

MAINE STATE LEGISLATURE

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REVISED STATUTES

OF THE

STATE OF MAINE

1954

1961 CUMULATIVE SUPPLEMENT

ANNOTATED

IN FIVE VOLUMES

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was issued. The board may suspend or revoke any certificate by a 4/5 vote of the entire board in any cases where such certificate has been wrongfully obtained or for any fraud connected with the said registration. (R. S. c. 65, § 9. 1961, c. 394, § 31.)

Effect of amendment.—The 1961 amendment rewrote the second sentence, which formerly provided for revocation and cancellation by the board, and made other minor changes.

Chapter 73.

Registration of Dentists. Dental Hygienists.

Board of Dental Examiners.

Sec. 1. Board of dental examiners; appointment; vacancies; removal; nominations; compensation.

The members of the board shall each receive as compensation for their services \$15 a day for the time actually spent and their necessary expenses incurred in the discharge of their duties, to be certified by the secretary of the board. (R. S. c. 66, § 1. 1951, c. 336, § 1. 1957, c. 275.)

Effect of amendment. — The 1957 amendment increased the compensation of the members from \$10 to \$15 a day in the last paragraph. As the first paragraph was not changed by the amendment, it is not set out.

Dentists.

Sec. 10. Revocation of certificates; misrepresentation.—The hearing officer as designated in chapter 20-A may revoke a certificate obtained by fraud or misrepresentation, or if the person named therein uses intoxicants or drugs to such an extent as to render him unfit to practice dentistry, or is guilty of immoral or unprofessional conduct, or convicted of a felony, or is afflicted with one or more of the specific infections, or is convicted in a court of competent jurisdiction of violating any of the provisions of this chapter.

No registered dentist, dental hygienist, dental technician or dental laboratory shall include in any newspaper, radio, display sign or other advertisement any statement of a character tending to deceive or mislead the public, or any statement claiming professional superiority or the performance of professional services in a superior manner, or the performance of painless operations of a dental or oral surgical nature, or advertising fixed prices for professional services or materials or the use of any drug, nostrum, patent or proprietary medicine of any unknown formula, or advertising to use any system of anesthetics without truly and accurately naming the same, or to use any such system unless such system is in fact used, or shall advertise with signs or printed advertisements which contain the representation of a tooth, teeth, dental restoration of any kind or of whatsoever design or description or any portion of the human head or neck or photograph of any person. The hearing officer may suspend or revoke a dental license now in force or that shall be hereafter given for dishonorable conduct on the part of any licensee under this chapter, whether such conduct is similar or dissimilar to any acts herein expressly named, but which is detrimental to the public health, safety or welfare. The board may by rules define dishonorable conduct. Any person who violates any of the provisions of this paragraph shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$200. (R. S. c. 66, § 10. 1951, c. 336, § 6. 1961, c. 394, §§ 32, 33.)

Effect of amendment.—The 1961 amendment substituted "hearing officer as designated in chapter 20-A" for "board" near the beginning of this section and substituted "hearing officer" for "board" near the beginning of the second sentence of the second paragraph.

Sec. 11. Hearings.—No action to revoke a certificate shall be taken until the accused shall be furnished with a statement in writing of the charges against him and notice of the time and place of a hearing thereon. The accused may be present at the hearing in person and may be represented by counsel. If upon such hearing the hearing officer finds the charges are true, he may revoke the certificate of the accused. Such revocation shall deprive the person named in the certificate of all rights and privileges required thereby, and said board shall not re-empower anyone whose certificate has been revoked for any of the above causes to practice dentistry within 1 year after such revocation, and then only upon sufficient assurances and guarantees to said board, of correct future conduct. A 2nd revocation of any certificate shall be perpetual. (R. S. c. 66, § 11. 1961, c. 394, § 34.)

Effect of amendment.—The 1961 amendment deleted the former second sentence, substituted "hearing officer" for "board" in the present third sentence and substituted "he" for "it" in that sentence.

Sec. 12. Repealed by Public Laws, 1961, c. 394, § 35.

Sec. 13. Conviction certified.—The clerk of a court in which a registered dentist or dental hygienist is convicted under section 10 shall forthwith certify such conviction to the board and the hearing officer may, after a hearing, revoke or suspend the certificate of the convicted registrant. The hearing officer may revoke or suspend the certificate of a dentist or dental hygienist for conviction in any court of the state of a crime involving moral turpitude. (R. S. c. 66, § 13. 1961, c. 394, § 36.)

Effect of amendment.—The 1961 amendment substituted "hearing officer" for "board" in two places in this section and made other minor changes.

Dental Hygienists.

Sec. 26. Examination; qualification; fees.

Nothing in this section shall prohibit a student of dental hygiene enrolled in a school for dental hygienists from practicing dental hygiene in the school or in any clinic affiliated with such school when such practice is under the direct supervision of a qualified instructor. (R. S. c. 66, § 21. 1949, c. 347, § 2. 1951, c. 336, § 14. 1961, c. 240.)

Effect of amendment.—The 1961 amendment added the second paragraph of this section. As the first paragraph was not affected by the amendment, it is not set out.

Chapter 74.

Registration of Podiatrists.

Sec. 1. Examiners of podiatrists. — The examiners of podiatrists, as heretofore appointed and hereinafter in this chapter called the "examiners," shall be 2 members of the board of registration in medicine together with 2 podiatrists appointed by the governor with the advice and consent of the council. The chairman of the board of registration in medicine shall act as chairman of the examiners and the secretary-treasurer of the board of registration in medicine shall act as secretary-treasurer of the examiners. The podiatrists appointed by the governor shall be appointed for a term of 4 years from a list submitted by the Podiatry Association of Maine, except that the first appointment of the new member shall be for a term of 2 years. The podiatrists selected shall at the time of their appointment have been actively engaged in the practice of podiatry for a period of at least 2 years. (R. S. c. 67, § 1. 1957, c. 111, § 9; c. 429, § 73.)