



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

House Committee on Health
H.B. 2459, Relating to Dentistry
Testimony of Gary L. Gill
Acting Director of Health
January 31, 2014
WRITTEN TESTIMONY ONLY

1 **Department's Position:** The Department of Health supports this measure as it will serve to ensure that
2 dentists practicing in our State, at a minimum, are appropriately educated and trained to safely and
3 effectively administer general anesthesia and sedation to patients.

4 **Fiscal Implications:** None

5 **Purpose and Justification:**

6 Pain and behavioral management of patients through the administration of local anesthesia, sedation and
7 general anesthesia is an intergral part of treating patients that have inherent risks that varies greatly from
8 individual to individual. This measure shall ensure there are clear guidelines established and issued by
9 the State Dental Board for compliance by dentists that prescribe or administer general anesthesia or
10 sedation. These guidelines will assist dentists in the delivery of safe and effective anesthesia and
11 sedation.

12 The Department recommends that the guidelines are based upon the American Dental Association's
13 guidelines for the use of sedation and general anesthesia by dentists, and the American Academy of
14 Pediatric Dentists guidelines for monitoring and management of pediatric patients during and after
15 sedation for diagnostic and therapeutic procedures. Approval of this measure will help ensure dentists

1 that are prescribing or administering sedation and general anesthesia are in compliance with the national
2 standards of care. This will further protect the health and safety of dental patients in our State.
3 The Department supports this measure. Thank you for the opportunity to provide testimony on this
4 measure.

**PRESENTATION OF THE
BOARD OF DENTAL EXAMINERS**

LATE

TO THE HOUSE COMMITTEE ON HEALTH

TWENTY-SEVENTH LEGISLATURE
Regular Session of 2014

Friday, January 31, 2014
8:30 a.m.

TESTIMONY ON HOUSE BILL NO. 2459, RELATING TO DENTISTRY.

TO THE HONORABLE DELLA AU BELATTI, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Mark Chun, D.M.D., Dental member of the Board of Dental Examiners ("Board"). The Board appreciates the opportunity to testify and offer comments on House Bill No. 2459, Relating to Dentistry.

The purpose of House Bill No. 2459 is to require any dentist who prescribes or administers general anesthesia, intravenous-conscious sedation, or conscious sedation in providing dental services to obtain a written authorization issued by the Board. The bill also requires site certification for locations where specified anesthesia is prescribed or administered.

The Board supports the intent of the bill but believes its new administrative rules and other statutory requirements address the provisions in this bill. First of all, dentists who prescribe controlled substances are required to register with the Federal Drug Enforcement Agency and The Office of Narcotics Enforcement of The State Department of Public Safety. Therefore, it would not be necessary to include prescribing sedation by requiring written authorization from the Board. Second, the Board has enacted new provisions in its administrative rules requiring written authorization from the Board if a

dentist will be administering moderate sedation, intravenous-conscious sedation, deep anesthesia and general anesthesia. The new administrative rules specify that administration of nitrous oxide or a single oral sedative medication administered in an appropriate dose to reduce anxiety would not require a written authorization, as the Board believes the education and training received in an ADA accredited dental school would be appropriate training. In addition, the new administrative rules have provisions for facilities and staff requirements that would need to comply with the current ADA guidelines for the Use of Sedation and General Anesthesia by Dentists and the current American Association of Oral and Maxillofacial Surgery Office Anesthesia Evaluation Manual.

Therefore, the Board believes that its new administrative rules and other statutory requirements address the provisions in House Bill No. 2459.

Thank you for the opportunity to testify on House Bill No. 2459, and I will be available for questions.

Hawaii State Legislature
State House of Representatives
Committee on Health

Representative Della Au Belatti, Chair
Representative Dee Morikawa, Vice Chair
Committee on Health

Friday, January 31, 2014, 8:30 a.m. Room 329
House Bill 2459 Relating to Dentistry

Honorable Chair Della Au Belatti, Vice Chair Dee Morikawa and
members of the House Committee on Health,

My name is Russel Yamashita and I am the legislative representative for the Hawaii Dental Association and its 960 member dentists. I appreciate the opportunity to testify in opposition to of House Bill 2459 Relating to Dentistry. The HDA believes that in light of the new rules adopted by the Board of Dental Examiners that in part covered the issues relating to sedation and anesthesia which bill attempts to address, the need for this legislation is rendered moot and redundant under the current circumstances.

As reported in the media within the last few days, Governor Neal Abercrombie approved the new dental practice rules two weeks ago, which became effective this past Monday, January 27, 2014. The Board of Dental Examiners worked on an extensive overhaul of the dental practice rules for the last several years and these rules included amendments which this bill seeks to address.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 30, 2014 9:07 AM
To: HLTtestimony
Cc: teresa.parsons@hawaii.edu
Subject: Submitted testimony for HB2459 on Jan 31, 2014 08:30AM



HB2459

Submitted on: 1/30/2014

Testimony for HLT on Jan 31, 2014 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Teresa Parsons	Individual	Support	Yes

Comments: Representatives, Mahalo for the opportunity to provide testimony in support of HB 2459 with recommendation for an AMENDMENT. When a healthcare provider is focusing on a procedure, their attention should be 100% on the accurate completion of the procedure. In hospitals, clinics, and ambulatory centers where moderate sedation procedures are completed, strict regulations are enforced to ensure the safety and monitoring of the patient which includes another person skilled in assessment of patient status and identification of life threatening events. As a Nurse and Nurse Practitioner with over 30 years of experience, I recognize the critical need for another skilled professional in the room when a patient undergoes moderate sedation procedures. Regrettably, in the dentist office setting, such requirements are not present. While there are Dental Assistants and possibly Dental Hygienists, their training does not include patient assessment and certification in moderate sedation procedures. In reviewing the websites for Hawai'i based training for dental assistants and hygienists, there is no mention of any type of training for moderate sedation, only a requirement for CPR certification. The University of Hawai'i School of Dental Hygiene website lists one course (<http://www.nursing.hawaii.edu/curriculum-in-dental-hygiene.html>), titled Pain Control and Local Anesthesia in Dentistry. It does not address moderate sedation. The Hawai'i School of Dental Arts (<http://www.hawaii schooldentalarts.com/index.html>) requires only CPR training and does not address moderate sedation training. It also notes dental assistants may be employed with only "on-the-job" training. Dental assistants who wish to attain national certification must attend training, but the person standing next to the dentist in scrub s may have little to no training. I urge the Committee to consider an amendment to this bill to require another person (dentist or NURSE) to be present when patients undergo moderate sedation procedures in the dental setting. The purpose of the second person is to monitor the patient's status to ensure a safe experience. NURSES are skilled in patient assessment, identification of life threatening events, and can execute actions to ensure patient safety. I applaud the Legislature for taking this action to require certification of dental offices where moderate sedation procedures are conducted, but I also urge you to require the same safety measures for administration of moderate sedation procedures as is required for medical practices. I appreciate the opportunity to submit testimony on this important measure.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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morikawa2-Joanna

From: teruyadt@att.net
Sent: Wednesday, January 29, 2014 11:16 AM
To: HLTtestimony
Cc: Darrell; teruyadt@gmail.com
Subject: House Health Committee Hearing Testimony Friday 01-31-14 6:30 HB2456-60

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The Hawai'i House of Representatives COMMITTEE on HEALTH

Friday, January 31, 2014 Room 329

Testimony in **support** of HB 2456

Testimony in **opposition** to HB 2457; HB 2458; **HB 2459**; and HB 2460

Representative Della Au Bellati, Chair; Representative Dee Morikawa Vice-Chair; honored members of the House Committee on Health,

Thank you for the opportunity to testify on these issues affecting the dental health of the people of Hawai'i . I'm a general dentist with 30 years of practice in the State of Hawai'i and as a previous officer of the Hawai'i Dental Association, I've provided testimony on a variety of issues.

I support HB 2456 which requires an introductory dental examination prior to entry in a primary or secondary school in Hawai'i. The keiki of Hawai'i would be well served by placement in a "Dental Home" setting. As a longtime dentist I can recall the State DOH Certificate of Dental Health that we used to hand out on completion of treatment.

I oppose HB 2457 which requires the DOH to enter into agreements to administer sealants to high school students. There are protocols in place where such programs can be administered on an ad hoc or proscribed basis. Since the Dental Department of the DOH has only recently been reestablished, it would be prudent to see what priorities and program implementation will be forthcoming before proceeding on any mandated path.

I oppose HB 2458 which would change the membership and structure of the Hawai'i Board of Dental Examiners. Governor Abercrombie has only recently signed the revised Rules for the Practice of Dentistry in Hawai'i. This comes only after an 8 year comprehensive review and revision by this Dental Board. Change of the makeup of the Board would unduly compromise the ability of the Board to carry out its duties.

I oppose HB 2459 which requires a dentist to obtain written permission from the Board of Dental Examiners in prescribing or administering general anesthesia or conscious/ unconscious sedation. While well intentioned, there have been recent changes to the Hawai'i Dental Rules which essentially obviates this measure. I earnestly hope that we give these Rules changes a chance.

I oppose HB 2460 which would set up a secondary licensing structure for Dental Specialists. There have been a number of times in recent years where the integrity of dental licensure in Hawai'i has been challenged. This measure could have the unintended consequence of having differing means and standards of licensure between categories of dentists. That being said, I would be amenable to recognition of Board Certified Specialties as recognized by the ADA. This approach is also congruent with the advertising strictures in the Hawai'i Revised Statutes regarding dental advertising. This, however, should be addressed separately.

Again, mahalo for this opportunity to submit testimony on these measures.

Darrell Teruya, DDS

Past President (2008) Hawai'i Dental Association

**TESTIMONY OF L. RICHARD FRIED, JR.
IN SUPPORT OF H.B. NO. 2459**

LATE

Date: Friday, January 31, 2014
Time: 8:30 am

To: Chairman Della Au Belatti, and Members of the House Committee on Health:

My name is L. Richard Fried, Jr. and I am submitting testimony in support of H.B. No. 2459 relating to Dentistry. I am an attorney who has represented plaintiffs in personal injury cases for over 40 years.

Since the introduction H.B. No. 2459, the State of Hawai'i Board of Dental Examiners has amended Chapter 16-79 of the Hawai'i Administrative Rules which also regulates the dental profession. The current Bill being considered by the Legislature, and the new regulations enacted by the State of Hawai'i Board of Dental Examiners, should complement each other and help to protect members of the public.

Thank you very much for allowing me to testify in Support of this measure. Please feel free to contact me should you have any questions or desire additional information.