) In order to accomplish the purpose and to provide for the enforcement of this act, there is hereby created the Kansas dental board. The board shall be vested with authority to carry out the purposes and enforce the provisions of this act. ~~The board shall consist of the following: (1) Six licensed and qualified resident dentists; (2) two licensed and qualified resident dental hygienists; and (3) one representative of the general public.~~ *On May 1, 2001, and prior to May 1, 2002, the board shall consist of the following: (1) Five licensed and qualified resident dentists; (2) three licensed and qualified resident dental hygienists; and (3) three representatives of the general public. On and after May 1, 2002, the board shall consist of the following: (1) Four licensed and qualified resident dentists; (2) four licensed and qualified resident dental hygienists; and (3) three representatives of the general public.* At least 30 days before the expiration of ~~any term, other than that of the member appointed from the general public or a member who is a dental hygienist~~ *the term of a dentist member of the board*, the Kansas dental association or its successor shall submit to the governor a list of three names of persons of recognized ability who have the qualifications prescribed for the dentist board members. At least 30 days before the expiration of the term of ~~the~~ *a* dental hygienist member of the board, the Kansas dental hygiene association shall submit to the governor a list of three names of persons of recognized ability who have the qualifications prescribed for the dental hygienist ~~member members~~. For the ~~four new members~~ *dental hygienist member* to be appointed under this act *subsequent to April 30, 2001*, such ~~names~~ *name* shall be submitted within 10 days after the effective date of this act. The governor shall consider such list of persons in making the appointment to the board.

(b) The members shall be appointed by the governor in the manner hereinafter prescribed for terms of four years and until their successors

1 are appointed and qualified. Of the ~~six~~ licensed dentists on the board,
2 one shall be appointed from each congressional district and ~~two prior to~~
3 ~~May 1, 2002, one~~ shall be appointed from the state at large. ~~On and after~~
4 ~~the effective date of this act, On and after May 1, 2002, of the four licensed~~
5 ~~dentists on the board, one shall be appointed from each congressional~~
6 ~~district.~~

7 (c) No person shall be appointed for more than two consecutive four-
8 year terms. No person in any way connected with a dental supply or dental
9 laboratory business shall be eligible for appointment to the board. No
10 person shall be eligible for appointment to the board who has been con-
11 victed of a violation of any of the provisions of this or any other prior
12 dental practice act or who has been convicted of a felony. A dentist who
13 is an officer of the Kansas dental association shall not be eligible for
14 appointment to the Kansas dental board. A dental hygienist who is an
15 officer of the Kansas dental hygienists association shall not be eligible for
16 appointment to the Kansas dental board. No dentist or dental hygienist
17 shall be appointed to the board who has not been engaged in the active
18 practice of dentistry or dental hygiene in the state of Kansas for at least
19 five years next preceding appointment.

20 (d) Whenever a vacancy occurs it shall be filled by appointment for
21 the remainder of the unexpired term in the same manner as an original
22 appointment is made.

23 ~~(e) Upon the effective date of this act, in order to expand the mem-~~
24 ~~bership to the prescribed six dentists and two dental hygienists, the gov-~~
25 ~~ernor shall appoint three additional dentists and one additional hygienist~~
26 ~~to the board in the manner described in this section. Of the three new~~
27 ~~dental members, one shall serve until April 30, 2000, one shall serve until~~
28 ~~April 30, 2001 and one shall serve until April 30, 2002, as designated by~~
29 ~~the governor. Thereafter, all terms shall be four-year terms beginning~~
30 ~~May 1 of the appointment year and expiring April 30 four years later.~~
31 ~~When the terms of the existing dentist members which expire May 1,~~
32 ~~2000, and May 1, 2001 conclude, then successors shall be appointed for~~
33 ~~four year terms beginning May 1 and expiring April 30 four years later.~~
34 ~~The additional dental hygienist appointed upon the effective date of this~~
35 ~~act shall serve until April 30, 2002, and thereafter the successor shall serve~~
36 ~~a four-year term beginning May 1 and expiring April 30 four years later.~~
37 ~~Upon the expiration of terms of office of members, successors shall be~~
38 ~~appointed in the same manner as original appointments provided for ap-~~
39 ~~pointments under this section for terms of four years.~~

40 Sec. 2. K.S.A. 2000 Supp. 74-1404 is hereby repealed.

41 Sec. 3. This act shall take effect and be in force from and after May
42 1, 2001, and its publication in the Kansas register.