

JAN 26 2011

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 a diploma or proper certificate of
7 graduation from a dental hygiene school accredited by
8 the American Dental Association [~~A.D.A.~~] Commission
9 on Dental Accreditation requiring at least a two year
10 course, recognized by the board of dental examiners;

11 [and]

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

17 (4) Having passed the National Board Dental Hygiene

18 Examination;

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

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

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

- 20 (1) [~~The~~] Western Regional Examining Board;
21 (2) [~~The~~] Central Regional Dental Testing Service, Inc. ;
22 (3) [~~The~~] Southern Regional Testing Agency, Inc. ; or

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

2 Examiners[-], Inc.

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

4 addition to the requirements in subsection (a), an applicant

5 shall take and pass [the] a national clinical examination[~~r~~]

6 once such a national clinical examination is available and

7 neither the state examination nor any regional examination shall

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

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

10 prior to the availability of a national examination shall be

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

12 (d) If the applicant successfully passes the examination,

13 the applicant shall be licensed to practice as a dental

14 hygienist in the State. Every licensed dental hygienist, before

15 entering practice, shall pay the board a license fee. On or

16 before December 31 of each odd-numbered year, every licensed

17 dental hygienist desiring to begin or continue to practice in

18 the State shall pay to the board a fee for the biennial

19 licensure thereof. The failure, neglect, or refusal of any duly

20 licensed dental hygienist to pay the biennial licensure fee

21 shall constitute a forfeiture of the license, but the license

1 may be restored upon written application therefor and payment to
2 the board of a restoration fee.

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

17 The applicant or licensed dental hygienist shall also
18 submit documentation of the course content when submitting the
19 certificate. The board shall certify that the applicant or
20 licensed dental hygienist has met the requirements of this
21 chapter; provided that the licensed dental hygienist's
22 administration of intra-oral block anesthesia shall be under the

1 direct supervision of a licensed dentist and shall be for those
2 categories of intra-oral block anesthesia listed on the course
3 of study certificate submitted to the board.


4 (f) No person shall practice dental hygiene, either
5 gratuitously or for pay, or shall offer or attempt so to
6 practice, or shall advertise or announce publicly or privately
7 as being prepared or qualified so to practice~~[7]~~ without having
8 a license as provided in this section [~~provided, nor shall any~~].
9 A licensed dental hygienist shall practice [~~except~~] only under
10 the supervision of a licensed dentist as provided in this
11 chapter [~~provided~~]."

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

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

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16

INTRODUCED BY: 

17

BY REQUEST

Report Title:

National dental hygiene examination

Description:

Amends the requirements of licensure for dental hygienists by specifying that the passage of the National Dental Hygiene Examination is a requirement for licensure.

JUSTIFICATION SHEET

DEPARTMENT: Commerce and Consumer Affairs

TITLE: RELATING TO NATIONAL DENTAL HYGIENE EXAMINATIONS.

PURPOSE: The bill amends the requirements of licensure for dental hygienists by specifying that the passage of the National Board Dental Hygiene Examination is a requirement for licensure. Technical non-substantive amendments are also proposed.

MEANS: Amend section 447-1, Hawaii Revised Statutes.

JUSTIFICATION: The National Board Dental Hygiene Examination is a didactic examination developed and administered by the American Dental Association Joint Commission on National Dental Examinations and is required for licensure by all states, except Hawaii. It is highly recommended that it be taken prior to graduation by most accredited dental hygiene schools.

Although specified as a requirement of licensure for dental hygienists in the administrative rules of the Board of Dental Examiners ("Board"), due to an oversight this provision was never enacted in the statute.

Therefore, this bill would enact in the statute what is required by all other states. The passing of both the didactic and clinical examinations are required for licensure.

Impact on the public: This bill protects the public and would remove any doubt that passage of the National Board Dental Hygiene Examination is required for licensure of dental hygienists in Hawaii.

Impact on the department and other agencies:
No impact foreseen for the department and other agencies.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: CCA-105.

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: Upon approval.