

---

---

# A BILL FOR AN ACT

RELATING TO DENTISTRY.

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

1           SECTION 1. Section 448-1, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§448-1 Dentistry defined; exempted practices.** (a) A  
4 person practices dentistry, within the meaning of this chapter,  
5 who represents oneself as being able to diagnose, treat, operate  
6 or prescribe for any disease, pain, injury, deficiency,  
7 deformity, or physical condition of the human teeth, alveolar  
8 process, gums, or jaw, or who offers or undertakes by any means  
9 or methods to diagnose, treat, operate or prescribe for any  
10 disease, pain, injury, deficiency, deformity, or physical  
11 condition of the same, or to take impressions of the teeth or  
12 jaws; or who owns, maintains, or operates an office for the  
13 practice of dentistry; or who engages in any of the practices  
14 included in the curricula of recognized and approved dental  
15 schools or colleges. Dentistry includes that part of health  
16 care concerned with the diagnosis, prevention, and treatment of  
17 diseases of the teeth, oral cavity, and associated structures



1 including the restoration of defective or missing teeth.  
2 Dentistry also includes an offering to perform or performing any  
3 phase of any operation incident to teeth whitening, including  
4 the instruction or application of teeth whitening materials or  
5 procedures at any geographic location. For purposes of this  
6 subsection, "teeth whitening" means any process performed by one  
7 individual upon another individual to whiten or lighten the  
8 appearance of human teeth by the application of chemicals,  
9 whether or not in conjunction with a light source. The fact  
10 that a person uses any dental degree, or designation, or any  
11 card, device, directory, poster, sign, or other media whereby  
12 one represents oneself to be a dentist, shall be prima facie  
13 evidence that the person is engaged in the practice of  
14 dentistry.

15 (b) The following practices, acts, and operations,  
16 however, are exempt from the operation of this chapter:

17 (1) The rendering of dental relief in emergency cases in  
18 the practice of one's profession by a physician or  
19 surgeon, licensed as such and registered under the  
20 laws of this State, unless one undertakes to reproduce  
21 or reproduces lost parts of the human teeth in the



- 1           mouth or to restore or replace in the human mouth lost  
2           or missing teeth;
- 3           (2) The practice of dentistry in the discharge of their  
4           official duties by dentists in the United States Army,  
5           the United States Navy, the United States Air Force,  
6           the United States Public Health Service, or the United  
7           States Veterans Administration;
- 8           (3) The practice of dentistry by licensed dentists of  
9           other states or countries at meetings of the Hawaii  
10          Dental Association or component parts thereof, alumni  
11          meetings of dental colleges, or any other like dental  
12          organizations, while appearing as clinicians;
- 13          (4) The use of roentgen and other rays for making  
14          radiograms or similar records of dental or oral  
15          tissues;
- 16          (5) The making of artificial restorations, substitutes,  
17          appliances, or materials for the correction of  
18          disease, loss, deformity, malposition, dislocation,  
19          fracture, injury to the jaws, teeth, lips, gums,  
20          cheeks, palate, or associated tissues, or parts, upon  
21          orders, prescription, casts, models, or from



1 impressions furnished by a Hawaii licensed dentist;  
2 and  
3 (6) The ownership and management of a dental practice by  
4 the executor or administrator of a dentist's estate or  
5 the legal guardian or authorized representative of a  
6 dentist, where the licensed dentist has died or is  
7 incapacitated, for the purpose of winding down,  
8 transferring, or selling the practice, for a period  
9 not to exceed one year from the time of death or from  
10 the date the dentist is declared incapacitated;  
11 provided that all other aspects of the practice of  
12 dentistry are performed by one or more licensed  
13 dentists."

14 SECTION 2. This Act does not affect rights and duties that  
15 matured, penalties that were incurred, and proceedings that were  
16 begun, before its effective date.

17 SECTION 3. New statutory material is underscored.

18 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Dentistry; Teeth Whitening

**Description:**

Redefines the practice of dentistry to include teeth whitening.  
(SB51 HD1)

