

**HB 1141, HD1 is important for the practice of dentistry and business in Hawai'i**

teruyal004@hawaii.rr.com [teruyal004@hawaii.rr.com]

Sent: Friday, February 25, 2011 10:00 AM

To: JUDtestimony

**LATE TESTIMONY**

Luke Teruya  
4211 Waialae Ave. #405  
Honolulu, HI 96816-5317

February 25, 2011

HI House Judiciary Committee

Dear HI House Judiciary Committee:

I feel that House Bill 1141, HD1 determines how I'm able to practice Dentistry in Hawai'i

The House Committee on Judiciary  
Friday February 25, 2011; 2:00 p.m.; Conference Room 325

Testimony in support of HB 1141, HD1 (HSCR232)  
RELATING TO THE UNIFORM INFORMATION PRACTICES ACT.  
Clarifies circumstances under which complaints submitted to agencies shall be made available to the public. Effective date July 1, 2050. (HB1141 HD1)

Rep. Gilbert S.C. Keith-Agaran, Chair; Rep. Karl Rhoads, Vice Chair;  
honorable members of the House Committee on Judiciary,

It would be greatly appreciated if you could facilitate the passage of HB1141, HD1. At present there is no substantive review or vetting of a frivolous or malicious complaints before its posting. It appears that the DCCA posts all complaints on their web site without any substantiation of the complaint's validity.

My concerns as a licensed, practicing dentist are as follows:

1. Hawaii is the only state in the country that posts completely unsubstantiated claims on a public web site. Only 2 states post unresolved complaints, but they actually have stringent safeguards to protect the integrity of the system against frivolous complaints before posting. Hawaii is essentially the only state that discloses complaints against its licensed professionals which have not been adjudicated.

2. The public can check on any licensee by contacting the DCCA. They will be given the current information regarding the number of complaints and status of the complaints. All complaint information for all State and County licensees are available under Hawaii's Freedom of Information act. This provides more accurate and useful information than is currently available on a web site which is a blanket listing of frivolous and non-legitimate complaints.

3. There is apparently a lack of parity within the DCCA as it appears that complaints against all licensees are not disclosed or investigated on an equal basis. Only the licensees under the Professional and Vocational Licensing Division and the Regulated Industries Complaint Office are posted on the DCCA web site. Licensees under the Insurance Division, the Business Registration Division and the Bank Examination Division are, in contrast, not subject to disclosure on the DCCA web site.

4. The DCCA web site is not updated in a timely manner and there are numerous instances where alleged citations remain on the web site in excess of the five year period. What is particularly onerous is that complaints resolved in favor of the licensee are still posted against the licensee for the 5 year period. This contrasts with what the DCCA has reported to the Legislature and to DCCA licensees.

5. In addition to the unfair and discriminatory actions by the DCCA, the State Judiciary's regulation and handling of complaints against licensed attorneys continues to be in apparent violation of current law. It appears that the Attorney General's staff is not even subject to the same law that the DCCA is applying inequitably to the PVL licensees. With regards to the lawyers employed by RICO, this inequity makes any posting by the DCCA appear as following a double standard.

I humbly ask for your consideration in allowing the passage of HB 1141, HD1. I believe that fair enforcement and reporting of license irregularities serves to enhance the business climate in Hawaii.

Mahalo for your support.

With aloha,

Luke Teruya  
8087351733

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**HB 1141, HD1 is important for the practice of dentistry and business in Hawai'i**

yeedaman@hawaii.rr.com [yeedaman@hawaii.rr.com]

Sent: Friday, February 25, 2011 9:30 AM

To: JUDtestimony

LATE TESTIMONY

Randall Yee  
1063 Lower Main St., Suite C-224  
Wailuku, HI 96793-2096

February 25, 2011

HI House Judiciary Committee

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Mahalo for your support.

With aloha,

Randall Yee  
808-242-6857

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## **HB 1141, HD1 is important for the practice of dentistry and business in Hawai'i**

weschoy@hawaiiintel.net [weschoy@hawaiiintel.net]

Sent: Friday, February 25, 2011 2:20 PM

To: JUDtestimony

# LATE TESTIMONY

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WESLEY CHOY  
1744 Liliha St. Suite 101  
Honolulu, HI 96817-3115

February 25, 2011

HI House Judiciary Committee

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Mahalo for your support.

With aloha,

WESLEY CHOY  
808-538-3303

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [w4073YCQ]