

"AN ACT TO AMEND SECTION 2 OF ACT 14 OF 1955, AS AMENDED [ARK. STAT. 72-535] TO AUTHORIZE THE DENTAL HYGIENIST BOARD MEMBER TO VOTE ON ALL MATTERS EXCEPT THE EXAMINATION AND LICENSING OF DENTISTS; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Section 2 of Act 14 of 1955, as amended, the same being Arkansas Statutes Section 72-535, is hereby amended to read as follows:

"Section 2. The Arkansas State Board of Dental Examiners shall be composed of seven (7) members, of which five (5) shall be regularly licensed, registered and practicing dentists; (1) Board position shall be filled by a regularly licensed, registered and practicing dental hygienist; and the remaining Board member shall be appointed from the State as a member at large as provided by Act 113 of 1977. The member at large shall have all voting powers as provided by Act 113 of 1977. The registered and practicing dental hygienist member shall have all voting powers of a Board member except those pertaining to the examination and licensing of dentists. Such Board member shall continue to serve subject to the provisions of the Arkansas Dental Practice Act during the remainder of their respective terms and until their successors are appointed and qualified. On September 1 of each year, or as soon as it is practicable thereafter, the Governor shall appoint a new member, who has been first recommended by the Arkansas State Dental Association to fill the then accrued vacancy on the Board, who shall serve for a period of five (5) years and until his successor is appointed and qualified. The Governor shall proceed to appoint to said Board a dental hygienist who has first been recommended by the Arkansas State Dental Hygienist Association. Such member shall serve for a period of five (5) years and until his successor is appointed and qualified. All vacancies which occur by reason of death, resignation, or in any other manner, except vacancies which occur by the expiration of the term of appointment, shall be filled by the Governor upon the recommendation of the Arkansas State Dental Association and the Arkansas State Dental Hygienist Association in the manner prescribed for the regular appointments to the Board, and all such appointments shall be limited to the unexpired term of the office vacated. The aforesaid recommendation of both Associations shall be conveyed to the Governor under a certificate to be executed by the president and secretary of the respective Associations. Each member appointed to the Board, before entering upon the duties of his office, shall take the oath prescribed by the Arkansas Constitution Article XIX, Section 20."

SECTION 2. It is hereby found and determined by the General Assembly of the State of Arkansas that existing laws regulating the practice of dentistry provide only that the dental hygienist may vote only on those matters pertaining to dental hygiene; that provision for the Arkansas Board of Dental Examiners to permit the dental hygienist to vote on all matters except the examination and licensing of dentists is necessary to ensure the proper enforcement of the provisions governing the practice of dentistry in the State of Arkansas; that there is an emergency need for such provision; and that enactment of this measure will remedy this dangerous situation. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety, should take effect and be enforced from the date of its approval.

APPROVED: April 7, 1987

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