
A BILL FOR AN ACT

RELATING TO DENTISTRY.

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

1 SECTION 1. Chapter 448, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§448- Board of dental examiners; summary suspension.

5 (a) The board of dental examiners may summarily suspend any
6 license issued under this chapter upon a specific determination
7 that the failure to take such an action may result in an
8 immediate and unreasonable threat to personal safety or of fraud
9 that jeopardizes or endangers the health or safety of patients
10 as determined by the professional standards of care upon
11 consumers, and that, for the protection of the public from the
12 possible consequences of such practices, the license should be
13 immediately suspended or restricted.

14 (b) The order of summary suspension shall include a brief
15 statement of findings of fact and conclusions of law and shall
16 be served upon the licensee as required by chapter 91. The
17 order of summary suspension shall be effective upon service.



1 (c) A licensee served with an order of summary suspension
2 shall have the right to request a hearing to show cause why the
3 order of summary suspension should be terminated. Any request
4 for a hearing shall be made in writing and filed with the board
5 of dental examiners within five business days of service of the
6 order. The board shall hold a hearing within seven business
7 days of receipt of the licensee's request for the hearing to
8 show cause.

9 (d) Notwithstanding any law to the contrary, an order
10 summarily suspending a license issued under this chapter shall
11 remain in effect until the effective date of a final decision
12 and order issued by the board of dental examiners in a
13 disciplinary action or the effective date of an order issued by
14 the board of dental examiners terminating the summary suspension
15 following a hearing to show cause, whichever occurs first, but
16 in either case shall not exceed thirty business days.

17 (e) The board of dental examiners shall conduct a hearing
18 for disciplinary action against a licensee whose license has
19 been summarily suspended under this section within twenty
20 business days from the effective date of the order of summary
21 suspension.



1 (f) Any attempt by the licensee to continue the practice
2 of dentistry or the practice of dentistry by the licensee while
3 the license has been summarily suspended shall be grounds for
4 revocation of the license and shall be a class C felony."

5 SECTION 2. This Act does not affect rights and duties that
6 matured, penalties that were incurred, and proceedings that were
7 begun, before its effective date.

8 SECTION 3. New statutory material is underscored.

9 SECTION 4. This Act shall take effect upon its approval.

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Report Title:

Dentistry; Summary Suspension of License; Board of Dental
Examiners

Description:

Authorizes the board of dental examiners to summarily suspend a
license. (SD1)

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not legislation or evidence of legislative intent.*

