

JAN 17 2014

S.B. NO. 2501

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



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

3 **"§448-5 Board of ~~[examiners,]~~ dentistry and dental**  
4 **hygiene; appointment.** The board of [~~dental-examiners]~~ dentistry  
5 and dental hygiene shall consist of [~~twelve]~~ eleven members,  
6 [~~eight]~~ five of whom shall be practicing dentists who have been  
7 engaged in the practice of dentistry for a period of five years  
8 preceding their several appointments, [~~two]~~ four of whom shall  
9 be practicing dental hygienists, duly licensed under section  
10 447-1, who have been engaged in the practice of dental hygiene  
11 in the State for a period of five years preceding appointment,  
12 and two of whom shall be public members. A minimum of one  
13 member who is a practicing dentist shall have a background in  
14 public health dentistry or a license in community service  
15 dentistry. No member shall be in any way connected with, or  
16 interested financially in, any dental supply company[~~-~~] or  
17 dental examination company. One member in the practice of  
18 dentistry shall be appointed from each of the counties of  
19 Hawaii, Maui, and Kauai and [~~five]~~ two members in the practice  
20 of dentistry shall be appointed from the city and county of  
21 Honolulu. As used in this chapter, "board" means the board of  
22 [~~dental-examiners-~~] dentistry and dental hygiene."



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

8 SECTION 5. Statutory material to be repealed is bracketed  
 9 and stricken. New statutory material is underscored.

10 SECTION 6. This Act shall take effect on July 1, 2014;  
 11 provided that:

12 (1) Section 3 of this Act shall take effect on July 1,  
 13 2015; and

14 (2) If any vacancies for practicing dentist members occur  
 15 before July 1, 2015, the vacancies shall be filled  
 16 only as necessary to fill up to five practicing  
 17 dentist seats on the board.

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INTRODUCED BY:

*[Handwritten signatures]*  
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# S.B. NO. 2501

**Report Title:**

Board of Dentistry and Dental Hygiene; Dentistry; Membership

**Description:**

Changes the name of the board of dental examiners to "board of dentistry and dental hygiene". Decreases the number of members on the board from twelve to eleven members. Requires four members to be licensed, practicing dental hygienists. Requires at least one of the practicing dentist members to be a practicing dentist with a background in public health dentistry or a license in community service dentistry. Prohibits members from being in any way connected with or having financial interest in any dental examination company.

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

