
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 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 or a license in community service
13 dentistry. No member shall be in any way connected with, or
14 interested financially in, any dental supply company. One
15 member in the practice of dentistry shall be appointed from each
16 of the counties of Hawaii, Maui, and Kauai and five members in
17 the practice of dentistry shall be appointed from the city and
18 county of Honolulu. As used in this chapter, "board" means the
19 board of ~~[dental examiners.]~~ dentistry and 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, 2050;
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; Dentists;
Dental Hygienists; Membership

Description:

Changes the name of the board of dental examiners to "board of dentistry and dental hygiene". Beginning 07/01/2015: increases the number of members on the board from twelve to thirteen members; requires three members to be licensed, practicing dental hygienists; and 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. Requires the board of dentistry and dental hygiene to develop conflict of interest policies relating to dental examination companies and report back to the legislature prior to the regular session of 2015. Effective 07/01/2050. (SD1)

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