

LEGISLATIVE BILL 297

Approved by the Governor March 19, 1979

Introduced by Public Health and Welfare Committee,
Cullan, 49, Chmn.; Kennedy, 21; R. Maresh,
32; Wesely, 26; Simon, 31

AN ACT to amend section 71-115, Reissue Revised Statutes of Nebraska, 1943, and sections 71-113 and 71-116, Revised Statutes Supplement, 1978, relating to the Board of Examiners in Dentistry; to increase the membership of the board by adding a dental hygienist member; to prescribe the voting rights of such dental hygienist; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 71-113, Revised Statutes Supplement, 1978, be amended to read as follows:

71-113. (1) Each board of examiners shall consist of three members, except that in audiology and speech pathology the board shall consist of four members, and in dentistry the board shall consist of seven members, and in medicine and surgery the board shall consist of six members.

(2) Membership on the Board of Examiners in Audiology and Speech Pathology shall consist of two members who are audiologists and two members who are speech pathologists. All members shall be qualified to be licensed in accordance with the provisions of this act. The members appointed to the initial board shall be licensed not later than six months after being appointed to the board. If for any reason a member cannot be licensed within such time period, a new member shall be appointed.

Sec. 2. That section 71-115, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-115. No examiner shall be connected in any manner with any wholesale or jobbing house dealing in supplies or instruments having to do with his profession. Two of the six members of the Board of Examiners in Medicine and Surgery shall be officials or members of the instructional staff of a class A medical school in this state. Two of the ~~six~~ seven members of the Board of Examiners in Dentistry shall be officials or members of the instructional staff of an accredited school or

college of dentistry in this state.

Sec. 3. That section 71-116, Revised Statutes Supplement, 1978, be amended to read as follows:

71-116. (1) The members of each board of examiners shall be appointed for a term of three years, except as herein otherwise provided.

(2) The members of the Board of Examiners in Dentistry shall be appointed as follows: As of December 1, 1971, one member shall be appointed for a term of five years and one member shall be appointed for a term of three years; as of December 1, 1972, one member shall be appointed for a term of three years; as of December 1, 1973, one member shall be appointed for a term of three years; and as of December 1 of each year thereafter, two members shall be appointed for a term of three years; and as of December 1, 1979, one member, who is a duly licensed dental hygienist and complies with the provisions of sections 71-114, Revised Statutes Supplement, 1978, and 71-115, Reissue Revised Statutes of Nebraska, 1943, shall be appointed for a term of three years. The dental hygienist member shall have full voting rights, except in matters pertaining to the initial or continuing licensure or competency of a duly licensed practitioner of dentistry. Thereafter successors with like qualifications shall be appointed for three-year terms. No member shall be appointed for more than two consecutive full terms.

(3) The members of the Board of Examiners in Medicine and Surgery shall be appointed as follows: Within thirty days after May 25, 1943 five members shall be appointed, one of whom shall hold office until December 1, 1944, one until December 1, 1945, one until December 1, 1946, one until December 1, 1947, and one until December 1, 1948; upon the expiration of said several terms, successors shall be appointed for terms of five years each. Within thirty days after October 19, 1963, a sixth member, who shall be a person eligible for appointment to the Board of Examiners in Osteopathy who also has a license to practice medicine and surgery in the State of Nebraska, shall be appointed for a term expiring on December 1, 1968. Thereafter successors with like qualifications shall be appointed for five-year terms.

(4) The members of the Board of Examiners in Audiology and Speech Pathology shall consist of two audiologists and two speech pathologists and shall be appointed as follows: Within sixty days after July 22, 1978, four members shall be appointed, two of whom shall

hold office until December 1, 1979, and two until December 1, 1980. Upon the expiration of such terms the successors shall be appointed for terms of three years each. No member shall be appointed for more than two consecutive three-year terms.

(5) The term of each examiner provided for herein shall commence on the first day of December, following the expiration of the term of the member whom such person succeeds, and shall be rotated in such a manner that one examiner shall retire each year.

(6) The members of boards for professions, coming under the scope of sections 71-101 to ~~71-17452~~ 71-1,167, for the first time shall be appointed within thirty days after ~~September--20,--1957~~ the effective date of the legislation providing for licensing of the profession, the terms of the initial board members to be as follows: One member shall hold office until December 1 of the first year, one until December 1 of the second year, and one until December 1 of the third year following the year 1957 in which the legislation providing for licensing of the profession became effective.

Sec. 4. That original section 71-115, Reissue Revised Statutes of Nebraska, 1943, and sections 71-113 and 71-115, Revised Statutes Supplement, 1978, are repealed.