

JAN 17 2007

A BILL FOR AN ACT

RELATING TO DENTISTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 448-17, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) The board shall refuse to issue a license to any
4 applicant who fails to meet all of the requirements imposed by
5 this chapter and may refuse to issue a license to any applicant
6 who has previously committed any act which would, if committed
7 by a licensee, result in the revocation or suspension of the
8 license.

9 In addition to any other actions authorized by law, the
10 board may suspend or revoke any license issued under this
11 chapter and may fine a licensee for any cause authorized by law,
12 including but not limited to the following:

- 13 (1) Fraud in procuring license;
- 14 (2) Habitual intoxication or addiction to the use of
15 drugs;
- 16 (3) Wilful or repeated violations of the rules of the
17 department of health;



- 1 (4) Acceptance of a fee for service as a witness, without
2 the knowledge of the court, in addition to the fee
3 allowed by the court;
- 4 (5) Division of fees or agreeing to split or divide the
5 fees received for dental services with any person for
6 bringing or referring a patient;
- 7 (6) Assisting in the care or treatment of a patient,
8 without the knowledge of the patient or the patient's
9 legal representative;
- 10 (7) Employing, procuring, inducing, aiding, or abetting a
11 person not licensed or registered as a dentist to
12 engage in the practice of dentistry;
- 13 (8) Making any misrepresentations or false promises,
14 directly or indirectly, to influence, persuade, or
15 induce dental patronage;
- 16 (9) Professional connection or association with, or
17 lending one's name to another for, the illegal
18 practice of dentistry by another, or professional
19 connection or association with any person, firm, or
20 corporation holding oneself, themselves, or itself out
21 in any manner contrary to this chapter;



1 (10) By false or fraudulent representations, obtaining or
2 seeking to obtain practice or money or any other thing
3 of value;

4 (11) Practicing, either in the State or elsewhere, under a
5 name other than one's own;

6 (12) Any other improper, unprofessional, or dishonorable
7 conduct in the practice of dentistry; ~~and~~

8 (13) Violation of section 447-4[-]; and

9 (14) False or misleading advertising not otherwise provided
10 for under this subsection, which shall include:

11 (A) Advertising to the public as practicing a dental
12 specialty in which the dentist has not
13 successfully completed the education specified
14 for the dental specialty as defined by the
15 American Dental Association; and

16 (B) Using the following words in advertising
17 "endodontist," "orthodontist," "oral and
18 maxillofacial surgeon," "specialist," "board
19 certified," "diplomat," "practice limited to,"
20 "pediatric dentist," "periodontist," or "limited
21 to specialty of" when the dentist has not
22 successfully completed the education specified



Report Title:

Dentists; False Ads

Description:

Authorizes the board of dental examiners to sanction licensees for false or misleading advertising.

