

**PRESENTATION OF THE
BOARD OF DENTAL EXAMINERS**

TO THE HOUSE COMMITTEE ON HEALTH

TWENTY-FIFTH LEGISLATURE
Regular Session of 2009

Friday, March 13, 2009
9:30 a.m.

TESTIMONY ON SENATE BILL NO. 113, RELATING TO DENTISTS.

TO THE HONORABLE RYAN I. YAMANE, CHAIR,
AND MEMBERS OF THE COMMITTEES:

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 S.B. No. 113, Relating to Dentists.

The purpose of S.B. No. 113 is to authorize the Board to sanction licensees for false or misleading advertising.

The Board would like to inform your Committee, as it has previously 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 agreed on language very similar to the contents of this bill.

The House Committee on Health heard the companion bill, H.B. No. 1211 on February 13, 2009 and passed it out unamended. However, please be aware that at the joint Committee on Consumer Protection and Commerce and Committee on Judiciary hearing on February 26, 2009, the Committees deferred the companion bill.

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Therefore, the Board believes this bill is unnecessary as it is redundant to the amendments being proposed to the Board's administrative rules. We therefore request the Committee to hold this measure.

Thank you for the opportunity to testify on S.B. No. 113.

nishimoto2-Bryce

From: Darrell [teruyadt@worldnet.att.net]
Sent: Tuesday, March 10, 2009 5:27 PM
To: HLTtestimony
Cc: teruyadt@att.net
Subject: testimony in support of SB 113 Friday, March 13, 2009 TIME:9:30 a.m. Conference Room 329 Authorizes the board of dental examiners to sanction licensees for false or misleading advertising

COMMITTEE ON HEALTH

Rep. Ryan I. Yamane, Chair, Rep. Scott Y. Nishimoto, Vice Chair

Rep. Della Au Belatti, Rep. John M. Mizuno, Rep. Joe Bertram, III, Rep. Maile S.L. Shimabukuro, Rep. Tom Brower, Rep. Lynn Finnegan, Rep. Mele Carroll

Friday, March 13, 2009, 9:30 a.m., Conference Room 329

SB 113, (SSCR444) RELATING TO DENTISTS.

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

Thank you for the opportunity to testify in support of Senate Bill113 which allows the sanctioning of dental licensees for false and misleading advertising.

I'm a general dentist and have over20 years of 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 cannot 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.

The Hawaii Dental Association has, in the past, introduced this measure to the Hawaii Legislature. With the consent of the Board of Dental Examiners we agreed to have this concern addressed in Rules changes with the proviso that the process would take no longer than a year. This was my understanding since I presented oral and written testimony at the last set of hearings on this measure at last year's Legislative session as well as in the preceding year. Although the Board has made some headway in this matter it remains to be seen how this is being effected in an expeditious manner.

My wish is that our legislators see the value of this bill as valuable to the dental patients of Hawaii and not delay this issue any longer.

Darrell Teruya, DDS
Immediate Past-President, Hawaii Dental Association