

STAND. COM. REP. NO.

2544

Honolulu, Hawaii

FEB 28 2014

RE: S.B. No. 2501  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Madam:

Your Committees on Commerce and Consumer Protection and Health, to which was referred S.B. No. 2501 entitled:

"A BILL FOR AN ACT RELATING TO THE BOARD OF DENTISTRY AND DENTAL HYGIENE,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Change the name of the Board of Dental Examiners to "Board of Dentistry and Dental Hygiene"; and
- (2) Beginning July 1, 2015, decrease the number of members on the Board from twelve to eleven members; require four members of the Board to be licensed, practicing dental hygienists; require at least one of the practicing dentist members to have a background in public health dentistry or a license in community service dentistry; and prohibit members of the Board from being in any way connected with or having financial interest in any dental examination company.

Your Committees received testimony in support of this measure from the Hawaii Dental Hygienists Association and ten individuals. Your Committees received testimony in opposition to this measure from the Hawaii Dental Association and nineteen individuals. Your Committees received comments on this measure from the Board of Dental Examiners.



Your Committees find that this measure changes the name of the Board of Dental Examiners to the Board of Dentistry and Dental Hygiene (Board). Your Committees find that this change is an appropriate reflection of the Board's function, as it regulates dentists and dental hygienists within the State.

Your Committees have heard testimony that changing the current composition of the Board is needed to ensure that the unique perspectives of dental hygienists are adequately represented. Your Committees have also heard testimony that changing the composition of the Board is not needed, as the current Board composition is within the national average for dentist and dental hygienist representation. Your Committees acknowledge these differing viewpoints and conclude that, for now, the number of dentist members on the Board should remain at eight and the number of dental hygienist members should be increased to three. However, your Committees note that this measure is a work in progress. Your Committees also note that since the role of the Board is to serve the interests of the public and ensure consumer safety, any changes in composition to the Board should be made with consumer protection in mind.

Your Committees have also heard testimony that the Board is an active member of the Central Regional Dental Testing Service and the Northeast Regional Board of Dental Examiners. Board members also serve as examiners, officers, and committee members for these testing agencies. The requirement in this measure that no member of the Board be connected with a dental examination company may therefore be problematic, as most of the Board members would be ineligible to serve on the Board. To address this issue, your Committees conclude that the Board should develop a conflict of interest policy regarding Board member participation with dental examination companies and report back to the Legislature on the status of this policy prior to the Regular Session of 2015.

Finally, your Committees note that although continuing discussion on this measure is needed, the change in composition of Board members is not intended to take effect until July 1, 2015.

Accordingly, your Committees have amended this measure by:

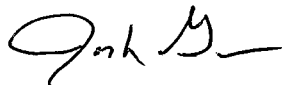
- (1) Increasing the number of members on the Board of Dentistry and Dental Hygiene from twelve to thirteen members, rather than decreasing the number of members from twelve to eleven;



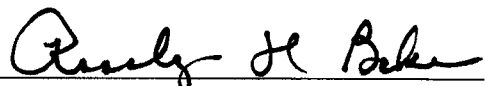
- (2) Removing language that would have decreased the number of dentist members on the Board;
- (3) Requiring three members of the Board to be licensed, practicing dental hygienists;
- (4) Requiring the Board to develop a conflict of interest policy regarding Board member participation with dental examination companies that may provide examinations for Hawaii dentists and report to the Legislature on the status of this policy no later than twenty days prior to the convening of the Regular Session of 2015, rather than prohibiting members of the Board from being connected in any way to a dental examination company;
- (5) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Health that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2501, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2501, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committees on Commerce and  
Consumer Protection and Health,



JOSH GREEN, Chair

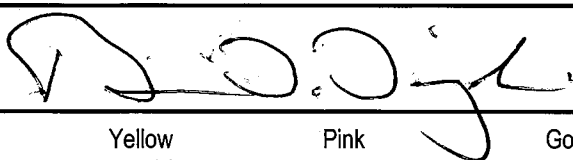


ROSALYN H. BAKER, Chair



The Senate  
Twenty-Seventh Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2501	CPN/HTH	2/26/2014		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)			✓	
NISHIHARA, Clarence K.		✓		
WAKAI, Glenn			✓	
SLOM, Sam		✓		
<b>TOTAL</b>	1	2	2	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Health**  
**HTH**

Bill / Resolution No.:* <b>SB 2501</b>	Committee Referral: <b>CPN/HTH</b>	Date: <b>2-26-14</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GREEN, M.D., Josh (C)		✓		
BAKER, Rosalyn H. (VC)	✓			
CHUN OAKLAND, Suzanne				✓
NISHIHARA, Clarence K.		✓		
SLOM, Sam		✓		
<b>TOTAL</b>	1	3	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

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