House
Legislative
Analysis
Section

House Office Building, 9 South
Lansing, Michigan 48909
Phone: 517/373-6466

REVISE MEMBERSHIP OF DENTISTRY BOARD

House Bill 5682 as introduced
First Analysis (5-17-00)

Sponsor: Rep. Steve Vear
Committee: Health Policy

THE APPARENT PROBLEM:

The Michigan Board of Dentistry comprises a combination of professionals representing dentists, dental assistants, dental hygienists, and public members, with dentists filling the majority of positions on the board. For many years, dental hygienists have sought legislation to increase the representation on the board by hygienists to correct what they considered "long-standing inequities in the regulation of their profession."

In a separate but related matter, current law requires that two public members of a health profession board serve on a board's disciplinary subcommittee. The Department of Consumer and Industry Services has recommended that one additional public member be added to the board composition to allow for an alternate in case one of the public board members is not able to attend meetings. However, the addition of a public member position and two dental hygienist positions would mean that dentists would not enjoy the majority vote. Since historically dentists have filled the majority of the positions on the board, it would be necessary to add an additional position for a dentist to retain the majority.

THE CONTENT OF THE BILL:

Currently, the Michigan Board of Dentistry is composed of seven dentists (one of which may have a health profession specialty certification), two dentists with a health profession specialty certification, two dental hygienists, two dental assistants, and two public members. The bill would amend the Public Health Code to increase the voting membership of the board from 15 members to 19 members by adding one additional dentist, two additional dental hygienists, and one additional public member. A member currently on the board at the time of the bill's effective date could serve out his or her term. The board meeting dates and times would have to be concurred in by a vote of 13 (increased from 12) board members.

MCL 333.16621

BACKGROUND INFORMATION:

In 1994, House Bill 4657, which would have created a board of dental hygiene that was separate from the Michigan Board of Dentistry, passed the House but did not pass the Senate. House Bill 4882 of the 1995-1996 legislative session, which also passed the House but did not see Senate action, would have provided for equal representation between dental hygienists and dentists.

FISCAL IMPLICATIONS:

Since members of the Board of Dentistry receive per diem payments and expense reimbursement in fulfilling their regulatory roles, and since the bill would add four new members, the House Fiscal Agency reports that the bill would increase state costs slightly. (5-12-2000)

ARGUMENTS:

For:

Over the past couple of decades, dental hygiene has progressed into a highly skilled profession, requiring specialized training and academic education. Dental hygienists now play an important role in the delivery of dental services, especially in preventive dentistry and periodontics. However, dental hygienists enjoy only two of fifteen positions on the Michigan Dentistry Board, compared to nine that are held by dentists. Dental hygienists have long sought more equal board

representation in order to effectively regulate their profession. The bill would go a long way in giving dental hygienists a greater voice, and represents a carefully crafted compromise between the interests of dentists and dental hygienists. Under the bill, dentists would still maintain a majority vote, but the gap in representation would be narrowed.

For:

Current law requires that two public members from each health profession board be appointed to a disciplinary subcommittee for that profession. The majority of boards have three or more public members; therefore, if one of the public members is unable to attend a meeting, a replacement can be found among the remaining ones. The Dentistry Board, unlike most other boards, only has two public member positions. The bill would correct this problem by creating a third position for a public member. In this way, an alternate could be found if needed.

POSITIONS:

The Department of Consumer and Industry Services supports the bill. (5-11-00)

The Michigan Dental Hygienists' Association supports the bill. (5-11-00)

The Michigan Dental Association supports the bill. (5-11-00)

Analyst: S. Stutzky

■This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.