

**§ 73-9-7--STATE BOARD OF DENTAL EXAMINERS;  
DENTAL DISTRICTS; NOMINATIONS FOR APPOINTMENT**

- (1) The duties of the Mississippi State Board of Dental Examiners, or the board, shall be to carry out the purposes and provisions of the laws pertaining to the practice of dentistry and dental hygiene. The Mississippi State Board of Dental Examiners is continued and reconstructed as follows: The board shall consist of seven (7) licensed and actively practicing dentists and one (1) licensed and actively practicing dental hygienist, each a graduate of an accredited college of dentistry or dental hygiene, as appropriate, and practicing within the State of Mississippi for a period of five (5) or more years next preceding his or her appointment. No dentist or dental hygienist shall be eligible for appointment who can be construed to be in violation of current state ethics laws and regulations.
- (2) The members of the board appointed and serving before July 1, 2002, shall complete their current four-year appointments. Upon completion of those appointments, the term of each of the successor dentist and dental hygienist appointees provided for in this section shall be for a period of six (6) years and shall terminate on and after June 30 of the sixth year.
- (3) The Governor shall appoint one (1) dentist member of the board from the state at large. Upon expiration of the term of office of any of the six (6) members of the board who are appointed from districts, the Governor shall appoint his successor from a list of names to be submitted as set out in this subsection. All appointments to the board shall be made with the advice and consent of the Senate.

The board shall poll all licensed dentists in the state by dental district as follows:

Dental District One: Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Pontotoc, Prentiss, Tippah, Tishomingo, Union, Webster;

Dental District Two: Bolivar, Carroll, Coahoma, DeSoto, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Panola, Quitman, Sharkey, Sunflower, Tallahatchie, Tate, Tunica, Washington, Yalobusha, Yazoo;

Dental District Three: Attala, Clarke, Covington, Forrest, Jasper, Jones, Kemper, Lamar, Lauderdale, Leake, Neshoba, Newton, Noxubee, Perry, Scott, Smith, Wayne, Winston;

Dental District Four: Hinds, Madison, Rankin, Warren;

Dental District Five: George, Greene, Hancock, Harrison, Jackson, Pearl River, Stone;

Dental District Six: Adams, Amite, Claiborne, Copiah, Franklin, Jefferson Davis, Jefferson, Lawrence, Lincoln, Marion, Pike, Simpson, Walthall, Wilkinson;

and request the submission from each such dental district of three (3) nominations for appointment as members of the board from the six (6) districts. Thirty (30) days after submitting that request, the board shall list all nominations by district according to the number of votes each received. The top three (3) names from each district shall then be considered as a list of names to be submitted to the Governor as referred to above each time a vacancy occurs in one (1) of the six (6) positions appointed from districts or whenever the Governor requests that submission. During the course of each calendar year, the board shall take like polls of all licensed dentists practicing in each dental district, and shall prepare new lists therefrom to be submitted to the Governor, which shall be used in the appointment of the six (6) members appointed from districts.

It is the purpose of this section that no more than one (1) appointee of the six (6) members appointed from districts shall serve from any district at any one (1) time. The names on the lists shall be given priority in accordance with the votes for each nominee. In case of a tie, the persons receiving tie votes shall have their names placed on the list even though it results in more than three (3) names on the list from that district.

- (4) The one (1) dental hygienist member shall be appointed by the Governor from the state at large from a list of six (6) dental hygienists, each of whom being the dental hygienist receiving the highest number of votes in his or her individual district from a poll conducted and compiled by the board. The poll shall consist of a blank ballot with three (3) spaces for nomination provided to all licensed dental hygienists in the state. During the course of each calendar year, the board shall take like polls of all licensed dental hygienists practicing in the state, and shall prepare a new list of six (6) dental hygienists, the list to consist of the dental hygienists receiving the highest number of votes in each district, to be submitted to the Governor, which shall be used in the appointment of the dental hygienist member from the state at large. In case of a tie, the persons receiving tie votes shall have their names placed on the list even though it results in more than six (6) names on the list.

The board shall poll all licensed dental hygienists in the state by dental district as that enumerated in subsection (3) of this section.

- (5) No dentist or dental hygienist member shall be permitted to serve consecutive terms, but may be nominated for reappointment after the expiration of six (6) years from the conclusion of his or her term. Any vacancy in the board membership shall be filled by the Governor within sixty (60) days by appointment from the list of nominees submitted for the existing term of office. Any appointment made to fill a vacancy or to replace an incumbent holding over shall terminate in accordance with the designation of the particular term and until his or her successor is duly appointed and qualified.
- (6) A vote for an individual dentist or dental hygienist in all polls may be counted only once for each ballot no matter how many times the name is listed on the ballot.
- (7) The Secretary of State shall, at his discretion, at any time there is sufficient cause, investigate the method and procedure of taking those polls and establishing those

lists, and the board shall make available to him all records involved therein; and if the Secretary of State should find cause therefor he may, upon specifying the cause, declare the list invalid, whereupon the board shall follow the procedure set out above to establish a new list. If a vacancy exists and no list is available, the Board of Dental Examiners is to follow the above-described procedure in establishing a new list for the appropriate board appointment.