

**PRESENTATION OF THE
BOARD OF DENTAL EXAMINERS**

TO THE HOUSE COMMITTEE ON HEALTH

TWENTY-FOURTH LEGISLATURE
Regular Session of 2008

Friday, February 8, 2008
8:00 a.m.

TESTIMONY ON HOUSE BILL NO. 2298, RELATING TO DENTISTS.

TO THE HONORABLE JOSH GREEN, M.D., CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Jeffrey Miyazawa, D.D.S., Chair of the Board of Dental Examiners ("Board"). The Board appreciates the opportunity to testify in opposition to H.B. No. 2298, Relating to Dentists.

The purpose of H.B. No. 2298 is to authorize the Board to sanction licensees for false or misleading advertising.

The Board would like to inform your Committee, as it has informed the Hawaii Dental Association ("HDA"), that pursuant to section 448-4, HRS, there currently exists language enabling the sanctioning of a licensee for false, fraudulent or misleading advertising. Further, we have been working with HDA on proposed rules that would further clarify this matter and the contents of this bill are almost identical to the Board's proposed rules. However, what this bill contains, that the Board's proposed rules do not, is inclusion of the phrase "practice limited to", as appear on page 4, line 6 of the bill. In drafting the proposed rules, while HDA advocated for a similar inclusion, the Board did not support this because it would prohibit dentists from stating "practice limited to children" or "practice limited to cosmetic dentistry" if dentists wish to limit their practices, and where such statements are truthful and factual.

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The Board iterates its same objections relevant to this issue in H.B. 2298 and opposes the inclusion of "practice limited to". Outside of this issue, the bill is unnecessary as it is redundant of what will be proposed amendments to the Board's administrative rules. We therefore request the Committee to hold this measure.

Thank you for the opportunity to testify on H.B. No. 2298.

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From: Darrell [teruyadt@worldnet.att.net]
Sent: Wednesday, February 06, 2008 4:21 PM
To: HLTtestimony
Cc: Darrell T Teruya
Subject: Testimony HB 2298 Hearing Friday Feb 8, 2008 8:00 am HLT Committee

Testimony HB 2298 House of Representatives Hearing Friday Feb 8, 2008 8:00 am

COMMITTEE ON HEALTH
Representative Josh Green, M.D., Chair
Representative John Mizuno, Vice Chair

Thank you for the opportunity to submit this testimony.

I am in support of HB 2298 which authorizes the Board of Dental Examiners to sanction a licensed dentist for false or misleading advertising.

I'm a general dentist and have 20 years practice in the State of Hawaii. I do a lot of procedures in my office which can fall into the categories of periodontics, endodontics, pedodontics, prosthodontics and oral surgery. I strive to keep current of developments in dentistry and continue to take courses to improve my knowledge in these areas as well as others.

I can not in good conscience call myself a specialist in any of these areas. A specialist is a has taken an additional year or more of course work in an institutional, usually academic, environment. A specialist has had exposure to a large number of challenging cases and is called upon to handle those situations deemed to be outside the expertise of a general dentist.

A specialist works hard to hold the respect and trust of the public and the referring dentist. The public is ill served by anyone who would misrepresent themselves as being a specialist. Guidelines would also help to ensure honest advertising in the dental profession.

My wish is that our legislators see the value of this bill.

Darrell Teruya, DDS

President, Hawaii Dental Association