

# MAINE STATE LEGISLATURE

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L.D. 217  
(Filing No. S-44 )

STATE OF MAINE  
SENATE  
114TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A " to S.P. 132, L.D. 217, Bill, "An Act to Define and Clarify the Authority of the Board of Dental Examiners to Promulgate Rules"

Amend the bill in the first line after the enacting clause (page 1, line 3 in L.D.) by inserting at the beginning the following: 'Sec. 1.'

Further amend the bill in subsection 2 in the last 2 lines (page 1, lines 11 and 12 in L.D.) by striking out the following: "use of general anesthesia and procedures and fees for application and renewal" and inserting in its place the following: 'and use of general anesthesia'

Further amend the bill by inserting before the statement of fact the following:

'Sec. 2. 32 MRSA §1084-A is enacted to read:

§1084-A. Continuing education

As a condition of renewal of a certificate to practice, a practitioner shall provide evidence of having successfully completed 40 hours of continuing education during the 2 years prior to application for renewal. To qualify as meeting this requirement, the education must relate to professional competency and relate to those aspects of the profession in which the practitioner is currently engaged. The board shall specify the desired content of the program of continuing education, establish criteria for approving providers of continuing education and approve those providers. The board shall specify the criteria for successful completion of a continuing education requirement. All actions by the board in the implementation of this program shall be by rule and shall follow the provisions of the Maine Administrative Procedure Act, Title 5, chapter 375.

The board may indicate to an individual practitioner specific subject areas on which that practitioner's continuing

1 education is to focus in the future. Providers shall be required  
2 to obtain and retain for 3 years a written course assessment from  
3 each student which shall be reviewed periodically by the board.

5 **Sec. 3. 32 MRSA §1098-B** is enacted to read:

7 **§1098-B. Continuing education**

9 As a condition of renewal of a certificate to practice, a  
10 practitioner shall submit evidence of successful completion of 20  
11 hours of continuing education consisting of board-approved  
12 courses in the 2 years preceding the application for renewal.  
13 The board and the practitioners shall follow and be bound by the  
14 provisions of section 1084-A in the implementation of this  
15 section.'

17

**STATEMENT OF FACT**

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20 The original bill gave the Board of Dental Examiners  
21 authority to promulgate rules in specific areas.

23

24 This amendment removes the provision giving such authority  
25 in the area of procedures and fees for application and renewal  
26 and provides the board with specific statutory direction in the  
27 area of continuing education to guide its rulemaking.

Reported by Senator Whitmore for the Committee on Business  
Legislation. Reproduced and Distributed Pursuant to Senate  
Rule 12.

(4/14/89)

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