

NEIL ABERCROMBIE
GOVERNOR



GOV. MSG. NO. 1144

EXECUTIVE CHAMBERS
HONOLULU

May 4, 2011

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

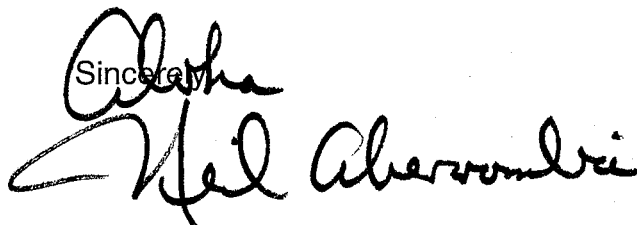
The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on May 4, 2011, the following bill was signed into law:

HB1053 HD1 SD1

RELATING TO NATIONAL DENTAL HYGIENE
EXAMINATIONS
ACT 044 (11)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO NATIONAL DENTAL HYGIENE EXAMINATIONS.

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

1 SECTION 1. Section 447-1, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~§447-1~~ **Who may become dental hygienists; fees.** (a) Any
4 person:

5 (1) Eighteen years of age or over;

6 (2) [~~Holding and having~~] Who has a diploma or proper
7 certificate of graduation from a dental hygiene school
8 accredited by the American Dental Association
9 [~~(A.D.A.)~~] Commission on Dental Accreditation
10 [~~requiring~~] that requires at least a two year
11 course [~~,~~] and is recognized by the board of dental
12 examiners; [~~and~~]

13 (3) [~~Having~~] Who has been officially certified in the
14 administration of intra-oral infiltration local
15 anesthesia and intra-oral block anesthesia by an
16 accredited dental hygiene school or by a certification
17 program previously approved by the board; and



1 (4) Who has passed the National Board Dental Hygiene
2 Examination;

3 upon written application made to and filed with the board may be
4 examined for qualification as a dental hygienist.

5 [The] An application [~~for examination~~] shall be accompanied
6 by the applicant's certificate of graduation from an accredited
7 dental hygiene school [~~together with~~], documentary proof of the
8 applicant's certification in the administration of intra-oral
9 infiltration local anesthesia and intra-oral block
10 anesthesia[-], and documentary proof of the applicant's passage
11 of the National Board Dental Hygiene Examination. At the time
12 of filing the application, the applicant shall pay to the board
13 an application [~~and examination fees,~~] fee, which [~~fees,~~]
14 together with all other fees or charges in this chapter, shall
15 be as provided in rules adopted by the director of commerce and
16 consumer affairs pursuant to chapter 91, and shall be deposited
17 to the credit of the compliance resolution fund established
18 pursuant to section 26-9(o).

19 (b) The board shall require an applicant to take and pass
20 the State's examination or one of the following four regional
21 clinical examinations given after February 1, 2005, by[+] the:

22 (1) [The] Western Regional Examining Board;



1 (2) [The] Central Regional Dental Testing Service, Inc.;

2 (3) [The] Southern Regional Testing Agency, Inc.; or

3 (4) [The] North East Regional Board of Dental

4 Examiners[-], Inc.

5 (c) [~~Once a national examination is available,~~] In

6 addition to the requirements of subsection (a), an applicant

7 shall take and pass [~~the~~] a national clinical examination[-]

8 once a national clinical examination becomes available and

9 neither the state examination nor any regional examination shall

10 be accepted; provided that an applicant who has taken and passed

11 the state or a regional examination after February 1, 2005, but

12 prior to the availability of a national examination shall be

13 deemed to have met the board's examination requirement.

14 (d) If [~~the~~] an applicant successfully passes the

15 examination[-] required by subsections (b) and (c), the

16 applicant shall be licensed to practice as a dental hygienist in

17 the State. Every licensed dental hygienist, before entering

18 practice, shall pay the board a license fee. On or before

19 December 31 of each odd-numbered year, every licensed dental

20 hygienist [~~desiring to begin or continue~~] beginning or

21 continuing to practice in the State shall pay to the board a fee

22 for [~~the~~] biennial licensure [~~thereof~~]. The failure, neglect,



1 or refusal of any duly licensed dental hygienist to pay the
2 biennial licensure fee shall constitute a forfeiture of the
3 license [~~but~~]; provided that the license may be restored upon
4 written application [~~therefor~~] and payment to the board of a
5 restoration fee.

6 (e) An applicant's or licensed dental hygienist's
7 competence to administer intra-oral infiltration local
8 anesthesia shall be demonstrated by certification in the
9 administration of intra-oral infiltration local anesthesia by an
10 accredited dental hygiene school or by a certification program
11 previously approved by the board. [~~In addition, an~~] An
12 applicant's or licensed dental hygienist's competence to
13 administer intra-oral block anesthesia shall be demonstrated by
14 proof of successful completion of a course of study in
15 accordance with standards provided for in this chapter[7] and
16 the issuance of a certificate or other program documentation
17 listing the intra-oral block anesthesia categories in which the
18 applicant or licensed dental hygienist has acquired knowledge
19 and proficiency.

20 The applicant or licensed dental hygienist shall [~~also~~]
21 submit documentation of [~~the~~] course content when submitting
22 [~~the certificate.~~] certification in the administration of intra-



1 oral infiltration local anesthesia and intra-oral block
2 anesthesia as required by subsection (a). The board shall
3 certify that the applicant or licensed dental hygienist has met
4 the requirements of this chapter [~~7~~ provided that the licensed
5 dental hygienist's administration of intra-oral block anesthesia
6 shall be under the direct supervision of a licensed dentist and
7 shall be for those categories of intra-oral block anesthesia
8 listed on the course of study certificate submitted to the
9 board].

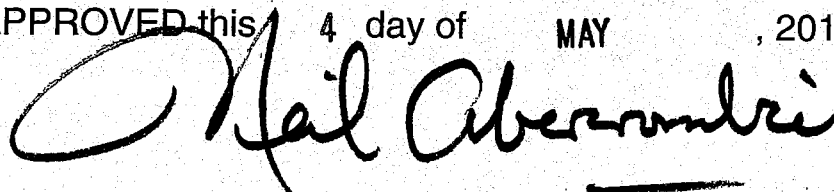
10 (f) No person shall practice dental hygiene, either
11 gratuitously or for pay, or shall offer or attempt so to
12 practice, or shall advertise or announce publicly or privately
13 as being prepared or qualified so to practice [~~7~~] without having
14 a license as provided in this section [~~provided, nor shall any~~].
15 A licensed dental hygienist shall practice [except] only under
16 the supervision of a licensed dentist as provided in this
17 chapter; provided[~~-~~] that a licensed dental hygienist shall
18 administer under the direct supervision of a licensed dentist
19 only those categories of intra-oral block anesthesia listed in
20 the course content submitted to the board pursuant to subsection
21 (a)."



1 SECTION 2. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 3. This Act shall take effect upon its approval.

APPROVED this 4 day of MAY, 2011



GOVERNOR OF THE STATE OF HAWAII

