

**HOUSE . . . . . No. 605**

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The Commonwealth of Massachusetts

PRESENTED BY:

*William Smitty Pignatelli*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An act to establish a subcommittee of dental hygienists within the board of registration in dentistry.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>William Smitty Pignatelli</i>	<i>4th Berkshire</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>

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By Mr. Pignatelli of Lenox, a petition (accompanied by bill, House, No. 605) of William Smitty Pignatelli, Stephen L. DiNatale and John W. Scibak establishing a subcommittee of dental hygienists within the board of registration in dentistry. Public Health.

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The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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An act to establish a subcommittee of dental hygienists within the board of registration in dentistry.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 19 of chapter 13 of the General laws, as amended by section 1 and  
2 section 2 of chapter 530 of the acts of 2008, is hereby amended by adding the following three  
3 paragraphs - There shall be a sub-committee of dental hygienists, referred to in the following  
4 sections as “the subcommittee”, added to the board of registration in dentistry in the following  
5 sections called the “board”, consisting of 7 persons, each of whom shall be a legal resident of the  
6 commonwealth, 1 of whom shall be a dental hygienist who is a member of the board; 4 of whom  
7 shall be a graduate of a reputable school of dental hygiene and a reputable dental hygienist who  
8 has maintained a license to practice dental hygiene in the commonwealth for the 5 years  
9 preceding his appointment by the governor; 1 of whom shall be a representative of the public,  
10 subject to the provisions of section 9b; and 1 of whom shall be a dentist on the board, appointed  
11 by the president of the board. The governor shall appoint annually in April a successor to those  
12 members of the subcommittee whose terms are expiring in that month. Each of the 2 members of  
13 subcommittee who also are members of the board shall serve on the subcommittee for the

14 duration of that member's term on the board. The term of a member of the subcommittee who is  
15 not a member of the board is 3 years. No member shall serve more than 2 full terms. The  
16 subcommittee shall elect officers annually as deemed necessary to administer its duties and as  
17 provided in rules and regulations. The dental hygienist who is serving on the board shall chair  
18 the subcommittee. The subcommittee shall meet at the call of the chair, at least twice a  
19 year. Members of the subcommittee are entitled to compensation and expenses as provided in  
20 MGL Chapter 13 Sections 19-21. The subcommittee may provide by rule for compensation to  
21 subcommittee members for the performance of official duties at a rate that is greater than the rate  
22 provided in MGL Chapter 13 Sections 19-21.

23           SECTION 2. The subcommittee shall have the authority to adopt recommendations  
24 regarding the practice, regulation, discipline, education, examination, and licensure of dental  
25 hygienists, subject to section 3, and shall carry out duties as assigned by the board. The  
26 subcommittee shall have no regulatory or disciplinary authority with regard to dentists, dental  
27 assistants, dental lab technicians, or any other auxiliary dental personnel. A simple majority of  
28 the subcommittee members currently serving shall constitute a quorum.

29           SECTION 3. The board shall ratify recommendations of the subcommittee at the first  
30 meeting of the board following adoption of the recommendations by the subcommittee, or at a  
31 meeting of the board specifically called for the purpose of board review and ratification of  
32 subcommittee recommendations. The board shall decline to ratify subcommittee  
33 recommendations only if the board makes a specific finding that a recommendation exceeds the  
34 jurisdiction or expands the scope of the committee beyond the authority granted in section 2,  
35 creates an undue financial impact on the board, or is not supported by the record. The board shall

- 36 pay the necessary expenses of the subcommittee and of the board in implementing subcommittee
- 37 recommendations ratified by the board.