

VIRGINIA BOARD OF DENTISTRY

BYLAWS

Article I. Officers Election, Terms of Office, Vacancies

1. Officers

The officers of the Virginia Board of Dentistry (Board) shall be President, Vice-President, and Secretary-Treasurer, in accordance with 54.1-2702

2. Election.

A nominating committee of an odd number (3 or more) of Board members shall form, who will not become candidates for any officer position. If a member of the nominating committee becomes a candidate, they shall resign from the nominating committee immediately. The nominating committee shall meet and submit a single slate of officers to be included in the Fall Board Business Meeting agenda package. The election of each officer shall be held during the Fall Board Business Meeting.

3. Terms of Office.

The terms of office of the President, Vice-President, and Secretary-Treasurer shall be for twelve months, until succeeded, or their successor(s) are elected. The term of each office shall begin at the conclusion of the Fall Board Business Meeting and end at the conclusion of the subsequent Fall Board Business Meeting. No officer shall be eligible to serve for more than two consecutive terms in the same office.

In the event of a vacancy in the office of President, the Vice-President shall assume the office of President for the remainder of the term. In the event of a vacancy in the office of Vice-President, the Secretary-Treasurer shall assume the office of Vice-President for the remainder of the term. In the event of a vacancy in the office of Secretary-Treasurer, the President shall appoint a board member to fill the vacancy for the remainder of the term.

In the event that all of the offices are vacated and succession is not possible, a nominating committee of an odd number (3 or more) of Board Members shall form, who will not become candidates for any officer position. If a member of the nominating committee becomes a candidate, they shall resign from the nominating committee immediately. The nominating committee will develop a single slate of candidates for the Board's consideration at its next meeting.

Article II. Duties of Officers

1. President.

The President shall preside at all meetings and conduct all business according to parliamentary rules (Robert's Rules of Order), the Virginia Administrative Process Act, and the Virginia Freedom of Information Act. The President shall appoint all committees

and designate committee chairs and all representatives, except where specifically provided by law. The President shall sign certificates and documents authorized to be signed by the President, and may serve as an ex-officio member of all committees (at which times possessing all the rights, responsibilities, and duties as any other member of the committee; including the right to vote). The President also may serve as a substitute for an absent committee member and, in this role, he shall participate in voting.

2. Vice-President.

The Vice-President shall perform all duties of the President in either the absence of, or the inability of, the President to serve.

3. Secretary-Treasurer.

The Secretary-Treasurer shall authorize issuance of the draft unapproved minutes of meetings of the Board.

Article III. Duties of Members

1. Qualifications.

After appointment by the Governor, each member of the Board shall forthwith take the oath of office to qualify for service as provided by law.

2. Attendance at meetings.

Members of the Board shall attend all regular and special meetings of the full Board, meetings of committees to which they are assigned, and all hearings conducted by the Board at which their attendance is requested by the President or Board Executive Director, unless prevented by illness or other unavoidable cause. In the case of unavoidable absence of any member from any meeting, the President shall reassign the duties of such absent member when necessary to achieve a quorum for the conduct of business.

3. Examinations.

Each member of the Board who is currently licensed as a dentist or as a dental hygienist may participate in conducting clinical examinations for testing agencies in which the Board holds membership.

Article IV. Meeting

1. Number.

The Board shall hold at least three regular meetings in each year. The President shall call meetings at any time to conduct the business of the Board, and shall convene conference calls when needed to consider summary suspensions and settlements. Additional meetings shall be called by the President at the written request of any two members of the Board.

2. Quorum.

A majority of the members of the Board shall constitute a quorum at any meeting.

3. Voting.

All matters shall be determined by a majority vote of the members present.

Article V. Committees

Standing committees of the Board shall be the following:

Executive Committee
Regulatory Committee
Examination Committee
Special Conference
Committees

VI. Committee Duties and Members.

1. Executive Committee.

The Executive Committee shall consist of the current officers of the Board with the President serving as Chair. The Executive Committee shall:

- a) Be knowledgeable about the budget of the Board;
- b) Conduct all other matters delegated to it by the Board.
- c) Address urgent matters which adversely affect either the timely licensing of applicants or the continuity of board operations while a State of Emergency is in effect and documented efforts to convene a quorum of the Board have failed due to disruption of electronic communications and/or the ability to safely travel in the Commonwealth.

2. Regulatory Committee.

The Regulatory Committee shall consist of two or more members, appointed by the President. This Committee shall consider matters bearing upon state and federal regulations and legislation, and make recommendations to the Board regarding policy matters. The Board may direct the Committee to review the regulations and recommend for possible changes to the Board. The Committee shall submit proposed changes in regulations of the Board in writing to all Board members for approval at a Board Business Meeting. Proposed changes in state laws, or in the rules and regulations of the Board, shall be distributed to all Board members prior to scheduled meetings of the Board.

3. Examination Committee.

The Examination Committee shall develop and oversee the administration of all Board examinations. This shall include, but not be limited to, jurisprudence and licensure examinations.

4. Special Conference Committees.

Special Conference Committees shall:

- a. Review investigation reports to determine if a violation of law or regulation has occurred;

- b. Hold informal fact-finding conferences;
- c. Direct the disposition of disciplinary cases at the informal fact-finding stages. The committee chairs shall provide guidance to Board staff on implementation of their committee's decisions;
- d. Review and decide any action to be taken regarding applications for licensure when the application includes information about criminal activity, practice history, medical conditions, or other content issues;
- e. Consider applicant or licensee requests for approval of credit for programs when the content or the sponsorship of courses are in question; and
- f. Hold informal fact-finding conferences at the request of the applicant or licensee to determine if Board requirements have been met.

5. Committee Members.

Advisory Member. Specialized, non-voting member of a committee. Cannot make or second motions, but may participate fully in debate and discussions.

Ex-Officio Member. A member of a committee who serves by virtue of holding a specific office. Has all the rights, responsibilities, and duties as any other member of the committee, including the right to vote.

Article VII. Executive Director

1. Designation.

The Administrative Officer of the Board shall be designated the Executive Director of the Board.

2. Duties.

The Executive Director shall:

- a. Supervise the operation of the Board office and be responsible for both the conduct and performance of the staff, and the assignment of cases to Board members and agency subordinates;
- b. Execute the policies and services established by the Board;
- c. Provide and disburse all forms as required by law to include, but not be limited to, new and renewal application forms;
- d. Keep accurate record of all applications for licensure, maintain a file of all applications, and notify each applicant regarding the actions of the Board in response to their application. Prepare and deliver licenses to all successful applicants. Keep and maintain a current record of all licenses, permits, and registrations issued by the Board;
- e. Notify all members of the Board of regular and special meetings of the Board. Notify all Committee members of regular and special meetings of Committees. Keep a record of efforts to convene a meeting of the Board during a State of Emergency to include: methods of contact; a summary of the information

provided; a summary of the responses of each member; and an explanation of why efforts to contact a member were unsuccessful. Keep true and accurate minutes of all meetings and post approved draft minutes within ten days following such meetings;

- f. Issue all notices and orders, render all reports, keep all records, and notify all individuals as required by these Bylaws or applicable law. Affix and attach the seal of the Board to such documents, papers, records, certificates and other instruments as may be directed by law;
- g. Keep accurate records of all disciplinary proceedings. Receive and certify all exhibits presented. Certify a complete record of all documents whenever and wherever required by law; and
- h. Provide the Board's financial statements and biennial budget, along with any revisions, to the Board.
- i. Assign the determination of probable cause for disciplinary action to a board member or the staff dental review coordinator, who may offer a confidential consent agreement, offer a pre-hearing consent order, cause the scheduling of an informal conference, request additional information, or close the case.