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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 one thousand forty dental hygienists licensed by the State.  
15 According to these numbers, one dentist board member represents  
16 one hundred ninety licensed dentists, while one dental hygienist  
17 board 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 hygienists may  
16 conflict with and be outweighed by those of dentists."

17 The purpose of this Act is to update the name of the board  
18 of dental examiners to the board of dentistry and dental  
19 hygiene, which more accurately reflects the board's scope, and  
20 beginning on July 1, 2015, provide dental hygienists with  
21 greater representation on the board.



1 SECTION 2. 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 members, eight of  
6 whom shall be practicing dentists who have been engaged in the  
7 practice of dentistry for a period of five years preceding their  
8 several appointments, two of whom shall be practicing dental  
9 hygienists, duly licensed under section 447-1, who have been  
10 engaged in the practice of dental hygiene in the State for a  
11 period of five years preceding appointment, and two of whom  
12 shall be public members. No member shall be in any way  
13 connected with, or interested financially in, any dental supply  
14 company. One member in the practice of dentistry shall be  
15 appointed from each of the counties of Hawaii, Maui, and Kauai  
16 and five members in the practice of dentistry shall be appointed  
17 from the city and county of Honolulu. As used in this chapter,  
18 "board" means the board of [~~dental examiners,~~] dentistry and  
19 dental hygiene."

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



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

20           SECTION 4. Sections 26-9, 423-1, 447-1(a), 447-1.5, 447-2,  
21 447-3, 447-3.5, 447-4, 447-6, 447-7, 448-1.5, 448-2, 448-3,  
22 448-7, 448-9.6, 448-11, 448-12, 448-13, 448-16, 448-22, 448-23,



1 and 451D-2, Hawaii Revised Statutes, are amended by substituting  
2 the words "board of dentistry and dental hygiene", or similar  
3 term, wherever the words "board of dental examiners", or similar  
4 term, appears, as the context requires.

5 SECTION 5. The board of dentistry and dental hygiene shall  
6 develop a conflict of interest policy regarding board member  
7 participation with dental examination companies that may provide  
8 examinations for Hawaii dentists. The board shall report to the  
9 legislature on the status of this policy no later than twenty  
10 days prior to the convening of the regular session of 2015.

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 section 3 of this Act shall take effect on July 1,  
15 2015.



**Report Title:**

Board of Dentistry and Dental Hygiene; Dentistry

**Description:**

Changes the name of the Board of Dental Examiners to the Board of Dentistry and Dental Hygiene (Board). Changes the Board composition, increasing dental hygienist representation. Requires the Board to develop conflict of interest policies for Board member participation with dental examination companies and to submit a report to the Legislature prior to the 2015 Regular Session on the status of the policy. (SB2501 HD1)

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

