

**CHAPTER 415**  
**DENTAL HEALTH**  
**SUBCHAPTER 1**  
**GENERAL PROVISIONS**

**§2091. Short title**

This chapter may be cited as the 1975 Dental Health Act. [P&SL 1975, c. 90, §A, §1 (NEW).]

**SECTION HISTORY**

P&SL 1975, c. 90, §§SEC.A,1 (NEW).

**§2092. Definitions**

For the purposes of this chapter, unless the content otherwise indicates, the following words shall have the following meanings: [P&SL 1975, c. 90, §A, §1 (NEW).]

**1. Commissioner.** "Commissioner" means the Commissioner of Health and Human Services or the commissioner's successor.  
[PL 1975, c. 293, §4 (AMD); PL 2003, c. 689, Pt. B, §7 (REV).]

**2. Council.**  
[PL 1993, c. 360, Pt. D, §2 (RP).]

**3. Department.** "Department" means the Department of Health and Human Services.  
[PL 1975, c. 293, §4 (AMD); PL 2003, c. 689, Pt. B, §6 (REV).]

**4. Director.** "Director" means the Director, Division of Dental Health.  
[PL 1991, c. 152, §1 (AMD).]

**SECTION HISTORY**

P&SL 1975, c. 90, §§SEC.A,1 (NEW). PL 1975, c. 293, §4 (AMD). PL 1991, c. 152, §1 (AMD). PL 1993, c. 360, §D2 (AMD). PL 2003, c. 689, §§B6,7 (REV).

**§2093. State agencies to cooperate**

State agencies shall cooperate fully with the division and council in carrying out this chapter. The division and council are authorized to request such personnel, financial assistance, facilities and data as are reasonably required to assist the division and council to fulfill the division's and council's powers and duties. [PL 1991, c. 152, §2 (AMD).]

State agencies proposing to develop, establish, conduct or administer programs or to assist programs relating to this chapter shall, prior to carrying out such actions, consult with the division. Each agency of State Government shall advise the division of its activities relating to this chapter. [PL 1991, c. 152, §2 (AMD).]

Each state agency, in the implementation of the agency's activities relating to this chapter, shall keep the division fully informed of the agency's status. [PL 1991, c. 152, §2 (AMD).]

**SECTION HISTORY**

P&SL 1975, c. 90, §§SEC.A,1 (NEW). PL 1991, c. 152, §2 (AMD).

**SUBCHAPTER 2****DIVISION OF DENTAL HEALTH****§2094. Division; director****(REPEALED)**

## SECTION HISTORY

P&SL 1975, c. 90, §§SEC.A,1 (NEW). PL 1975, c. 293, §4 (AMD). PL 1985, c. 785, §B87 (AMD). PL 1991, c. 152, §4 (AMD). PL 1995, c. 502, §D5 (RP).

**§2095. Powers and duties****(REPEALED)**

## SECTION HISTORY

P&SL 1975, c. 90, §§SEC.A,1 (NEW). PL 1981, c. 470, §§A83,A84 (AMD). PL 1989, c. 700, §A77 (AMD). PL 1991, c. 152, §5 (AMD). PL 1995, c. 502, §D6 (RP).

**SUBCHAPTER 3****MAINE DENTAL HEALTH COUNCIL****§2096. Council****(REPEALED)**

## SECTION HISTORY

P&SL 1975, c. 90, §§SEC.A,1 (NEW). PL 1975, c. 293, §4 (AMD). PL 1983, c. 812, §126 (RPR). PL 1989, c. 503, §B89 (AMD). PL 1993, c. 360, §D3 (RP).

**§2097. Membership**

The council consists of 9 members appointed by the commissioner. Members must be appointed for a term of 3 years, except that, of the members first appointed by the commissioner, 3 must be appointed for a term of 2 years and 3 must be appointed for a term of one year, as designated by the commissioner at the time of appointment, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed may be appointed only for the remainder of that term. A vacancy in the council does not affect its powers, but must be filled in the same manner in which the original appointment was made. [RR 2021, c. 2, Pt. B, §117 (COR).]

Members shall be eligible for reappointment for not more than one full consecutive term and may serve after the expiration of their term until their successors have been appointed, qualified and taken office; except that members initially appointed for a one year term may be reappointed to one full 3-year term. [P&SL 1975, c. 90, §A, §1 (NEW).]

An official employee, consultant or any other individual employed, retained or otherwise compensated by or representative of the Executive Branch of Maine State Government may not be a member of the council; but shall assist the council if so requested. Membership must include 4 dental health personnel, including 2 staff employed at least 1/2 time by a public or private nonprofit dental clinic program, one of whom must be a registered dental hygienist and one of whom must be a dentist or other professional staff, and 2 dentists employed in private practice, one of whom must be appointed from a list of at least 3 names submitted by the Maine Dental Association and 5 interested citizens

representing a balance of diverse socioeconomic groups and geographic locations, who may not be employed in the dental health or medical care professions, or members of the immediate family of any person employed as a dental health or other medical care professional. [PL 1991, c. 78 (AMD).]

The Board of Dental Practice shall serve as a Technical Advisory Committee to the council and the director on matters relating to dental care standards. [P&SL 1975, c. 90, §A, §1 (NEW); PL 2015, c. 429, §23 (REV).]

The director of the division or the director's representative shall attend all meetings of the council. [PL 1991, c. 152, §6 (AMD).]

The council shall elect the chair and such other officers from its members as it considers appropriate. [RR 2021, c. 2, Pt. A, §57 (COR).]

#### SECTION HISTORY

P&SL 1975, c. 90, Pt. A, §1 (NEW). PL 1991, c. 78 (AMD). PL 1991, c. 152, §6 (AMD). PL 2015, c. 429, §23 (REV). RR 2021, c. 2, Pt. A, §57 (COR). RR 2021, c. 2, Pt. B, §117 (COR).

#### §2098. Administrative authority

The council shall meet at the call of the chair or at the call of 1/4 of the members appointed and currently holding office. The council shall meet at least once every 3 months. The council shall keep minutes of all meetings, including a list of people in attendance. [RR 2021, c. 2, Pt. A, §58 (COR).]

The department, to the extent feasible and reasonable, shall make available to the council such staff, facilities, equipment, supplies, information and other assistance as it may reasonably require to carry out its activities. [P&SL 1975, c. 90, §A, §1 (NEW).]

Any reasonable and proper expenses of the council must be borne by the division out of currently available state or federal funds. Each member of the council is entitled to compensation according to the provisions of Title 5, chapter 379. The council is authorized to appoint subcommittees. [PL 1991, c. 152, §7 (AMD).]

A majority of the council members shall constitute a quorum for the purpose of conducting the business of the council and exercising all the powers of the council. A vote of the majority of the members present shall be sufficient for all actions of the council. [P&SL 1975, c. 90, §A, §1 (NEW).]

#### SECTION HISTORY

P&SL 1975, c. 90, §§SEC.A,1 (NEW). PL 1983, c. 812, §127 (AMD). PL 1991, c. 152, §7 (AMD). RR 2021, c. 2, Pt. A, §58 (COR).

#### §2099. Powers and duties

The council shall have, regarding dental health, the power and duty to: [P&SL 1975, c. 90, §A, §1 (NEW).]

**1. Assist State Government.** Advise, consult and assist the Executive and Legislative Branches of the State Government on activities of State Government related to dental health. The council shall be solely advisory in nature. The council may make recommendations regarding any function intended to improve the quality of such dental health. The council shall be consulted by the commissioner prior to the appointment or removal of the director. [P&SL 1975, c. 90, §A, §1 (NEW).]

**2. Serve as advocate.** Serve as an advocate on behalf of dental health, promoting and assisting activities designed to meet at the state and community levels the problems of such dental health. The council shall serve as an ombudsman on behalf of individual citizens as a class in matters relating to such dental health under the jurisdiction of State Government. [P&SL 1975, c. 90, §A, §1 (NEW).]

**3. Assist the director.** Assist the director in reviewing and evaluating state and federal policies regarding dental health programs and other activities affecting people, conducted or assisted by any state department or agency; and  
[PL 1981, c. 470, Pt. A, §85 (AMD).]

**4. Provide public forums.** Provide public forums, including the conduct of public hearings, sponsorship of conferences, workshops and other such meetings to obtain information about, discuss and publicize the needs of and solutions to dental health problems.  
[P&SL 1975, c. 90, §A, §1 (NEW).]

#### SECTION HISTORY

P&SL 1975, c. 90, §§SEC.A,1 (NEW). PL 1981, c. 470, §A85 (AMD).

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