

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 1147

H.P. 801

House of Representatives, March 18, 1991

Submitted by the Department of Human Services pursuant to Joint Rule 24.  
Reference to the Committee on Human Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative DUPLESSIS of Old Town.  
Cosponsored by Senator CONLEY of Cumberland and Senator LUDWIG of Aroostook.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

---

An Act to Change the Title of the Office of Dental Health.

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Be it enacted by the People of the State of Maine as follows:

2           Sec. 1. 22 MRSA §2092, sub-§4, as enacted by P&SL 1975, c. 90,  
4    §A, §1, is amended to read:

6           4. Director. "Director" means the Director, Office  
8    Division of Dental Health.

10          Sec. 2. 22 MRSA §2093, as enacted by P&SL 1975, c. 90, §A,  
12    §1, is amended to read:

14    **§2093. State agencies to cooperate**

16          State agencies shall cooperate fully with the office  
18    division and council in carrying out this chapter. The office  
20    division and council are authorized to request such personnel,  
22    financial assistance, facilities and data as are reasonably  
24    required to assist the office division and council to fulfill its  
26    the division's and council's powers and duties.

28          State agencies proposing to develop, establish, conduct or  
30    administer programs or to assist programs relating to this  
32    chapter shall, prior to carrying out such actions, consult with  
34    the office division. Each agency of State Government shall  
36    advise the office division of its activities relating to this  
38    chapter.

40          Each state agency, in the implementation of its the agency's  
42    activities relating to this chapter, shall keep the office  
44    division fully informed of its the agency's status.

46          Sec. 3. 22 MRSA c. 415, sub-c. II, first 2 lines are repealed and  
48    the following enacted in their place:

50                                    SUBCHAPTER II  
                                  DIVISION OF DENTAL HEALTH

52          Sec. 4. 22 MRSA §2094, as amended by PL 1985, c. 785, Pt. B,  
54    §87, is further amended to read:

56    **§2094. Division; director**

58          1. Division. There ~~shall be~~ is in the Department of Human  
60    Services an-Office the Division of Dental Health.

62          2. Director. The ~~office-shall-be~~ division is administered  
64    by a director, who ~~shall be~~ is appointed by the commissioner,  
66    only after consultation with the council. The director shall  
68    serve in the unclassified service. The director of the office  
70    division shall serve at the pleasure of the commissioner, subject  
72    to removal by the commissioner after consultation with the

2 council. Any vacancy shall must be filled by appointment as  
2 above described in this subsection.

4 The director shall serve on a full-time basis and must be a  
6 person qualified by training and experience to carry out the type  
6 of responsibilities described in section 2095.

8 The director shall ~~possess~~ possesses full authority and  
10 responsibility for administering all the powers and duties  
12 provided in section 2095, with the advice of the council pursuant  
12 to section 2099. The director shall assume and discharge all  
12 responsibilities vested in the ~~office~~ division.

14 The director may employ, subject to the Civil Service Law  
16 and within the limits of available funds, competent professional  
18 personnel and other staff necessary to carry out the purposes of  
18 this chapter. The director shall prescribe the duties of staff  
20 and assign a sufficient number of staff to the ~~office~~ division to  
20 achieve ~~its~~ the division's powers and duties.

22 **Sec. 5. 22 MRSA §2095**, as amended by PL 1989, c. 700, Pt. A,  
22 §77, is further amended to read:

24 **§2095. Powers and duties**

26 The ~~office~~ division shall establish in accordance with the  
28 purposes and intent of this chapter, with the advice of the  
30 council and subject to the direction of the commissioner, the  
32 overall planning, policy, objectives and priorities for all  
34 functions and activities relating to dental health, ~~which that~~  
36 are conducted by or supported by the State. It is the purpose  
38 and intent of this chapter that the ~~office--shall~~ division have  
40 the objectives of reducing dental disease in Maine the State's  
40 residents to a minimal and acceptable level and of improving and  
40 expanding dental health services in the State. The ~~office~~  
40 division shall serve as the State's primary administrative,  
40 coordinating and planning unit for carrying out the provisions of  
40 this chapter. In order to achieve ~~the-above~~ these purposes, the  
40 ~~office--shall-have~~ division has the power and duty to carry out,  
40 but not be limited to, the following:

42 ~~1.--Comprehensive plan.--Develop a comprehensive, state-wide~~  
44 ~~plan,--in--cooperation--with--other--state-wide--health--planning~~  
46 ~~organizations,--when--deemed--appropriate,--to--improve--the--dental~~  
46 ~~health-of-Maine-citizens.--The-plan-shall-be-revised-biennially.~~

48 **2. Review of funding sources.** Ongoing review of all  
50 possible sources of funding, public and private, for improving  
50 dental health and development of proposals to secure these funds  
50 when appropriate.;

- 2           3.   **Technical assistance and consultation to agencies.**  
3   Provide technical assistance and consultation to federal, state,  
4   county and municipal programs concerned with dental health-;
- 5           4.   **Technical assistance and consultation to schools.**  
6   Provide technical assistance and consultation to schools and to  
7   the Department of Education for the purposes of introducing into  
8   Maine the State's schools dental health education programs;
- 9           5.   **Studies.**   Conduct studies and develop primary data for  
10   the purposes of documenting specific dental problems in the  
11   State-;
- 12           6.   **Consultation and program information to health  
13   profession.**   Provide consultation and program information to the  
14   health profession, health professional education institutions and  
15   volunteer agencies-;
- 16           7.   **Annual reviews.**   Conduct annual reviews of the statutes  
17   and guidelines governing use of dental auxiliaries, dentists and  
18   other dental personnel and make recommendations to the  
19   Legislature for changes which that would benefit the public's  
20   health-;
- 21           8.   **Coordination.**   Coordinate all efforts to improve dental  
22   health which that are in part or wholly supported by state funds-;
- 23           9.   **Administer funds.**   Administer in accordance with the  
24   interest and objectives of this chapter or within any limitations  
25   which that may apply from the sources of such funds, any funds  
26   from any source for the benefit of Maine's the State's residents  
27   in need of dental health services. The commissioner shall ~~have~~  
28   has the power to receive for the office division all funds  
29   granted by any private, federal, state, county, local or other  
30   source and the director shall use such the funds to carry out the  
31   provisions and purposes of this chapter-;
- 32           10.   **Report.**   Prepare ~~on or before January 10, 1976, and~~  
33   ~~thereafter~~ annually, a detailed report that shall must be  
34   submitted by the department. Such The report shall ~~include a~~  
35   ~~state-wide dental plan and~~ must describe the implementation of  
36   the responsibilities of this office division as described in this  
37   section. The report shall must be submitted to the Governor in  
38   accordance with Title 5, sections 43, 44, 45 and 46 and to the  
39   Legislature; and
- 40           11.   **Other activities.**   Carry out any other activities  
41   designed to reduce dental disease in the State.

