

2022 Regular Session

SENATE BILL NO. 349

BY SENATOR CARTER

DENTISTRY. Provides relative to the filling of a vacancy on the Louisiana State Board of Dentistry. (8/1/22)

1 AN ACT

2 To amend and reenact R.S. 37:753(C)(1)(a) and (E) and to repeal R.S. 37:753(C)(1)(c) and
3 (K), relative to the membership of Louisiana State Board of Dentistry; to provide for
4 terms of service; to provide for term limits; to provide for the filling of vacancies;
5 to repeal outdated provisions; to provide for the terms of members currently serving
6 partial terms; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 37:753(C)(1)(a) and (E) are hereby amended and reenacted to read
9 as follows:

10 §753. Louisiana State Board of Dentistry; appointment of members; term of office;
11 vacancies; nominating meetings; quorum; domicile

12 * * *

13 C. Each member of the board shall be appointed by the governor as follows:

14 (1)(a) One dentist shall be appointed from each board district, except that two
15 dentists shall be appointed from District Five and designated as representatives "A"
16 and "B". ~~Should the terms of representatives "A" and "B" expire on the same date,~~
17 ~~the term of either board member who has served for the least amount of time shall~~

1 ~~be extended for two years.~~ Each such appointment from an electoral district shall be
 2 made from a list of three names of nominees for the respective district submitted to
 3 the governor by the board. The district nominees shall be selected from the roster of
 4 licensed dentists in the districts at a nominating meeting convened in accordance
 5 with the provisions of Subsection F of this Section. The voting domicile of each
 6 nominee for appointment and not his office address shall determine his district for
 7 purposes of holding office in accordance with the provisions of this Paragraph. The
 8 nominating meeting shall be held at least ninety days prior to the vacancy occurring
 9 by reason of an expiring term or within thirty days after a vacancy occurring by
 10 reason of death, resignation, or for any other reason.

11 * * *

12 E.(1)(a) Each person appointed to the board shall serve a term of five years.

13 (b) Regardless of a board member's dates of service, including past service,
 14 no person shall serve more than a total of ~~ten years~~ **two full terms** on the board,
 15 whether ~~such the~~ service consists of full or partial terms, or is consecutive or not.

16 (c) ~~The provisions of Subparagraph (b) of this Paragraph shall not prevent a~~
 17 ~~board member serving on August 1, 2014, from completing his term of service, but~~
 18 ~~shall thereafter apply.~~

19 (2) ~~The effective date of appointment or reappointment of a member shall~~
 20 ~~coincide with the expiration date of the previous term.~~

21 (3) ~~(2)~~ Each member shall serve until his successor has been appointed.

22 (4) ~~(3)~~ A vacancy occurring on the board for any reason shall be filled in the
 23 same manner as the original appointment was made. ~~However, members appointed~~
 24 ~~to fill vacancies shall only serve for the unexpired term of their predecessors. A~~
 25 **member appointed to fill a vacancy shall serve the remainder of the calendar**
 26 **year in which the vacancy occurred. The member may then be appointed to**
 27 **serve an initial full term of five years and may be eligible for a second five-year**
 28 **term if reappointed and confirmed.**

29 * * *

1 Section 2. R.S. 37:753(C)(1)(c) and (K) are hereby repealed.

2 Section 3. The provisions of this Act shall not be construed to prohibit any member
3 currently serving on the Louisiana State Board of Dentistry who has served more than two
4 full terms from continuing to serve in that position for the remainder of his current term or
5 until a successor is appointed.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Brandi Cannon.

DIGEST

SB 349 Original

2022 Regular Session

Carter

Present law provides for the La. State Board of Dentistry within the La. Dept. of Health. Present law further provides for the board to have 15 members, including 13 qualified and licensed dentists, a qualified and licensed dental hygienist, and a consumer. Proposed law retains present law.

Present law provides that one dentist shall be appointed from each board district, except that two dentists shall be appointed from District Five and designated as representatives "A" and "B". Present law further provides that if the terms of representatives "A" and "B" expire on the same date, the term of either board member who has served for the least amount of time shall be extended for two years. Proposed law repeals the requirement that the term of representative "A" or "B" be extended if their respective terms expire at the same time.

Present law provides that each person appointed to the board shall serve a term of five years. Present law further provides that no person shall serve more than a total of 10 years on the board, whether the service consists of full or partial terms, or is consecutive or not. Proposed law changes the term limit to no more than two full terms.

Present law provides for the application of present law to a board member serving on August 1, 2014. Proposed law repeals the outdated present law.

Present law provides for the filling of a vacancy occurring on the board. Present law provides that members appointed to fill vacancies shall only serve for the unexpired term of their predecessors. Proposed law provides that a member appointed to fill a vacancy shall serve the remainder of the calendar year in which the vacancy occurred. Proposed law further provides that the member may then be appointed to serve an initial full term of five years and may be eligible for a second five-year term if reappointed and confirmed.

Present law provides for the initial appointments of board members between 1993 and 1996. Proposed law repeals present law.

Present law provides for a temporary appointment of the "At-Large Seat C" prior to the effective date of present law. Proposed law repeals present law.

Proposed law shall not be construed to prohibit any member currently serving on the La. State Board of Dentistry who has served more than two full terms from continuing to serve in that position for the remainder of his current term or until a successor is appointed.

Effective August 1, 2022.

(Amends R.S. 37:753(C)(1)(a) and (E); repeals R.S. 37:753(C)(1)(c) and (K))