

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

---

Legislative Document

No. 1469

H.P. 1074

House of Representatives, March 27, 2003

### An Act To Raise the Fee Caps of the Board of Dental Examiners

---

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Reference to the Committee on Business, Research and Economic Development suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative SULLIVAN of Biddeford.  
Cosponsored by Senator BROMLEY of Cumberland.

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

4 **Sec. 1. 32 MRSA §1084**, as amended by PL 1993, c. 600, Pt. A, §66, is further amended to read:

6 **§1084. Licenses; fees**

8 The board shall issue under its seal to any person who  
10 successfully meets all licensure requirements a license to  
12 practice dentistry in this State, signed by the members of the  
14 board. A dentist shall publicly exhibit the dentist's license.  
16 The license is prima facie evidence of authority to practice  
18 dentistry in this State, except that it is unlawful for a person  
20 to practice dentistry in this State after the expiration date  
22 that appears on the license unless the practitioner pays to the  
24 board on or before January 1st of even-numbered years a fee of  
26 not more than ~~\$200~~ \$400 to be determined by the board, and meets  
28 other conditions that the board may require. Upon receipt of the  
30 required fee, the board shall issue a renewal of the  
32 practitioner's license, which the practitioner shall place beside  
or attach to the practitioner's initial license. Practitioners  
who have not paid as provided and who otherwise qualify for  
renewal may be reinstated upon payment of a fee to be determined  
by the board of not more than ~~\$100~~ \$200 if paid before February  
1st. A license to practice is automatically suspended on February  
1st for nonpayment of the license renewal fee and may be  
reinstated, if approved by the board, on payment of a fee to be  
determined by the board of not more than ~~\$200~~ \$400. A new  
applicant having paid the application fee shall pay either the  
biennial licensure fee, if the applicant applies on an  
even-numbered year, or half the biennial licensure fee if the  
applicant applies in an odd-numbered year.

34 **Sec. 2. 32 MRSA §1085**, as amended by PL 2001, c. 260, Pt. B,  
36 §3, is further amended to read:

38 **§1085. Endorsement; fees**

40 The board is authorized, at its discretion, without the  
42 examination as provided, to issue a license to an applicant who  
44 furnishes proof, satisfactory to the board, that the applicant  
46 has been licensed to practice dentistry in another state after  
48 full compliance with the requirements of its dental laws. If an  
applicant is licensed to practice dentistry in another state,  
that applicant's professional education may not be less than is  
required in this State and the applicant must have been at least  
3 years in actual practice in the state in which the license was  
granted. Applicants for licensure by endorsement who meet the  
requirements of this section must be interviewed in person by the

board or members of the board, prior to being issued a license.  
2 Every license of this type issued by the board must state upon  
its face the grounds upon which it is issued and the applicant  
4 may be required to furnish proof upon affidavit. The fee for the  
license is determined by the board, but may not be more than ~~\$300~~  
6 \$500.

8 **Sec. 3. 32 MRSA §1087**, as amended by PL 1993, c. 600, Pt. A,  
§70, is further amended to read:

10 **§1087. Fee for duplicate license**

12 An applicant for a duplicate license granted upon proof of  
14 loss of the original shall pay a fee of ~~\$15~~ no more than \$50.

16 **Sec. 4. 32 MRSA §1097**, as amended by PL 1993, c. 600, Pt. A,  
§81, is further amended to read:

18 **§1097. Application; fee**

20 An eligible person desiring to practice dental hygiene must  
22 make written application to the Board of Dental Examiners to take  
the examination. The application must be accompanied by a fee  
24 to be determined by the board not to exceed ~~\$100~~ \$200.  
Applicants for licensure shall pay a fee set by the board for the  
26 examination. The board may recognize a nationally or regionally  
administered examination for applicants to practice dental  
28 hygiene in the State.

30 **Sec. 5. 32 MRSA §1098**, as amended by PL 1993, c. 600, Pt. A,  
§82, is further amended to read:

32 **§1098. License; biennial fee**

34 The board shall issue a license to practice as a dental  
36 hygienist in this State to an individual who has met the  
licensure requirements. The license must be exhibited publicly  
38 at the person's place of employment. The license authorizes  
practice as a dental hygienist in this State for the year in  
40 which it is issued until the expiration date that appears on the  
license. On or before January 1st of each odd-numbered year, the  
42 dental hygienist must pay to the board a license renewal fee of  
not more than ~~\$100~~ \$200 to be determined by the board or 1/2 of  
44 the biennial licensure fee if the applicant applies in an  
even-numbered year. Dental hygienists who have not paid as  
46 provided must be reinstated upon payment of a fee of not more  
than ~~\$50~~ \$100 to be determined by the board if paid before  
48 February 1st of the year in which license renewal is due. Failure  
to be properly licensed by February 1st results in automatic  
50 suspension of a license to practice dental hygiene. Reinstatement

2 may be made, if approved by the board, by payment to the  
secretary-treasurer of the board of a fee determined by the board  
of not more than ~~\$100~~ \$200.

4  
6 The board may issue temporary licenses to dental hygienists  
who present credentials satisfactory to the board. The board may  
charge a fee of up to ~~\$25~~ \$50 for a temporary license.

8  
10 **Sec. 6. 32 MRSA §1098-A**, as amended by PL 1993, c. 600, Pt.  
A, §83, is further amended to read:

12 **§1098-A. Fee for duplicate license**

14 An applicant for a duplicate license granted upon proof of  
loss of the original shall pay a fee of ~~\$15~~ no more than \$50.

16  
18 **Sec. 7. 32 MRSA §1099**, as amended by PL 1995, c. 590, §2, is  
further amended to read:

20 **§1099. Endorsement**

22 The board may at its discretion, without examination, issue  
a license to an applicant to practice dental hygiene who  
24 furnishes proof satisfactory to the board that the dental  
hygienist has been duly licensed to practice in another state  
26 after full compliance with the requirements of its dental laws,  
except that the professional education may not be less than is  
28 required in this State. The board may require letters of  
reference as to ability. Applicants for licensure by endorsement  
30 who meet the requirements of this section must be interviewed in  
person by the board or members of the board prior to being issued  
32 a license. Every license so given must state upon its face that  
it was granted on the basis of endorsement. The fee for that  
34 license must be determined by the board, but may not be more than  
~~\$100~~ \$200.

36  
38 **Sec. 8. 32 MRSA §1100-D, sub-§3**, as amended by PL 1995, c.  
590, §6, is further amended to read:

40 **3. Application for examination; fee.** An eligible person  
desiring to take an examination in order to become licensed as a  
42 denturist shall make a written application to the board to take  
the examination. This application must be accompanied by an  
44 application fee, to be determined by the board, but not to exceed  
~~\$100~~ \$200 and an examination fee to be determined by the board  
46 that may not exceed the actual cost of the examination. The  
application fee ~~includes the fee for the initial license and~~ is  
48 nonrefundable.

50 **Sec. 9. 32 MRSA §1100-E, sub-§3**, as amended by PL 1995, c.  
590, §7, is further amended to read:

2           **3. Renewal; renewal fee.** After a license has been issued  
4 under subsection 2, and on or before January 1st of odd-numbered  
6 years, a denturist must pay to the board a license renewal fee of  
8 not more than ~~\$100~~ \$200 to be determined by the board in order to  
renew the license and to continue to be authorized to practice as  
a denturist in the State or 1/2 the biennial licensure fee if  
application is made in an even-numbered year.

10 After the requirements for a license renewal, including any  
12 necessary continuing education, have been met, a renewal card of  
14 the denturist's license must be issued, which the denturist shall  
16 place beside or attach to the denturist's initial license.  
18 Denturists who have not paid as provided by January 1st must be  
reinstated upon payment of a fee, to be determined by the board,  
of not more than ~~\$50~~ \$100 if paid by February 1st. A license to  
practice is automatically suspended on February 1st and may be  
reinstated, if approved by the board, on payment of a fee to be  
determined by the board of not more than ~~\$100~~ \$200.

20           **Sec. 10. 32 MRSA §1100-E, sub-§4,** as amended by PL 2001, c.  
22 260, Pt. B, §4, is further amended to read:

24           **4. Endorsement.** The board, at its discretion, without  
26 examination, may issue a license to an applicant to practice as a  
28 denturist who furnishes proof satisfactory to the board that the  
30 denturist has been licensed to practice and has actively  
32 practiced for a period of 3 years in another state or Canadian  
34 province after full compliance with the requirements of its  
36 dental laws, if the licensure requirements are, in all  
essentials, at least equivalent to those of this State. The board  
may require letters of reference about the denturist. Applicants  
for licensure by endorsement who meet the requirements of this  
section must be interviewed in person by the board, or members of  
the board, prior to being issued a license. Every license so  
given must state upon its face that it was granted on the basis  
of endorsement. The fee for the license may not exceed ~~\$100~~ \$200.

38           **Sec. 11. 32 MRSA §1100-E, sub-§4-A,** as amended by PL 1995, c.  
40 590, §7, is further amended to read:

42           **4-A. Duplicate license.** A licensee must be issued a  
44 duplicate license by the board for a fee of ~~\$15~~ no more than \$50  
upon attestation of loss of the original.

46           **Sec. 12. 32 MRSA §1100-N,** as amended by PL 1993, c. 600, Pt.  
48 A, §99, is further amended to read:

50           **§1100-N. Application**

2 To apply for a license to practice dental radiography, an  
applicant shall submit a written application with supporting  
4 documents to the board, on forms provided by the board, and shall  
pay an application fee, which may not exceed ~~\$50~~ \$100.

6 **Sec. 13. 32 MRSA §1100-O**, as amended by PL 1993, c. 600, Pt.  
A, §99, is further amended to read:

8

**§1100-O. Renewal**

10

12 **1. Term of license; renewal.** All licenses to practice  
dental radiography issued by the board are valid for 5 years from  
the date of issuance and may be renewed upon application to the  
14 board and payment of a renewal fee, which may not exceed ~~\$50~~ \$100.

16

**SUMMARY**

18

20 This bill increases the fee caps for the Department of  
Professional and Financial Regulation, Board of Dental Examiners  
and deletes the exclusion of an initial license fee for  
22 denturists to make it consistent with all other license  
categories.