
A BILL FOR AN ACT

RELATING TO DENTAL HEALTH.

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

1 SECTION 1. The legislature finds that most states are not
2 doing enough to prevent tooth decay, thereby unnecessarily
3 driving up health care costs for families and taxpayers. A new
4 report by the Pew Center entitled, *Falling Short: Most States*
5 *Lag on Dental Sealants*, grades all fifty states on their efforts
6 to prevent decay by improving access for low-income children to
7 sealants, that is, clear plastic coatings applied to the chewing
8 surfaces of molars. In the report, states were graded based on
9 four indicators: having sealant programs in high-need schools;
10 allowing hygienists to place sealants in school-based programs
11 without requiring a dentist's exam; collecting data regularly
12 about the dental health of schoolchildren and submitting it to
13 the national oral health surveillance system; and meeting a
14 national objective on sealants set by the federal government's
15 Healthy People 2010 goals.

16 Hawaii was one of only five states to receive a grade of
17 "F", with a total of one out of eleven possible points. An "F"
18 grade indicates a state is lagging far behind in prevention



1 efforts and could be doing more to reduce pain and costs
2 associated with dental problems. Research shows that providing
3 dental sealants through school-based programs is a cost-
4 effective way to reach low-income children, who are at greater
5 risk of decay.

6 The legislature further finds that school-based dental
7 sealant programs provide sealants to children least likely to
8 receive them otherwise. Studies have shown that tooth decay of
9 molars dropped an average of sixty per cent up to five years
10 after sealant application in a school program. Sealants also
11 prevent decay at one-third the expense of filling a cavity.

12 States wishing to establish a school-based sealant program
13 must also explore potential funding avenues. Some states with
14 school-based dental sealant programs, such as Ohio, receive
15 funding through the federal Maternal and Child Health Block
16 Grant. Other funding possibilities may also be available,
17 including program-generated revenue through collections from
18 medicaid. The legislature notes that medicaid currently covers
19 sealants for eligible recipients in Hawaii.

20 The legislature additionally finds that the Pew report
21 noted Hawaii was one of eight states with the most restrictions
22 on dental hygienists, the primary practitioners who apply



1 sealants in school-based programs. Removing unnecessary
2 restrictions on dental hygienists will eliminate expensive and
3 unnecessary barriers to serving children in school-based sealant
4 programs.

5 The legislature therefore finds that the State must take
6 proactive steps to make prevention of tooth decay amongst
7 Hawaii's children a top priority.

8 Accordingly, the purpose of this Act is to:

- 9 (1) Permit dental hygienists to apply preventative
10 sealants in a school-based dental sealant program
11 established pursuant to this Act;
- 12 (2) Require the department of health to establish and
13 administer a school-based dental sealant program in a
14 high-need demonstration school; provided the program
15 shall require a dentist to be available for
16 consultation;
- 17 (3) Require the department of health to report to the
18 legislature about the department's efforts to
19 prioritize prevention of tooth decay amongst the
20 State's children; and
- 21 (4) Appropriate funds to establish and administer a
22 school-based dental sealant program in a high-need



1 demonstration school, including plans to implement the
2 program on a statewide level.

3 SECTION 2. Section 447-3, Hawaii Revised Statutes, is
4 amended by amending subsection (b) to read as follows:

5 "(b) Clinical dental hygiene may be practiced by a
6 licensed dental hygienist. The practice of clinical dental
7 hygiene is defined as the removal of hard and soft deposits and
8 stains from the portion of the crown and root surfaces to the
9 depth of the gingival sulcus, polishing natural and restored
10 surfaces of teeth, the application of preventive chemical agents
11 to the coronal surfaces of teeth, which chemical agents have
12 been approved by the board of dental examiners, and the use of
13 mouth washes approved by the board, but shall not include the
14 performing of any repair work or the preparation thereof, or any
15 other operation on the teeth or tissues of the mouth; provided
16 that nothing in this subsection shall prohibit a dental
17 hygienist from using or applying topically any chemical agent
18 which has been approved in writing by the department of health
19 for any of the purposes set forth in part V of chapter 321, and
20 other procedures delegated by a dentist in accordance with the
21 rules of the board of dental examiners[-]; provided further that
22 nothing in this subsection shall prohibit a dental hygienist



1 from applying preventative sealants in a school-based dental
2 sealant program established pursuant to Act _____, Session Laws
3 of Hawaii 2013.

4 In addition, a licensed dental hygienist may administer
5 intra-oral infiltration local anesthesia and intra-oral block
6 anesthesia under the direct supervision of a dentist after being
7 certified by the board, and for those categories of intra-oral
8 infiltration local anesthesia and intra-oral block anesthesia
9 for which the licensed dental hygienist has been certified
10 through a course of study meeting the requirements of this
11 chapter."

12 SECTION 3. (a) The department of health shall establish
13 and administer a school-based dental sealant program in a high-
14 need demonstration school, to provide sealants to high-risk
15 students with susceptible permanent molar teeth; provided that
16 the program shall require a dentist to be available for
17 consultation.

18 (b) The department of health shall consult with the
19 department of education; department of human services, med-quest
20 division; federally qualified health centers; community health
21 centers; and members of the oral health community in
22 establishing and administering the program. A needs assessment



1 shall be conducted to determine what area of the State would
2 best serve as the location of the demonstration school. The
3 needs assessment may include considerations related to
4 geographic area; target population, including income level and
5 school grade; and the number of students eligible for the
6 program.

7 (c) The department of health shall determine a plan to
8 establish a statewide school-based dental sealant program,
9 including exploring federal funding possibilities for the
10 program and submitting an application for any federal funds that
11 may be available.

12 (d) The department of health shall submit a report to the
13 legislature no later than twenty days prior to the convening of
14 the regular session of 2015. The report shall detail the
15 department's efforts to prioritize prevention of tooth decay
16 among children in the State, including:

- 17 (1) Progress in implementing the school-based dental
18 sealant program at the demonstration school;
- 19 (2) Strategies and goals associated with implementing a
20 statewide school-based dental sealant program;
- 21 (3) Steps taken to secure funding and sustainability of
22 the statewide school-based dental sealant program;



1 (4) The department's plan to meet the United States
2 Department of Health and Human Services' Healthy
3 People 2010 oral health objective 21-8, which calls
4 for fifty per cent of the State's eight-year-old and
5 fourteen-year-old children to have sealants on their
6 permanent molar teeth; and

7 (5) Any recommendations, including proposed legislation,
8 needed to implement the statewide school-based dental
9 sealant program.

10 SECTION 4. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$100,000 or so much
12 thereof as may be necessary for fiscal year 2013-2014 and the
13 same sum or so much thereof as may be necessary for fiscal year
14 2014-2015 for the department of health to establish and
15 administer a school-based dental sealant program in a high-need
16 demonstration school, including plans to implement the program
17 on a statewide level.

18 The sums appropriated shall be expended by the department
19 of health for the purposes of this Act.

20 SECTION 5. In printing this Act, the revisor of statutes
21 shall insert in section 2 of this Act the corresponding Act
22 number of this Act.



1 SECTION 6. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 7. This Act shall take effect on July 1, 2013.



Report Title:

Dental Hygienists; School-Based Dental Sealant Program;
Appropriation

Description:

Allows the application of dental sealants in any school-based dental sealant program; provided a dentist is available for consultation. Establishes a school-based dental sealant program in a high-need demonstration school. Appropriates funds. Effective July 1, 2013. (HB658 HD1)

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