
A BILL FOR AN ACT

RELATING TO THE BOARD OF DENTISTRY AND DENTAL HYGIENE.

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

1 SECTION 1. The legislature finds that the name "board of
2 dental examiners" is no longer an accurate description of the
3 board's scope and function. The legislature finds that the name
4 "board of dentistry and dental hygiene" is more appropriate
5 since the board regulates dentists and dental hygienists within
6 the State. Furthermore, the board no longer exists merely for
7 purposes related to conducting licensing exams. The board now
8 has additional responsibilities to regulate its members and the
9 profession.

10 The legislature further finds that there are currently
11 twelve members on the board. Eight of these members are
12 practicing dentists, while only two members are dental
13 hygienists. As of November 18, 2013, there were 1,526 dentists
14 and 1,040 dental hygienists licensed by the State. According to
15 these numbers, one dentist board member represents one hundred
16 ninety licensed dentists, while one dental hygienist board
17 member represents five hundred twenty licensed dental
18 hygienists.



1 Like the eight dentist members on the board, the two dental
2 hygienist members are practicing professionals and must arrange
3 for time off, often as unpaid leave, to fulfill their increasing
4 duties. It is challenging for the two dental hygienist members
5 to carry out their growing responsibilities, which includes
6 providing dental hygienist expertise and perspective, as
7 compared to the eight dentists sharing board member tasks.

8 The legislature finds that dental hygiene is one of the few
9 health professions that is generally controlled by another
10 profession. Due to the significantly higher representation of
11 dentists on the board, the dental hygienists' contributions and
12 guidance are often not reflected in the board's actions. A 1993
13 state auditor's report noted concern with the board's failure to
14 implement its earlier recommendation to create a "better
15 balanced board since the interests of dental hygienist [members]
16 may conflict with and be outweighed by those of the dentist
17 [members]."

18 The purpose of this Act is to update the name of the board
19 of dental examiners to the board of dentistry and dental
20 hygiene, which more accurately reflects the board's scope, and
21 provide dental hygienists with greater representation on the



1 board so that board representation is more proportional to the
2 number of licensed dentists and dental hygienists in Hawaii.

3 SECTION 2. Chapter 448, Hawaii Revised Statutes, is
4 amended by amending its title to read as follows:

5 **"DENTISTRY AND DENTAL HYGIENE"**

6 SECTION 3. Section 448-5, Hawaii Revised Statutes, is
7 amended to read as follows:

8 **"§448-5 Board of [~~examiners,~~] dentistry and dental**
9 **hygiene; appointment.** The board of [~~dental-examiners]~~ dentistry
10 and dental hygiene shall consist of twelve members, eight of
11 whom shall be practicing dentists who have been engaged in the
12 practice of dentistry for a period of five years preceding their
13 several appointments, two of whom shall be practicing dental
14 hygienists, duly licensed under section 447-1, who have been
15 engaged in the practice of dental hygiene in the State for a
16 period of five years preceding appointment, and two of whom
17 shall be public members. No member shall be in any way
18 connected with, or interested financially in, any dental supply
19 company. One member in the practice of dentistry shall be
20 appointed from each of the counties of Hawaii, Maui, and Kauai
21 and five members in the practice of dentistry shall be appointed
22 from the city and county of Honolulu. As used in this chapter,



1 "board" means the board of [~~dental-examiners.~~] dentistry and
2 dental hygiene."

3 SECTION 4. Section 448-5, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§448-5 Board of [~~examiners,~~] dentistry and dental**
6 **hygiene; appointment.** The board of [~~dental-examiners~~] dentistry
7 and dental hygiene shall consist of [~~twelve~~] eleven members,
8 [~~eight~~] five of whom shall be practicing dentists who have been
9 engaged in the practice of dentistry in the State for a period
10 of five years preceding their several appointments, [~~two~~] four
11 of whom shall be practicing dental hygienists, duly licensed
12 under section 447-1, who have been engaged in the practice of
13 dental hygiene in the State for a period of five years preceding
14 appointment, and two of whom shall be public members. A minimum
15 of one member who is a practicing dentist shall have a
16 background in public health dentistry. No member shall be in
17 any way connected with, or interested financially in, any dental
18 supply company[~~-~~] or dental examination company; provided that a
19 member may be an examiner of a regional testing agency. One
20 member in the practice of dentistry shall be appointed from each
21 of the counties of Hawaii, Maui, and Kauai and [~~five~~] two
22 members in the practice of dentistry shall be appointed from the



1 city and county of Honolulu. As used in this chapter, "board"
2 means the board of [~~dental examiners.~~] dentistry and dental
3 hygiene."

4 SECTION 5. Sections 26-9, 423-1, 447-1(a), 447-1.5, 447-2,
5 447-3, 447-3.5, 447-4, 447-6, 447-7, 448-1.5, 448-2, 448-3,
6 448-7, 448-9.6, 448-11, 448-12, 448-13, 448-16, 448-22, 448-23,
7 and 451D-2, Hawaii Revised Statutes, are amended by substituting
8 the words "board of dentistry and dental hygiene", or similar
9 term, wherever the words "board of dental examiners", or similar
10 term, appears, as the context requires.

11 SECTION 6. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 7. This Act shall take effect on July 1, 2014;
14 provided that:

15 (1) Section 3 of this Act which amends section 448-5,
16 Hawaii Revised Statutes, shall be repealed on June 30,
17 2015;

18 (2) Section 4 of this Act which amends section 448-5,
19 Hawaii Revised Statutes, shall take effect on July 1,
20 2015; and



1 (3) If any vacancies on the board of dentistry and dental
2 hygiene for practicing dentist members occur before
3 July 1, 2015, the vacancies shall be filled only as
4 necessary to fill up to five practicing dentist seats
5 on the board.



Report Title:

Board of Dentistry and Dental Hygiene; Dentistry; Membership

Description:

Renames the "Board of Dental Examiners" to the "Board of Dentistry and Dental Hygiene". Effective July 1, 2015, changes the Board composition. Requires at least one of the practicing dentist members to be a practicing dentist with a background in public health dentistry. Prohibits members from being in any way connected with or having financial interest in specified areas. Effective July 1, 2014. (HB2458 HD1)

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