

JAN 20 2012

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# A BILL FOR AN ACT

RELATING TO DENTISTRY.

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

1           SECTION 1. Section 448-2, Hawaii Revised Statutes, is  
2 amended to read as follows:  
3           **"§448-2 Practice without license prohibited.** No person  
4 shall practice dentistry or dental surgery in the State, either  
5 gratuitously or for pay, or shall offer to so practice or shall  
6 advertise or announce oneself, either publicly or privately, as  
7 prepared or qualified to so practice, or append the letters  
8 "D.D.S.", "D.M.D.", "Dr.", "L.D.S.", or any other dental degree  
9 to the person's name with intent thereby to imply that the  
10 person is a practitioner of dentistry or a dental surgeon,  
11 without having a valid, unrevoked license from the board of  
12 dental examiners[~~-~~], except as otherwise provided in this  
13 chapter."

14           SECTION 2. Section 448-9, Hawaii Revised Statutes, is  
15 amended to read as follows:  
16           **"§448-9 Application for licensure.** Any person of  
17 [~~eighteen~~] twenty-one years or more shall be eligible for  
18 licensure upon submission of:



1 (1) An application to the executive officer of the board  
2 not later than forty-five days prior to the date of  
3 the scheduled examination;

4 (2) Application and examination fees; and

5 (3) Documentation and credentials that shall include but  
6 are not limited to the following:

7 (A) A diploma or certificate of graduation from a  
8 dental college accredited by the American Dental  
9 Association Commission on Dental Accreditation,  
10 recognized and approved by the board; and

11 (B) A certificate or other evidence satisfactory to  
12 the board of having passed parts I and II of the  
13 National Board Dental Examination."

14 SECTION 3. Section 448-9.4, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 **"§448-9.4 American Board of Dental Examiners (ADEX)**  
17 **examination; regional examinations.** An applicant shall take and  
18 pass the ADEX examination, [~~and neither the state examination~~  
19 ~~nor~~] or any regional or national examination [shall be  
20 accepted.] recognized by the American Dental Association;  
21 provided that no examination shall be required for a community



1 service license under section 448-9.6 or a temporary license  
2 under section 448-12."

3 SECTION 4. Section 448-9.6, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 **"§448-9.6 Community service license.** (a) The board of  
6 dental examiners may issue, without examination, a community  
7 service license to practice dentistry in the employment of the  
8 department of health, a federally qualified health center,  
9 Native Hawaiian health systems center, or post-secondary dental  
10 auxiliary training program accredited by the American Dental  
11 Association Commission on Dental Accreditation. Community  
12 service licensees under this section shall abide by the  
13 requirements and conditions placed upon those fully licensed  
14 under this chapter.

15 Eligible candidates shall:

16 (1) Provide copies of documentation and credentials that  
17 include but are not limited to[+

18 ~~(A)~~ A] a diploma or certificate of graduation from a  
19 dental college accredited by the American Dental  
20 Association Commission on Dental Accreditation,  
21 recognized and approved by the board; [and

22 ~~[-(B)- Either of the following:-~~



- 1                    ~~(i) A certificate or other evidence satisfactory~~  
2                    ~~to the board of having passed part II of the~~  
3                    ~~National Board Dental Examination within~~  
4                    ~~five years of the date of request; or~~  
5                    ~~(ii) Evidence of active practice of clinical~~  
6                    ~~dentistry of not less than one thousand~~  
7                    ~~hours per year for the three years~~  
8                    ~~immediately prior to the date of request;]~~  
9                    (2) Provide a copy of an active, unrestricted dental  
10                    practice license from another state[+] and evidence of  
11                    no actions against the licensee from another state  
12                    during the previous ten-year period;  
13                    (3) Disclose to the board of dental examiners all previous  
14                    and pending legal or regulatory action relating to  
15                    claims of malpractice, or personal or professional  
16                    misconduct; and  
17                    (4) Pay applicable registration fees, which shall be one  
18                    half of the prevailing biennial registration fee for  
19                    dentistry.

20 No person who after July 2, 2004, has failed to pass the license  
21 examination administered under this chapter shall have the  
22 benefit of a community service dental license.



1       ~~[(b) Community service licensees shall actively~~  
2 ~~participate in a formal and ongoing program of clinical quality~~  
3 ~~assurance.~~

4       ~~(e)]~~ (b) A license may be renewed biennially, pending  
5 review and reauthorization of the board of dental examiners.

6       ~~[(d)]~~ (c) A community service license authorizes the  
7 licensee to practice dentistry only within the employment of an  
8 eligible organization and shall be in force until the earliest  
9 of the following occurs:

10       (1) The date the person leaves the employment authorized  
11       under the community service license;

12       (2) The date on which the results of the license  
13       examination taken by the person under this chapter are  
14       posted by the board;

15       (3) The date the community service license expires; or

16       (4) The date on which the board revokes the community  
17       service license; provided that the board may revoke  
18       the community service license at any time for cause.

19       ~~[(e)]~~ (d) Commissioned officers of the United States Army,  
20 the United States Navy, the United States Air Force, the United  
21 States Public Health Service, or the United States Veterans  
22 Administration ~~[practicing]~~, and licensed dentists employed in



1 the department of health, a federally qualified health center,  
2 or Native Hawaiian health systems center shall qualify for a  
3 community service license to practice dentistry, which may be  
4 issued for the term of the officer's federal duty assignment[-],  
5 or employment in the department of health, federally qualified  
6 health center, or Native Hawaiian health systems center.

7 Officers shall provide to the board of dental examiners:

- 8 (1) A copy of an active, unrestricted dental practice  
9 license from another state; and
- 10 (2) A copy of documentation reflecting official duty  
11 assignment to or employment in a qualifying community  
12 service dental license site."

13 SECTION 5. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15 SECTION 6. This Act shall take effect upon its approval.

16

INTRODUCED BY: *Randy H. Sch*



# S.B. NO. 2441

**Report Title:**

Dentistry; Community Service License

**Description:**

Amends and clarifies eligibility requirements for a community service license to practice dentistry.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

