

**PRESENTATION OF THE  
BOARD OF DENTAL EXAMINERS**

TO THE HOUSE COMMITTEE ON  
CONSUMER PROTECTION & COMMERCE

TWENTY-EIGHTH LEGISLATURE  
Regular Session of 2016

Monday, March 28, 2016  
2:20 p.m.

**TESTIMONY ON SENATE BILL NO. 3085, S.D. 1, H.D. 1, RELATING TO HEALTH.**

TO THE HONORABLE ANGUS L.K. MCKELVEY, CHAIR,  
AND MEMBERS OF THE COMMITTEE:

My name is Paul W. Guevara, D.M.D., M.D.S., Chair of the Board of Dental Examiners ("Board"). I appreciate the opportunity to testify in opposition to Senate Bill No. 3085, S.D. 1, H.D. 1, Relating to Health. The purpose of this bill is to clarify the requirements for who may become a dental hygienist; and clarifies the allowable and prohibited practices and training requirements for dental assistants.

Regarding Section 2 of the bill which adds new subsection 447-1(a)(4), Hawaii Revised Statutes ("HRS"), the Board currently requires certification in the administration of intra-oral infiltration local anesthesia and certification in the administration of intra-oral block anesthesia under the current statute. Therefore, the proposed amendment may not be necessary with respect to the current statute.

In addition, currently the Board requires certification from a dental hygiene program accredited by the American Dental Association Commission on Dental Accreditation ("CODA") to issue a license to practice as a dental hygienist to provide dental hygiene services. The Board has a separate process and requirements to allow a dental hygienist to administer intra-oral block anesthesia with the license. These

requirements are the most stringent in the United States and may have negative ramifications of qualified dental hygienists not being allowed to become licensed to provide dental hygiene services. The intent of the statutes is to license qualified dental hygienists to practice dental hygiene in Hawaii and not to establish restrictive requirements to eliminate qualified dental hygienists from practicing in Hawaii.

Regarding Section 3 of the bill, the addition of a new subsection 448-3(c), HRS, appears to also not be necessary with respect to what is already in the Board's administrative rules, under section 16-79-69.1, Hawaii Administrative Rules ("HAR"), Allowable duties and training for a dental assistant; and section 16-79-69.5, HAR, Prohibited Duties of the Dental Assistants, as well as the dental hygienists statutes, Chapter 447, HRS.

The Board strongly opposes this bill as it proposes to remove the dental assistants allowable and prohibited duties from the Board's administrative rules and place them in the dental hygiene statutes. The proposed language would cement the allowable and prohibited duties of the dental assistants, resulting in the Board not being able to adopt rules as current practices, technology, and training changes. In effect, the Board's expertise will be replaced by the expertise of the Legislature in regards to the practice of dentistry.

The proposed amendments to subsection (b) on pages 5 and 6 would prohibit a dental assistant to perform any services that would overlap or conflict with the practice of dental hygiene. It is the Board's understanding that should this measure pass, it

would invalidate the provisions in the Board's administrative rules related to allowable duties for dental assistants to assist the dentist in supportive dental procedures, as all of the allowable duties for dental assistants are specified as duties dental hygienists perform, per the Board's administrative rules.

Furthermore, in regards to the overlap or conflict of services, there are many examples of overlap of services among professions. For example, both dentist and dental hygienist can administer intra-oral infiltration and block anesthesia injections; a physician and advanced nurse practitioner can perform some of the same services; an architect and professional engineer can perform some of the same services. Passage of this bill would require legislation before any changes could be made even if a procedure is allowed in all other states for dental assistants.

The Board is deeply concerned that the passage of this measure will have a negative effect on the dental assistant certification programs at the University of Hawaii, Kapiolani Community College ("KCC") and the Maui Community College ("MCC") campuses. Both the KCC and MCC dental assistant programs are accredited by CODA. Currently, the KCC dental assistant program is ready to establish a training program for dental assistants to apply fluoride varnish, as the Board intends to amend its administrative rules to allow dental assistants to perform that service. It should be noted that Hawaii is the only state that does not allow dental assistants to apply fluoride varnish. In addition, the KCC has offered continuing education courses for dentists to

Testimony on Senate Bill No. 3085, S.D. 1, H.D. 1  
Monday, March 28, 2016  
Page 4

properly train their assistants. The passage of this measure would require the Board to go to the Legislature before any changes can be made.

Thank you for the opportunity to testify on Senate Bill No. 3085, S.D. 1, H.D. 1.

March 26, 2016  
House Committee on Consumer Protection and Commerce  
Representative Angus L. K. McKelvey, Chair  
Representative Justin H. Woodson, Vice Chair  
RE: SB 3085 SD1 HD1 Relating to Health

Dear Honorable Representative McKelvey, Chair, Honorable Representative Woodson,  
Vice Chair, and Committee Members:

This testimony is in support of SB 3085 SD1 HD1!

My name is Sandra Kirkoski, MS, MA, BGS, RDH, CDA/Ortho, Dip.ID. I am President of the Hawaii Dental Hygienists' Association and I live on the island of Oahu. I have been a dental hygienist since 1993, and prior to that date, I practiced as a formally trained certified dental assistant.

SB 3085 SD1 HD1 clarifies the requirements for dental hygiene applicants to obtain certification in Block Anesthesia in order to practice legally, competently, and safely in the State of Hawaii.

In addition, SB 3085 SD1 HD1 ensures allowable duties to be permitted for dental assistants. Placing the prohibited duties by dental assistants into the statute ensures public safety by preventing the formulation of rules allowing duties that require the education, knowledge, and skill of a licensed professional.

Currently, the Hawaii Board of Dental Examiners is proposing a rule to allow the application of any type of fluoride treatment by dental assistants with only on the job training.

This puts the public, especially children, at great risk because, while fluoride is a well-accepted preventive agent, it is also a known poison with specific contraindications on specific patients with specific products.

Therefore, the safe application of various fluoride treatments requires standardized training and the knowledge and skill of a licensed professional.

Please protect the children of Hawaii and vote in support of SB 3085 SD1 HD1.

Most respectfully,

Sandra Kirkoski, MS., MA., BGS., R.D.H., C.D.A./Ortho, Dip.ID  
President Hawaii Dental Hygienists' Association



House Committee on Consumer Protection and Commerce  
March 28, 2016  
Senate Hearing on SB 3085 Relating to HEALTH  
**Testimony in Support of SB 3085 SD1 HD1**  
Ellie Kelley-Miyashiro, RDH  
Regulation and Practice Chairperson HDHA 2016

Dear Respected Members of the House Committee on Consumer Protection and Commerce:

The Hawaii Dental Hygienists' Association (HDHA) supports the intent of **SB 3085 SD1 HD1**. We would like to thank you for your continued support and pursuance of this important discussion during this legislative session. This bill will bring a much-needed resolution to an existing debate with the Hawaii Board of Dental Examiners regarding the mandatory qualifications of a Dental Hygienist as well as the allowable duties of a Dental Assistant under current law.

**SB 3085 SD1 HD1** addresses two factors affecting the Hawaii Revised statutes relating to dental hygienists and dental assistants. HDHA will address these two factors separately in this testimony.

Regarding the matter of who may become a dental hygienist, HDHA strongly supports the amendment of HRS 447-1. **SB 3085 SD1 HD1** clarifies the original intention of the Statute to have ALL dental hygienists in Hawaii certified in Local Infiltration **and** Block Anesthesia, guaranteeing the highest standard of safety and care for the public.

From the implementation of the anesthesia law in the 1990's, Hawaii's hygienists have been held to the highest standard of training and care requiring certification in Local infiltration anesthesia **and** Block anesthesia. Because of the required certifications, the University of Hawaii at Manoa changed their curriculum shortly after, to become compliant with the law that newly licensed hygienists be duly certified in Local **and** Block anesthesia.

For years, hygiene licensure applicants graduating from the University of Hawaii Manoa and new licensure applicants from out of state were required to submit records showing Hawaii's block anesthesia requirements were met at a CODA accredited university, or a secondary anesthesia course approved by the HBODE was completed with a pre-determined number of Block injections. If neither of these scenarios were fulfilled, licensure was denied until Hawaii's Block **and** Local anesthesia requirements could be met.

In the last few years, HDHA has made several attempts to address the HBODE regarding new dental hygiene licenses issued with no Block Anesthesia requirements and a separate classification of "Local Infiltration Only" licenses being given to new applicants, usually from out of state. They, along with the newest Deputy Attorney General have consistently stated HDHA was misinterpreting the Statute and that Local Infiltration **or** Block anesthesia was

acceptable for licensure. HRS 447-1 clearly states Local Infiltration **and** Block anesthesia is a requirement, not either/or!

HDHA would like to see the original intent be restored to all future dental hygiene applicants. Our association feels **SB 3085 SD1 HD1** has clarified this issue once and for all. Simply said, the better trained we are, the safer the public is!

As regards to the amendment of HRS 448-3 relating to allowable duties of a dental assistant, HDHA is also in support of this amendment. By proposing to add language within the Hawaii Administrative Rules, allowing dental assistants to apply fluoride varnish The HBODE and the current Deputy AG are encroaching on the existing Scope of Practice for dental hygienists, layed out in HRS-447-3 (application of preventive chemical agents to the coronal surfaces of teeth). According to this statute, applying fluoride varnish to the teeth is an allowable duty of a licensed dental hygienist and therefore cannot be an allowable function of a dental assistant simply by placing it in the Rules at this time.

Due to recent events relating to the arrest of a dental assistant for practicing beyond her scope of practice under the direct supervision of a dentist, it is critical that all dental professionals as well as the public be familiar with what are current allowable duties for dental assistants. Placing these duties in Statute is a perfect way to do that.

In the future, HDHA would support the licensure or certification of dental assistants with expanded duties, like fluoride varnish application, should the proper HBODE course approved infrastructure (not on the job training) be in place.

HDHA thanks you for your time and consideration of **SB 3085 SD1 HD1**. We would like to convey our desire that dentists, assistants and hygienists continue to be integral members of the oral health team, and feel that the public is best served and protected when all oral health providers are highly trained, certified or licensed and work within their practice acts.

Thank you for your time and consideration.

# Kings Dental & Implant Services LLC

555 N. King St. #111

Honolulu, HI 96817

808-848-2400

My name is Russell P. Fitton III DDS and I have been in the practice of Dentistry for 35 years now in both Illinois and Hawaii. I am writing to oppose SB 3085. The passage of this bill could set unwanted precedents and lead to significant unforeseen ramifications down the road .

First, it undermines the Hawaii State Board of Dental Examiner and their ability to regulate the practice of Dentistry in the State of Hawaii. If the Board is undermined it can lead to loss of competent members who will not want to participate if they feel their efforts to protect both the residents of Hawaii and the dentists, hygienists and assistants that serve them. That would be a great loss for the citizens of Hawaii.

Second, it can cause the loss of dentists who serve the lower income residents in the state. I practice in Kalihi, a lower income area and treat a lot of Medicaid patients. I certainly don't do this for the money because the reimbursement is quite low but am able to because of being able to delegate tasks such as placing topical fluoride to assistants.

The regulation of dentistry should be left to the board that was put into place by the state that is made up of the members who have the most experience and knowledge to serve and protect the citizens and professionals of this state.

I oppose this bill because it will increase costs for basic services to the people who can least afford them . Also the bill would further restrict the allowable duties of dental assistants at a time where Hawaii is one of the most restrictive states in the country for assistants. Most states are expanding the function of dental assistants to better serve the citizens and voters of their states.

Thank you for your time,

Russell P Fitton III DDS





General, Cosmetic and  
Implant Dentistry  
441 KAPIOLANI BLVD. SUITE 400  
HONOLULU, HI 96814  
PHONE: (808) 546-0442

Sunday, March 27, 2016

Honored members of the COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Angus L.K. McKelvey, Chair; Rep. Justin H. Woodson, Vice Chair  
Rep. Della Au Belatti, Rep. Mark M. Nakashima, Rep. Tom Brower, Rep. Marcus R. Oshiro,  
Rep. Richard P. Creagan, Rep. Joy A. San Buenaventura, Rep. Sharon E. Har, Rep. Gregg  
Takayama, Rep. Mark J. Hashem, Rep. Ryan I. Yamane, Rep. Derek S.K. Kawakami, Rep. Beth  
Fukumoto Chang, Rep. Chris Lee, Rep. Bob McDermott

**Testimony in opposition to SB 3085, SD1, HD1 RELATING TO HEALTH.**

Clarifies the requirements for an individual to become a licensed dental hygienist. Clarifies the allowable and prohibited practices and training requirements for dental assistants.

Monday, March 28, 2016; 2:20PM; Conference Room 325

My name is Kevin Ching, I have been practicing Dentistry in Hawaii since 1981.  
This measure unnecessarily confuses the rules regarding Dental Assistants and needlessly restates the block anesthesia requirement for Dental Hygiene licensure. It is a little confusing as to why the former items regarding Dental Assistants should be addressed as a Statutory change and seeks to undermine the due diligence that the Hawai'i Board of Dental Examiners have applied in the formulation of the Rules section of the Dental Practice Act.

**I would still strongly urge the members of this committee to remove this bill from any serious consideration.**

**Thank you for this opportunity to submit testimony in opposition to SB3085, SD1, HD1.**

Mahalo,

Kevin K.L.Ching DDS

Hawaii State Legislature  
State House of Representatives  
Committee on Consumer Protection and Commerce

Representative Angus L. K. McKelvey, Chair  
Representative Justin H. Woodson, Vice Chair  
Committee on Consumer Protection and Commerce

Monday, March 28, 2016, 2:00 p.m. Room 325  
Senate Bill 3085 HD 1 Relating to Health

Honorable Chair Angus L. K. McKelvey, Vice Chair Justin H. Woodson and  
members of the House Committee on Consumer Protection and Commerce,

My name is Russel Yamashita and I am the legislative representative for the Hawaii Dental Association (HDA) and its over 1,000 member dentists. I appreciate the opportunity to testify in opposition of Senate Bill 3085 HD 1 Relating to Health. The Board of Dental Examiners currently regulates the scope of practice for dentists and dental hygienists and intends to update the rules, making this bill both unnecessary and potentially harmful.

Dental health services relating to dental hygienists and dental assistants is constantly modernizing. Highly trained dental assistants now are permitted on the mainland to perform some basic services and procedures which were previously performed by dental hygienists. By passing this legislation and blocking the Board from updating the rules, Hawaii will be locking itself in to archaic practices and procedures.

The HDA also believes that strict adherence to the provisions in this bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are few dentists to begin with, in either public or private settings. Worse, this bill could reduce available services in marginally served communities when private dentists or community health centers which cannot absorb the costs created by this legislation.

This bill is a blatant attempt by the dental hygienists to create protectionist laws for their licensees. The passage of this bill would be a dental hygienists “full employment” bill, since any act in violation of this law would put a dentist’s license at risk. Additionally, it would require nearly all dental assistants in Hawaii would be laid off from their jobs until such time as the University of Hawaii or a private college could establish a program or course to comply with this law. Also, no dentist would be able to continue to employ any dental assistant that was taught “on the job” unless a course or certification program became available for them to take.

On several occasions, a legislator implied that this bill would prevent the serious injuries and death of dental patients using as examples the tragedies that occurred in 2013 and 2014. That could not be farther from the truth. Those tragedies involved two dentists who were given their licenses in 2005 with a loophole granted by the Hawaii State Legislature through Senate Bill 568 (Act 121, SL 2005) against the opposition of the Hawaii Dental Association and the Board of Dental Examiners. If any inferences can be made as to who would be responsible for the deaths and serious injuries resulting from those dentists, please review the voting records on Senate Bill 568 to see who ultimately was responsible for these dentists getting a license in Hawaii.

As for holding the responsible dentists liable for their acts, the legal system and the Attorney General's office is still working on resolving those issues. For the committee's information, the Hawaii Board of Dental Examiners updated the rules governing the use of sedation by dentists in 2013 and the rules were approved by Governor Abercrombie in January 2014. It is the understanding of the HDA that the Board is currently in the process of updating the rules governing the regulation and work rules with regards to dental assistants.

The legislator also implied that more oversight and scrutiny was needed for the Hawaii Board of Dental Examiners, comparing it to a case involving the North Carolina Board of Dental Examiners and the Federal Trade Commission. Again, this kind of fearmongering and McCarthy like tactics only serve to mislead the public from the truth of the matter. In the case of the North Carolina Board, it unilaterally sent letters to teeth whitening clinics to cease and desist. The Federal Trade Commission stated that there was no adequate State oversight in that process. However, in Hawaii the Board would not send out such a letter. An investigation by the Regulated Industries Complaints Office would be conducted first and a determination would be made by the Complaints Officer before a letter of warning or violation would be sent to any potential violator. Thus, the North Carolina case is not applicable to Hawaii.

In conclusion, the Hawaii Dental Association opposes this legislation which sets poor public policy, potentially impacts currently employed dental assistants, prevents the dental health industry from keeping up with technological improvements and scientific updates, and places additional financial burden on the consumers in Hawaii.

Honored members of the COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Angus L. K. McKelvey, Chair; Rep. Justin H. Woodson, Vice Chair

Rep. Della Au Belatti, Rep. Mark M. Nakashima, Rep. Tom Brower, Rep. Marcus Oshiro

Rep. Richard P. Creagan, Rep. Joy A. San Buenaventura, Rep. Sharon E. Har, Rep. Gregg Takayama, Rep. Mark J. Hashem, Rep. Ryan I. Yamane, Rep. Derek S. K. Kawakami, Rep. Beth Fukumoto Chang, Rep. Chris Lee, Rep. Bob McDermott

Dear members of the Committee on Consumer Protection & Commerce,

I am Dr. Steve Wilhite, President of the Hawaii Dental Association and a dentist in private practice.

I wish to testify in opposition to SB3085 SD1, HD1 Relating to Health.

First, this measure would needlessly restrict the Hawaii Board of Dental Examiners from input into defining rules regarding Dental Assistants. The Board of Dental Examiners currently regulates the scope of practice for dentists and dental hygienists and intends to update the rules, making this bill both unnecessary and potentially harmful.

Second, the most egregious point of this bill is that it will prohibit dental assistants from applying topical fluoride on coronal surfaces of the teeth. Currently, Hawaii is the only state in the country that prohibits dental assistants this activity. Medical assistants in Hawaii are allowed to place topical fluoride in pediatrician/physician's offices; therefore, Dental Assistants should not be prohibited from doing so in a dental office. This provision alone will increase cost 3 to 4 times on EVERY patient receiving a topical application. Those increased costs will further impede the access to care in communities where there are few dentists to begin with, in either public or private settings.

I oppose this legislation on the poor public policy it sets and the additional financial burden it puts on consumers in Hawaii.

Thank You,

Dr. Steve Wilhite

From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, March 24, 2016 6:21 PM  
To: CPCtestimony  
Cc: gchang50@gmail.com  
Subject: \*Submitted testimony for SB3085 on Mar 28, 2016 14:20PM\*

**SB3085**

Submitted on: 3/24/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gayle C Chang, RDH, BEd	Individual	Support	No

Comments:

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**SB3085**

Submitted on: 3/24/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christine Schroeder	Individual	Support	No

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**SB3085**

Submitted on: 3/25/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Darrell T Teruya	Individual	Oppose	No

Comments:

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Justin Stanton, RDH, BS  
2600 Pololei Pl  
Haiku, Hi 96708

March 24, 2016

**SUBJECT: SB 3085, SD1, HD1 (HSCR1280-16) Relating to Health**

Hearing Date March 28, 2016

Time: 2:20 PM

Place: Conference Room 325

**SUPPORT OF SB 3085, SD1, HD1 (HSCR1280-16)**

Dear Honorable Chairperson Angus McKelvey, Vice-Chair Justin Woodson, and Respected Members of Committee on Consumer Protection & Commerce

My name is Justin Stanton and I'm a licensed Registered Dental Hygienist in the State of Hawaii and am currently practicing in Kahului. I am submitting testimony in **support of SB 3085, SD1, HD1 (HSCR1280-16)**.

I support **SB3085, SD1, HD1 (HSCR1280-16)** to clarify the requirements for an individual to become a licensed dental hygienist and clarify the allowable and prohibited practices and training requirements for dental assistants.

Within the last few years there appears to be dental hygiene applicants licensed without the block anesthesia certification. It is clearly stated in Statue who may become a dental hygienist and the individual must be officially certified in the administration of intra-oral infiltration local anesthesia and intra-oral block anesthesia by an accredited dental hygiene school or by a certification program previously approved by the board. This was not occurring previously and has suddenly been interpreted differently from the original intent.

**SB3085, SD1, HD1 (HSCR1280-16)** will clarify the Statue to have licensed dental hygienists certified in both intra-oral infiltration local anesthesia and intra-oral block anesthesia.

Dental assistants are do not need any formal training to work with patients in a dental office. With the recent news of a dental assistant overmedicating a 2 year old child, leaving the child unconscious for 12 hours, we must consider the importance of patient protection. Only those individuals that have met requirements set in place to protect the public should be licensed and high standards of education and certification maintained.

I ask for your support of this legislation. Thank you for your time and consideration of **SB3085, SD1, HD1 (HSCR1280-16)**.

Sincerely,



Justin Stanton, RDH, BS

From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, March 24, 2016 10:08 PM  
To: CPCtestimony  
Cc: gerrainehignite@gmail.com  
Subject: Submitted testimony for SB3085 on Mar 28, 2016 14:20PM

**SB3085**

Submitted on: 3/24/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gerraine Hignite,RDH,BS	Individual	Support	No

Comments: I have been a registered dental hygienist in the state of Hawaii for 11 years. For the public's safety, please pass this bill.

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**SB3085**

Submitted on: 3/25/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dr. Steven Sakata	Individual	Oppose	No

Comments:

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Noelani Greene, RDH, BS  
P. O. Box 1099  
Kealahou, HI 96750  
March 24, 2016

**SUBJECT: SB 3085, SD1, HD1 (HSCR1280-16) Relating to Health**

Hearing Date March 28, 2016

Time: 2:20 PM

Place: Conference Room 325

**SUPPORT OF SB 3085, SD1, HD1 (HSCR1280-16)**

Dear Honorable Chairperson Angus McKelvey, Vice-Chair Justin Woodson, and Respected Members of Committee on Consumer Protection & Commerce

My name is Noelani Greene, I'm a licensed Registered Dental Hygienist in the State of Hawaii and have been practicing on Oahu for five years. I am submitting testimony in **support of SB 3085, SD1, HD1 (HSCR1280-16)**.

I support **SB3085, SD1, HD1 (HSCR1280-16)** to clarify the requirements for an individual to become a licensed dental hygienist. Clarify the allowable and prohibited practices and training requirements for dental assistants.

Within the last few years there appears to be dental hygiene applicants licensed without the block anesthesia certification. Where it is clearly stated in Statute *who may become a dental hygienist; who has been officially certified in the administration of intra-oral infiltration local anesthesia and intra-oral block anesthesia by an accredited dental hygiene school or by a certification program previously approved by the board*. This was not occurring previously and has recently (2012) been interpreted differently from the original intent.

**SB3085, SD1, HD1 (HSCR1280-16)** will clarify the Statute to have licensed dental hygienists certified in both intra-oral infiltration local anesthesia and intra-oral block anesthesia.

With the recent news of a dental assistant overmedicating a two-year old child, leaving the child unconscious for 12 hours, clarification of prohibited duties is needed. This is unacceptable and jeopardizing public safety. Public safety is always a concern and this bill would protect patients from receiving dental hygiene care from a dental assistant. Dental Hygienist receive a degree in Dental Hygiene study, which requires 2-4 years of formal education from an accredited program. Before being licensed in any state dental hygienists need to pass the National Board exam and a clinical exam. Furthermore, to maintain licensure hygienists, must complete continuing education which includes CPR. Dental assistants do not possess the education and training that are required of dental hygienists.

**SB3085, SD1, HD1 (HSCR1280-16)** will clarify the allowable and prohibited duties of a dental assistant.

I ask for your support of this legislation. Thank you for your time and consideration of **SB3085, SD1, HD1 (HSCR1280-16)**.

Sincerely,

Noelani Greene, RDH, BS

From: mailinglist@capitol.hawaii.gov  
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Cc: janetancheta9@gmail.com  
Subject: \*Submitted testimony for SB3085 on Mar 28, 2016 14:20PM\*

**SB3085**

Submitted on: 3/24/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
janet ancheta	Individual	Support	No

Comments:

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**SB3085**

Submitted on: 3/24/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Teri A Matsumura	Individual	Support	No

Comments:

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To: CPCtestimony  
Cc: mhayase@hawaii.edu  
Subject: \*Submitted testimony for SB3085 on Mar 28, 2016 14:20PM\*

**SB3085**

Submitted on: 3/24/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melody Hayase, RDH	Individual	Support	No

Comments:

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To: CPCtestimony  
Cc: Kiananay@yahoo.com  
Subject: Submitted testimony for SB3085 on Mar 28, 2016 14:20PM

**SB3085**

Submitted on: 3/25/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Neshone Gardner	Individual	Oppose	No

Comments: I oppose this Bill sb3085. It is another way to eliminate the value of the Dental Hygiene provider and their importance in serving the community. I believe it is all about dollars and cents that does not benefit the health team or the public. We don't have cardiologists trying to practice oral surgery just because they know how to do intense surgery. Every field, every specialty has a purpose and a value. Hygienists are one of the most vital parts of the backbone of a dental practice. Don't devalue that position!

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**Re: SB 3085 SD1 HD1 RELATING TO HEALTH**

**Committee on Consumer Protection & Commerce**

Representative Angus L.K. McKelvey, Chair

Representative Justin H. Woodson, Vice Chair

Hearing Date: Monday, March 28, 2016

Time: 2:20 PM

Place: Conference Room 325

**Dear Honorable Representative McKelvey, Chair, Representative Woodson, Vice Chair, and Committee Members:**

This testimony is in **support** of **SB 3085 SD1 HD1, as amended with one additional amendment for clarification.**

My name is Diane Brucato, RDH, EF, BS, FAADH. I have been a practicing Dental Hygienist in good standing on the island of Hawaii since 1992, with the privilege to have practiced in Kona and Hilo. I have taken an active role in leadership; volunteered in my community, island, and state; **attended almost every Board of Dental Examiners meeting since 2007**; and **twice** applied for a position on the Board of Dental Examiners (HBODE). I am now serving my sixth year on the Regulated Industries Complaints Office's (RICO) Dental Advisory Committee. A dental hygienist since 1979, I am a former Anesthesia Examiner for Western Regional Examining Board, and member of the American Association of Dental Boards since the mid 1980's. Active in the legislative process when block anesthesia for dental hygienists became a part of HRS, I was the first dental hygienist to receive certification in block anesthesia in Hawaii.

**Thank you for hearing SB 3085 SD1 HD1. It is important in that it has the power to resolve long standing issues of public safety and concern. This testimony will include history as support and will be divided into two sections to address the two parts of SB 3085 SD1 HD1.**

**SECTION 1: Block Anesthesia**

When block anesthesia was introduced for dental hygienists, consideration was given to the practicing licensed dental hygienists in Hawaii, who had no desire to perform this function. They were grandfathered with a choice whether or not to pursue certification. Those who wished to were provided stringent certification criteria to fulfill. In order to raise the standard of care in Hawaii, and provide that eventually **ALL** dental hygienists would be qualified to provide this service, **ALL** new licensure applicants were **required** to fulfill those certification criteria in order to even obtain licensure.

This was enforced until two years ago, when there appeared a sprinkling of dental hygiene applicants licensed without block anesthesia certification, which increased over time to the majority. **Somewhere along the line, "and" statements in the Statute were suddenly interpreted as "or" statements, different from the original intent.** According to Stanley Malamed, DMD, expert on Dental Anesthesia, **block anesthesia is the safest and the highest standard for pain control.** Infiltration anesthesia has a high risk of toxicity, overdose, and medical emergency due to the stress of multiple injections.

**SB 3085 SD1 HD1 clarifies the original intent of the Statute to have ALL dental hygienists in Hawaii certified in Block Anesthesia, and guarantees the highest standard of safety and care for the public.**

**HOWEVER**, at the HBODE meeting held on February 17, 2016, the current Deputy Attorney General to the Hawaii Board of Dental Examiners (HBODE) stated that passing this bill **will not change the way PVL is currently licensing new applicants** because they are only requiring that a hygienist has a “familiarization” of block anesthesia through CODA accredited programs that may or may not meet Hawaii’s stringent criteria.

**Therefore, I would propose an additional clarifying amendment to read:**

(4) Who has been officially certified in the administration of intra-oral block anesthesia by an accredited dental hygiene school **THAT MEETS THE EDUCATIONAL REQUIREMENTS ESTABLISHED IN [§447-3.5] Educational requirements for intra-oral block anesthesia** or by a certification program previously approved by the board; and

## **SECTION 2: Prohibited Duties for Dental Assistants**

In November of 2007, the HBODE began a **complete update of the entire Hawaii Administrative Rules Chapter 79**, in order to bring them **CURRENT** with HR Statutes and remove redundancies. In January, 2008, a draft containing proposed language to allow expanded duties for dental assistants with no standardized education, testing, or certification, appeared for consideration with no history of public meeting, forcing Hawaii Dental Hygienists’ Association (HDHA) to put the HBODE on notice for violation of Sunshine Law. HDHA demonstrated these duties were unsafe and in clear violation of HRS 447-3(b). The HBODE became careful to comply with the Sunshine Law and the inclusion of those expanded duties was abandoned, although Hawaii Dental Association (HDA) persisted with testimony to include them. That process required constant vigilance for public safety. **Only TWO years ago, in January 2014, the result of that extensive Rules Change process was implemented.**

In recent months, it came to the attention of HBODE that medical assistants were applying fluoride varnish on children, which **HBODE ASSUMES** is allowable. According to Donald Balasa, JD, MBA, the American Association of Medical Assistants’ Chief Executive Officer and Legal Counsel:

**Medical assistants cannot be delegated any duties that:**

- (1) constitute the practice of medicine or require the skill and knowledge of a licensed physician;
- (2) are restricted in state law to other health professionals;**
- (3) require the medical assistant to exercise independent professional judgment or to make clinical assessments, evaluations, or interpretations.**

In addition, the HBODE acknowledged that there are dental assistants placing fluoride varnish on children’s teeth in many dental offices. **Rather than advise the HBODE to initiate or take disciplinary action against the pediatricians and dentists in violation, who are putting public safety at risk, and contrary to previous Deputy Attorneys General (DAG), the current DAG cited the last line of HRS 448-**

**3(b) "Duties of the dental assistant and regulatory directives shall be delineated under rules which the board of dental examiners may from time to time adopt" as a loophole in the Statutes to enable the HBODE to create rules in violation of HRS 447-3(b) to achieve their goals with no regard to public safety. In fact, at the January 25<sup>th</sup>, 2016, Rules meeting, the DAG encouraged the HBODE to delete the section of HAR 16-79-69.5 after the semicolon, ultimately deleting the public safety net from the rules.**

§16-79-69.5 Prohibited duties of dental assistants.

A dental assistant shall not perform the following intra-oral functions or any other activity deemed to be irreversible as to cause change in the affected hard or soft tissues and is permanent or may require reconstructive or corrective procedures; and any other activity which represents the practice of dentistry and dental hygiene or requires the knowledge, skill, and training of a licensed dentist or licensed dental hygienist:

As a result, HBODE has proposed a rule to allow dental assistants to apply any type of fluoride, "the application of a chemical preventive agent to the coronal surfaces of teeth", which is in violation of 447-

3 (b): §447-3 Employment of and practice by dental hygienists.

(b) Clinical dental hygiene may be practiced by a licensed dental hygienist. The practice of clinical dental hygiene is defined as the removal of hard and soft deposits and stains from the portion of the crown and root surfaces to the depth of the gingival sulcus, polishing natural and restored surfaces of teeth, the application of preventive chemical agents to the coronal surfaces of teeth, which chemical agents have been approved by the board of dental examiners, and the use of mouth washes approved by the board,...

The HBODE has proposed this allowable duty requiring **only on the job training** by a dentist, without standardized education, testing, or means of regulation. Fluoride is a well-accepted preventive agent in the hands of licensed professionals. **It is also a known poison with specific contraindications with specific products on specific patients. The safe application of various fluoride treatments, requires the knowledge, skill, training, and licensure of a dentist or dental hygienist.**

**SB 3085 SD1 HD1 drops the current (1/2014) list of allowable (HAR 16-79-69.10) and prohibited (HAR 16-79-69.5) duties for dental assistants neatly into the statute, with added educational measure; preventing constant threat to public safety by unregulated persons, and eliminating redundant, time-consuming re-visitation.**

Please do not be misled by opposition. SB 3085 SD1HD1 ensures standardized education, examination, regulation, the highest standard of care, and, most importantly, **public safety. Please support SB 3085 SD1 HD1.** Thank you for your consideration.

Respectfully yours,

Diane Brucato, RDH, EF, BS, FAADH

d.bt@live.com (808) 937-7282

Member, Regulated Industries Complaints Office's (RICO) Dental Advisory Committee (2010-present)

Member, American Association of Dental Boards

Past President, American Academy of Dental Hygiene

ADHA/Hu-Friedy Master Clinician Award 2008

Past President, Hawaii Dental Hygienists' Association

Sunstar/RDH Award of Distinction 2002

March 25, 2016

Representative Angus L.K. McKelvey, Chair  
Representative Justin H. Woodson, Vice Chair  
Representatives on the Committee on Consumer Protection and Commerce

Re: Testimony in opposition to SB 3085 SD1 HD1 Relating to Health

Dear Representatives:

My name is Curt S. Shimizu, DDS. I am a general dentist licensed to practice in Hawaii. I have been in private practice for 32 years on Oahu.

I write to urge you to defeat SB 3085 SD1 HD1 Relating to Health because it will restrict the Hawaii State Board of Dental Examiners from exercising their duties in making simple rules changes. Being able to change existing rules to allow for modernization and advances in technology is important for the delivery of dental care and public safety. An inquiry with the Board of Dental Examiners would reveal that they have studied current practice modalities and are ready to modernize the rules relating to the duties dental hygienists and dental assistants may or may not perform.

New line item #16 prohibiting dental assistants from applying preventive chemical agents to the coronal surfaces of teeth would not serve the public. The placement of fluoride on teeth helps keiki and adults as many scientific studies have shown. Across the nation, 49 states allow this procedure; Hawaii needs to be part of the national trend to allow dental assistants to provide these services. And, in Hawaii, medical assistants are allowed to place fluoride on teeth. Hawaii's dental assistants should be allowed to provide this service to Hawaii's dental patients.

Please defeat and remove SB 3085 SD1 HD1 from consideration. Allow the Board of Dental Examiners to do their due diligence in making decisions concerning dentistry in Hawaii. The Board's expertise and encompassing knowledge of dentistry makes them better qualified to address dental issues than, with all due respect, the Legislature. The Board has submitted testimony detailing the significant shortcomings of this bill. I am in full agreement with their discussion.

Thank you for allowing me this opportunity to submit testimony opposing SB 3085 SD1 HD1.

Sincerely,

Curt S. Shimizu, DDS  
Oahu general dentist  
Past President, Hawaii Dental Association

From: mailinglist@capitol.hawaii.gov  
Sent: Friday, March 25, 2016 6:10 PM  
To: CPCtestimony  
Cc: mrainbow0220@gmail.com  
Subject: \*Submitted testimony for SB3085 on Mar 28, 2016 14:20PM\*

**SB3085**

Submitted on: 3/25/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mie Choe	Individual	Support	No

Comments:

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To: CPCtestimony  
Cc: kelliannr@gmail.com  
Subject: Submitted testimony for SB3085 on Mar 28, 2016 14:20PM

**SB3085**

Submitted on: 3/25/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kelliann Rita	Individual	Oppose	No

Comments: My name is Kelliann Rita and I'm currently a general dentist on Kaua'i working in a private practice as well as a community health dental clinic. I am writing to OPPOSE SB 3085. This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already few dentists. This bill purports to but does not advance patient health and safety and it will negatively impact access to care. Please do not advance this bill. Mahalo, Kelliann Rita, DDS

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Sent: Friday, March 25, 2016 7:13 PM  
To: CPCtestimony  
Cc: nikk.a@hotmail.com  
Subject: \*Submitted testimony for SB3085 on Mar 28, 2016 14:20PM\*

**SB3085**

Submitted on: 3/25/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nikkie Au	Individual	Support	No

Comments:

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To: CPCtestimony  
Cc: niqkee@gmail.com  
Subject: \*Submitted testimony for SB3085 on Mar 28, 2016 14:20PM\*

**SB3085**

Submitted on: 3/25/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ha Au	Individual	Support	No

Comments:

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Sent: Friday, March 25, 2016 7:25 PM  
To: CPCtestimony  
Cc: wongnewman@hotmail.com  
Subject: \*Submitted testimony for SB3085 on Mar 28, 2016 14:20PM\*

**SB3085**

Submitted on: 3/25/2016

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Newman Wong	Individual	Support	No

Comments:

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Sent: Friday, March 25, 2016 7:59 PM  
To: CPCtestimony  
Cc: keanona\_64@yahoo.com  
Subject: \*Submitted testimony for SB3085 on Mar 28, 2016 14:20PM\*

**SB3085**

Submitted on: 3/25/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nicole Pikini	Individual	Support	No

Comments:

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To: CPCtestimony  
Cc: lsdds803@gmail.com  
Subject: Submitted testimony for SB3085 on Mar 28, 2016 14:20PM

**SB3085**

Submitted on: 3/25/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Laura A. Suzuki	Individual	Oppose	No

Comments: TESTIMONY: I am writing to OPPOSE SB 3085. This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already few dentists. This bill purports to but does not advance patient health and safety and it will negatively impact access to care. Please do not advance this bill.

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Sent: Saturday, March 26, 2016 1:14 AM  
To: CPCtestimony  
Cc: lhorton@drlili.com  
Subject: Submitted testimony for SB3085 on Mar 28, 2016 14:20PM

**SB3085**

Submitted on: 3/26/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lili Horton	Individual	Oppose	No

Comments: Honorable Chair McKelvey and Members of the House Consumer Protection Committee, I opposed SB3085. This bill takes the duties of the dental hygienists and dental assistants as specified in the current administrative rules and attempts to put them into law. This removes the administrative regulation of dental assisting and dental hygiene professionals from the Board of Dental Examiners and DCCA which places it directly under the legislature. Is the legislature becoming the regulatory agency of dentistry in Hawaii as opposed to DCCA? Limiting the services of dental assistants under the supervision of licensed dentists through this change will not ensure better consumer protection. However, this bill will obstruct access to dental care in Hawaii. Thank you for allowing me to provide my opposition testimony to SB3085 SD1 HD1. Respectfully submitted, Lili Horton, DMD, MS

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To: CPCtestimony  
Cc: misoyucky@gmail.com  
Subject: \*Submitted testimony for SB3085 on Mar 28, 2016 14:20PM\*

**SB3085**

Submitted on: 3/26/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lori Tamayori	Individual	Support	No

Comments:

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To: CPCtestimony  
Cc: leimarks@yahoo.com  
Subject: Submitted testimony for SB3085 on Mar 28, 2016 14:20PM

**SB3085**

Submitted on: 3/26/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lenora Marks	Individual	Support	No

Comments: I have been an registered dental hygienist in the state of Hawaii for 29 years...Please support this bill.

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Sent: Saturday, March 26, 2016 11:02 AM  
To: CPCtestimony  
Cc: tclegg09@gmail.com  
Subject: Submitted testimony for SB3085 on Mar 28, 2016 14:20PM

**SB3085**

Submitted on: 3/26/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
tori clegg	Individual	Support	No

Comments: Hi I m. Practicing dental hygienist in Hawaii. I am writing in support of this bill.

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Sent: Saturday, March 26, 2016 3:03 PM  
To: CPCtestimony  
Cc: jen.takata@gmail.com  
Subject: \*Submitted testimony for SB3085 on Mar 28, 2016 14:20PM\*

**SB3085**

Submitted on: 3/26/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jennifer Takata	Individual	Support	No

Comments:

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melinda	Individual	Support	No

Comments:

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To: CPCtestimony  
Cc: loanhawaii@gmail.com  
Subject: \*Submitted testimony for SB3085 on Mar 28, 2016 14:20PM\*

**SB3085**

Submitted on: 3/26/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Hong Loan Pham	Individual	Support	No

Comments:

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Sent: Sunday, March 27, 2016 12:16 AM  
To: CPCtestimony  
Cc: hioralhealth@gmail.com  
Subject: Submitted testimony for SB3085 on Mar 28, 2016 14:20PM

**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John Morioka	Individual	Oppose	No

Comments: I am a general dentist writing to OPPOSE SB 3085. This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already few dentists. This bill purports to but does not advance patient health and safety and it will negatively impact access to care. Please do not advance this bill.

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Sent: Sunday, March 27, 2016 12:17 AM  
To: CPCtestimony  
Cc: hioralhealth@gmail.com  
Subject: \*Submitted testimony for SB3085 on Mar 28, 2016 14:20PM\*

**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Curtis Tom	Individual	Oppose	No

Comments:

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To: CPCtestimony  
Cc: hioralhealth@gmail.com  
Subject: Submitted testimony for SB3085 on Mar 28, 2016 14:20PM

**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Wesley Choy	Individual	Oppose	No

Comments: I am writing to voice my OPPOSITION to SB 3085. I have been a practicing dentist in Honolulu since 1989. I find it absolutely absurd that this bill is even being considered. First of all our Board of Dental Examiners should clearly be the Professional body to make any such recommendations regarding Dentistry in our great state of Hawaii. The proposed bill would effectively move us backwards in terms of the care we are able to provide and adversely affect all the residents of Hawaii economically by limiting the care our highly trained assistants are able to do under our direct supervision. How would you feel if you were required to personally review every constituent's concerns, bill or issue without the help of your legislative aides, oh they could answer the phone and maybe help with your schedule, but you personally would have to read everything submitted to you. Your aides would not be allowed to review, summarize, or research anything although they are trained and educated to do that. Ridiculous as that might seem that is the direction SB 3085 is putting the Dental profession in. Our Dental assistants are highly trained and work under our direct supervision and together we are a team just like your legislative aides working together with you, so you can administer your duties to the best of your abilities. Please do not interfere with the highly trained responsibilities that our assistants are able provide. Please seek the experience and knowledge of our Board of Dental Examiners before considering any legislation regarding Dentistry. They are there to lend their expertise for the benefit of the people of Hawaii first and foremost. Again for these reasons I am strongly OPPOSED to SB 3085. Mahalo Wesley J. J. Choy DDS

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kerry Ishihara	Individual	Oppose	No

Comments: My name is Kerry Ishihara. I have been a practicing dentist here in Hawaii for over 30 years. I am employed at Kerry S. Ishihara, DDS, Inc at 810 Kilani Ave., Wahiawa, HI 96786. I am in strong opposition to Bill 3085 which will severely limit the scope of practice for our dental assistants. The dental hygienists are supporting this bill that makes no practical sense. They want to limit the scope of what is afforded the dental assistants under Hawaii law. It will tie the hands of dentist and make the practice of dentistry difficult if not impossible. The hygienists are desperately trying to protect their turf which is in no way is threatened by the dental assistants. I would ask you to NOT pass this bill which will only make the practical practice of dentistry much more difficult if not impossible. Sincerely, Kerry S. Ishihara, DDS, Inc.

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Candace Wada	Individual	Oppose	No

Comments: I am writing to OPPOSE SB 3085. I am a general dentist in a Family Practice in Kahala and have 32 years of experience. I practiced in California for 13 years prior to moving here in 1996. This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already few dentists. This bill purports to but does not advance patient health and safety and it will negatively impact access to care. Please do not advance this bill. First, this measure would needlessly restrict the Hawaii Board of Dental Examiners from input into defining rules regarding Dental Assistants. The Board of Dental Examiners currently regulates the scope of practice for dentists and dental hygienists and intends to update the rules, making this bill both unnecessary and potentially harmful. Second, the most egregious point of this bill is that it will prohibit dental assistants from applying topical fluoride on coronal surfaces of the teeth. Currently, Hawaii is the only state in the country that prohibits dental assistants this activity. Medical assistants in Hawaii are allowed to place topical fluoride in pediatrician/physician's offices; therefore, Dental Assistants should not be prohibited from doing so in a dental office. This provision alone will increase cost 3 to 4 times on EVERY patient receiving a topical application. Those increased costs will further impede the access to care in communities where there are few dentists to begin with, in either public or private settings. I oppose this legislation on the poor public policy it sets and the additional financial burden it puts on consumers in Hawaii. Thank You. Dental health services relating to dental hygienists and dental assistants is constantly modernizing. Highly trained dental assistants now are permitted on the mainland to perform some basic services and procedures which were previously performed by dental hygienists. By passing this legislation and blocking the Board from updating the rules, Hawaii will be locking itself in to archaic practices and procedures. I believe adherence to the provisions in this bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are few dentists to begin with, in either public or private settings. Worse, this bill could reduce available services in marginally served communities when private dentists or community health centers which cannot absorb the costs created by this legislation. I strongly urge you to not support this bill. Respectfully submitted, Candace M. Wada, D.D.S.

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bruno West	Individual	Oppose	No

Comments: 3/24/2016 My name is Bruno West, a practicing dentist in Honolulu since 1970. I practiced in downtown Honolulu for 45 years. We were a multiple dentist practice that was known for high quality dentistry and compassionate and competent staff. Employees remained with us for over 10 years on average. We have four generations of the same family in our practice, they trust us because we earn it! Our staff came with varying degrees of education and experience, but we trained and educated them constantly to become more capable and knowledgeable in the conduct of dentistry. The cost efficiency to the patient allows us to provide excellent care at more reasonable cost with complete oversight and supervision by the dentist. The capabilities of our long term and well trained assistants and hygienists is truly amazing and a number of our former assistants and hygienists have gone on to Dental School and become successful dentist themselves, often distinguishing themselves by their superb technical skills and judgment. I strongly oppose the passage and limitations of SB 3085. Bruno R West DDS Haw lic. 825

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Brandon T Yokota DDS LLC  
1943 S King St  
Honolulu HI 96826

## **SB 3085 Opposition**

I am Dr. Brandon Yokota, a dentist in private practice in Honolulu. I wish to testify in opposition of Senate Bill 3085 SD 1 Relating to Health. The Board of Dental Examiners currently regulates the scope of practice for dentists and dental hygienists and intends to update the rules, making this bill both unnecessary and potentially harmful.

Dental health services relating to dental hygienists and dental assistants is constantly modernizing. Highly trained dental assistants now are permitted on the mainland to perform some basic services and procedures which were previously performed by dental hygienists. By passing this legislation and blocking the Board from updating the rules, Hawaii will be locking itself in to archaic practices and procedures. No other state allows these provisions for good reason.

I also believe that strict adherence to the provisions in this bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are few dentists to begin with, in either public or private settings. Worse, this bill could reduce available services in marginally served communities when private dentists or community health centers which cannot absorb the costs created by this legislation.

I oppose this legislation on the poor public policy it sets and the additional financial burden it puts on consumers in Hawaii.

Thank You for Your Consideration,

Dr. Brandon T Yokota

Alan Ing, DDS  
Kauai Dental Care  
4400 Pahee St.  
Lihue, HI 96766

March 28, 2016

**Re: SB 3085**

Chair McKelvey and Members of the Committee:

My name is Alan Ing, and I am a practicing general dentist in Lihue, Kauai, writing to **OPPOSE SB 3085**. This bill purports to, but DOES NOT, advance patient health and safety and it will negatively impact access to care.

The main problem with this bill is that it will prohibit dental assistants from applying topical fluoride on coronal surfaces of the teeth. Currently, Hawaii is the **ONLY** state in the country that prohibits dental assistants this activity. Medical assistants in Hawaii are allowed to place topical fluoride in pediatrician/physician's offices; therefore, Dental Assistants should not be prohibited from doing so in a dental office. This provision alone will increase cost 3 to 4 times on **EVERY** patient receiving a topical application. Those increased costs will further impede the access to care in communities, like mine, where there are few dentists to begin with, in either public or private settings. I oppose this legislation on the poor public policy it sets and the additional financial burden it puts on consumers in Hawaii. Please do not advance this bill! Thank you for your consideration in this important matter.

Alan Ing, DDS

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Craig Haruki	Individual	Oppose	No

Comments: I am writing to OPPOSE SB 3085 for the second time. Please do not advance this bill. Hawaii already has the most restricted duties of dental assistants compared to many other states in the nation. Prohibiting the application of preventive chemical agents (None specifically named) to the coronal surfaces of teeth is erroneous. Dental offices which do not employ hygienists will be forced to apply this chemical agent themselves, thereby decreasing the efficiency of the office over a safe procedure that a dentist can train his staff members to do. Furthermore, this bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already few dentists. Very Truly Yours, Craig Haruki DDS Lihue, Kauai, HI

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kenji Uejo	Individual	Oppose	No

Comments: To whom it may concern: I am Kenji Uejo, a retired dentist, and wish to express my negative feelings re: Senate Bill 3085. Having been out of practice for so long, my sentiments and thinking may seem old and antiquated, but, the sponsorship of the bill appears in my eyes, to be out of order. Assuming that the dentist himself is fully responsible and liable for anything that happens in his office, and remembering that the existing laws hold the Dental Board of Examiners responsible for delineating the duties and responsibilities of the dental assistant, I see little need or purpose for this bill. Kenji Uejo DDS March 25, 2016

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I am Dr. Myren Severin, a retired army dentist, now a dentist in private practice. I am also a former director of resident education at the Queen's Medical Center and board certified by the American Board of General Dentistry. I wish to testify in opposition to SB3085 SD 1 Relating to Health. First, this measure would needlessly restrict the Hawaii Board of Dental Examiners from input into defining rules regarding Dental Assistants. The Board of Dental Examiners currently regulates the scope of practice for dentists and dental hygienists and intends to update the rules, making this bill both unnecessary and potentially harmful.

Second, the most egregious point of this bill is that it will prohibit dental assistants from applying topical fluoride on coronal surfaces of the teeth. Currently, Hawaii is the only state in the country that prohibits dental assistants this activity. Medical assistants in Hawaii are allowed to place topical fluoride in pediatrician/physician's offices; therefore, Dental Assistants should not be prohibited from doing so in a dental office. Applying topical fluoride is not a clinically demanding procedure that requires a four year professional education. This provision alone will increase cost 3 to 4 times on EVERY patient receiving a topical application. Those increased costs will further impede the access to care in communities where there are few dentists to begin with, in either public or private settings. Hawaii's children are already denied the benefits of fluoridated water. Topical fluoride varnish should not be denied them because of cost. . I oppose this legislation because of the poor public policy it sets and the additional financial burden it puts on consumers in Hawaii. Thank You.

Myren R Severin, DDS, ABGD

I work part time as an independent contractor for Tokunaga Family Dentistry in Wahiawa and Ewa Beach.

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**SB3085**

Submitted on: 3/27/2016

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mark Watanabe	Individual	Oppose	No

Comments: Mark Watanabe DDS Pacific Family Dental, Inc. 4429 Malaai Street #103 Honolulu, HI 96818 Dear Sir/Madam: I am a local dentist in Honolulu and am writing to OPPOSE SB 3085. This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already few dentists. This bill purports to but does not advance patient health and safety and it will negatively impact access to care. Please do not advance this bill. Respectfully, Mark Watanabe, DDS

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Hawaii State Legislature  
State House of Representatives  
Committee on Consumer Protection and Commerce

Representative Angus L.K. McKelvey, Chair  
Tuesday, March 29, 2016

SB3085, SD1, HD1 Relating to Health

Honorable Chair McKelvey and Members of the Committee:

I OPPOSE SB3085, SD1, HD1.

I am a pediatric dentist in private practice for over 35 years. This bill will prevent the Board of Dental Examiners from providing the proper and effective oversight that it needs for the safety of our citizens seeking dental care.

It would prevent ALL dental assistants from working until a program is created and implemented to "train the trainers".

This bill does more harm to dentistry than it's intentions. Please hold this bill.

Mahalo,  
Dr. Norman S. Chun  
444 Uluniu Street  
Kailua, HI 96734808-2610813



**Relating to SB 3085 SD1 HD1**  
**Committee on Consumer Protection and Commerce**

Representative Angus McKelvey, Chair

Representative Julian Woodson, Vice Chair and Members of the Committee

Hearing Date: Monday March 28, 2016

Time: 2:20 PM

Place: Room 325

Dear Chair McKelvey, Vice-Chair Woodson and Committee Members  
I am writing in support of SB 3085 SD1 HD1

My name is Sierra Spruce, RDH and I have been a full time practicing hygienist for 45 years, 30 of those years in Kona, Hawaii. I have served in leadership positions in both Texas and Hawaii. I served on the Dental Hygiene Advisory Committee to the Texas State Board of Dental Examiners and have served as a grader for the Hawaii dental hygiene board exams.

This bill serves to clarify who may become a dental hygienist. Part of the requirements for licensure specify an applicant be certified in local intra-oral infiltration and intra-oral block anesthesia. The Board of Dental Examiners has waived this requirement and issued licenses to applicants who do not have this certification. This requirement is part of the statute (section 447-1).

The bill also delineates the prohibited duties of the dental assistant and places them in the statute. Most assistants in this state are on the job trained employees, with no official education, certification or examination. They work under the supervision of the dentist but are usually trained by other assistants in the office. The BODE has tried in the past and is currently seeking to change the duties of these auxiliaries without regard for public safety.

Please give your support to this important bill.

Sincerely,

Sierra Spruce, RDH  
Ocean View, Hawaii  
Past President, Hawaii Dental Hygienists' Association  
Past President, Texas Dental Hygienists' Association



Honored members of the COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Angus L. K. McKelvey, Chair; Rep. Justin H. Woodson, Vice Chair

Rep. Della Au Belatti, Rep. Mark M. Nakashima, Rep. Tom Brower, Rep. Marcus Oshiro

Rep. Richard P. Creagan, Rep. Joy A. San Buenaventura, Rep. Sharon E. Har, Rep. Gregg Takayama, Rep. Mark J. Hashem, Rep. Ryan I. Yamane, Rep. Derek S. K. Kawakami, Rep. Beth Fukumoto Chang, Rep. Chris Lee, Rep. Bob McDermott

Dear members of the Committee on Consumer Protection & Commerce,

My name is Dr. Lynn Fujimoto, Immediate Past President of the Hawaii Dental Association, and I have been in the private practice of Pediatric Dentistry in Pearl City for over thirty years. I strongly oppose SB 3085 on many levels.

This bills calls for: "The training required pursuant to this section may be provided by programs that are approved or accredited by the board or by a licensed dentist; provided that a dentist who chooses to train the dentist's auxiliary personnel shall first complete a continuing education program on how to provide training to auxiliary personnel."

The majority of dental assistants in the State of Hawaii have been trained by their dentist who hired them. This bill would mandate unnecessary costs to the dental community by forcing dentists to complete a continuing education program on how to provide training for auxiliary personnel. The increased costs that will be created by this bill for additional training will further impede the access to care in communities where there is already an access issue.

I highly recommend a study of licensing of dental assistants. We need to include more duties instead of limiting their duties. The physicians have begun to include the application of fluoride varnish to their patients. Their auxiliary personnel, nurses, etc. are applying fluoride varnish and this reversible, safe procedure should be also allowed by dental assistants. With the poor oral health of our keiki in Hawaii, all legislative efforts should be made to increase preventive care instead of decreasing dental health.

Thank you for this opportunity to submit testimony in opposition to SB 3085, SD1, HD1.

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Laura Mallery-Sayre	Individual	Support	No

Comments: I am in support of SB 3085 as it sets strict guidelines for the qualifications of dental hygienists practicing in Hawaii and further delineates the qualifications of unlicensed and non-accredited dental assistants.

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Re: SB. NO. 3085

Committee on Health

Hearing Date: March 28,2016

Time: Senate 2:20pm

Place: Conference Room 329

RELATING TO DENTAL HYGIENISTS

FEBRUARY 8, 2016



Good Morning Senator Kelvey and members of the CPC:

This testimony is in support of SB 3085.

My name is Diana Smith RDH, BA. I've been a licensed Dental Hygienist for 35years, 25 of those years in Hawaii. I'm a member of the American Dental Hygienists' Association, the Hawaii Island Trustee for the Hawaii Dental Hygienists' Association and past President for the Big Island HDHA component. I'm employed full time in a private practice and I'm currently volunteering in a 2 year program I've developed for "Full Life" Empowering people with disabilities.

I'd like to thank the members of legislature for taking the time to address these issues.

This is a public safety issue. The wording in section 448-3 b (Duties of the dental assistant and regulatory directives shall be delineated under rules which the board of dental examiners may from time to time adopt) this seems to be very open ended statement.

It gives the dental board a "carte blanche" to decide what procedures a dental assistant can do. The board presently has the ability to allow "any" service the board of dental examiners decided to adopt, which may include duties and procedures that are presently provided by licensed hygienists, to be delegated to an unlicensed dental assistant. This allows the dentists to "Save Costs" by not employing a licensed professional, bottom line.

Having a complete list of duties that are "not" to be performed by dental assistants eliminates questions concerning assisting duties. There are many intra-oral procedures that require technical skills and formal education. These cannot be adequately provided by a few hands-on in office instruction. Dental assistants are NOT required a certification, some dental assistants

do hold certifications from other states, however there are NO requirements for dental assistants (including a high school diploma) in Hawaii. SB3085 makes the duties of the dental assistant clear.

We need to have licensed/college educated dental professionals who have an understanding of biological and chemical interactions and who have been formally trained to provide these dental services to the public and therefore protect their safety.

Thank-you for taking the time address this matter,

Diana G. Smith RDH, BA, member ADHA, HDHA Big Island Trustee

85-4589 Mamalahoa Hwy.

Captain Cook, Hi 96704

808 345-7019 [dgsinhawaii@yahoo.com](mailto:dgsinhawaii@yahoo.com)

**LATE**

March 27, 2016

Re: Opposition to SB 3085.

I am Dr. Mark Koizumi, a Hilo area general dentist in private practice.

**I am writing to OPPOSE SB 3085.**

This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care, especially in communities where there are already few dentists. This bill purports to advance patient health and safety, but it does not, and will negatively impact access to care. Please do not advance this bill.

Medical assistants in Hawaii are allowed to place topical fluoride in pediatrician/physician's offices; therefore, Dental assistants should not be prohibited from doing so in a dental office. It is illogical to prohibit a dental assistant from performing a safe and beneficial dental procedure, while at the same time, allowing other non-dental personnel to perform the same procedure in non-dental settings. Advancement of this legislation would negatively impact cost and impede access to dental care across the state.

I oppose this legislation on the poor public policy it sets and the additional financial burden it puts on consumers in Hawaii.

Again, please do not advance this bill.

Thank you.

Dr. Mark Koizumi

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**SB3085**

Submitted on: 3/27/2016

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Allison Tran	Individual	Oppose	No

Comments: My name is Allison Tran-Yokota. I am a dental specialist in periodontics with private practices in Honolulu and Mililani. I am writing to OPPOSE SB 3085. This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already few dentists. This bill purports to but does not advance patient health and safety and it will negatively impact access to care. The Board of Dental Examiners currently regulates the scope of practice for dentists and dental hygienists and intends to update the rules, making this bill both unnecessary and potentially harmful. Dental health services relating to dental hygienists and dental assistants is constantly modernizing. Highly trained dental assistants now are permitted on the mainland to perform some basic services and procedures which were previously performed by dental hygienists. By passing this legislation and blocking the Board from updating the rules, Hawaii will be locking itself in to archaic practices and procedures. Please do not advance this bill. Sincerely, Allison Tran-Yokota D.D.S. 1441 Kapiolani Blvd Suite 1506 Honolulu, HI 96814

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**SB3085**

Submitted on: 3/27/2016

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eugene Yamaguma	Individual	Oppose	No

Comments: I am writing this in opposition of Senate Bill 3085. I am Eugene Yamaguma, DDS, MSD, a practicing prosthodontist for over 35 years on Maui. Passage of this bill will limit the duties of the Hawaii Board of Dental Examiners in defining future rules and procedures of dental assistants. It will only increase the cost of dental care and make access to care more difficult throughout Hawaii. In the future, dental assistants with proper training can provide additional services which will help control the cost of dental care. Only within the scope of the Board of Dental Examiners can proper educational and certifying requirements be developed to achieve these goals. I oppose this bill to prevent erosion of the consumers access and financial burden in obtaining dental care. Eugene Yamaguma, DDS, MSD 1885 Main St., Ste. 208 Wailuku, HI 96793

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March 28, 2016

**LATE**

House Consumer Protection Committee

SB 3085 – Oppose

My name is Carla Fukumoto and I am a practicing general dentist in the Kuakini/Liliha area.

I am writing to OPPOSE SB 3085.

This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already few dentists. This bill purports to but does not advance patient health and safety and it will negatively impact access to care. Please do not advance this bill.

The Board of Dental Examiners currently regulates the scope of practice for dentists and dental hygienists and intends to update the rules, making this bill both unnecessary and potentially harmful. Please let those who know the practice of dentistry determine what can or cannot be performed.

Mahalo for hearing this testimony.

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**LATE**

**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Derek Ichimura, DMD	Individual	Oppose	No

Comments: I am writing to OPPOSE SB 3085. This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already few dentists. This bill purports to but does not advance patient health and safety and it will negatively impact access to care. Please do not advance this bill. I am a general dentist practicing in Pearl City and have been practicing in Hawaii for 28 years. This bill will essentially remove the use of a chair-side dental assistant as it will restrict many of the duties allowed under the current laws. Limiting the duties of a dental assistant does not automatically insure the safety of the public. The supervising dentist is ultimately responsible for the actions of his or her employees and the one responsible for the safety of the public. Poor judgment, incompetency and lack of leadership on the part of the dentist causes harm to the public. The dentist is fully accountable for their own actions and that of the employees. Restricting the duties of a dental assistant will not change this fact. Please do not advance this bill. Thank you, Derek H. Ichimura, D.M.D.

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**LATE**

**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Scott Takiguchi, DDS	Individual	Oppose	No

Comments: My name is Scott K. Takiguchi and I am a practicing general dentist in the Moiliili/University area. I am writing to OPPOSE SB 3085. This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already few dentists. This bill purports to but does not advance patient health and safety and it will negatively impact access to care. Please do not advance this bill. Thank you for your consideration. Scott K. Takiguchi, DDS

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**LATE**

*Allen Seto DDS  
32 N. School Street  
Honolulu, HI 96817*

*Attn: House Consumer Protection & Commerce Committee*

*I am a general dentist practicing in Honolulu and I am writing to OPPOSE SB 3085.*

*This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state.*

*Those increased costs will further impede the access to care in communities where there are already few dentists.*

*This bill purports to but does not advance patient health and safety and it will negatively impact access to care.*

*Please do not advance this bill.*

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Nomura	Individual	Oppose	No

Comments: I am Dr. Alan K. Nomura a dentist in private practice. I wish to testify in opposition to SB3085 SD 1 Relating to Health. First, this measure would needlessly restrict the Hawaii Board of Dental Examiners from input into defining rules regarding Dental Assistants. The Board of Dental Examiners currently regulates the scope of practice for dentists and dental hygienists and intends to update the rules, making this bill both unnecessary and potentially harmful. Second, the most egregious point of this bill is that it will prohibit dental assistants from applying topical fluoride on coronal surfaces of the teeth. Currently, Hawaii is the only state in the country that prohibits dental assistants this activity. Medical assistants in Hawaii are allowed to place topical fluoride in pediatrician/physician's offices; therefore, Dental Assistants should not be prohibited from doing so in a dental office. This provision alone will increase cost 3 to 4 times on EVERY patient receiving a topical application. Those increased costs will further impede the access to care in communities where there are few dentists to begin with, in either public or private settings. I oppose this legislation on the poor public policy it sets and the additional financial burden it puts on consumers in Hawaii. Thank You. Dr. Alan K. Nomura 1481 South King Street Suite 503 Honolulu, HI 96814

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**LATE**



**EndodonticSpecialists** inc.

GARY S. YONEMOTO, DDS, MS  
WADE K. NOBUHARA, DDS, MS  
RACHEL M. YORITA, DDS  
ARIC PETERSEN, DDS, MS

March 26, 2016

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Angus L.K. McKelvey, Chair

Rep. Justin H. Woodson, Vice chair

Dear Representative McKelvey:

My name is Dr. Gary Yonemoto, past President of the Hawaii Dental Association and past Trustee of the American Dental Association. I am also a practicing dentist in the State of Hawaii for the past 35 years.

I wish to testify in opposition to SB3085 SD1 Relating to Health. There are many reasons why this should not pass. First, this bill will increase the cost of dental health care for both the dentists in private practice and for the community health centers around the state. As you probably already know these increased costs will impede the access to care in communities that are in need for good oral health care. Second, this bill would restrict the Hawaii Board of Dental Examiners from their duty to obtain input from communities of interest when defining the "scope of practice" for dental assistants and dental hygienists. This could be potentially harmful for the public. Third, it would prohibit dental assistants from applying topical fluoride on coronal surfaces of the teeth. This would make Hawaii the only state in the country that would prohibit this vital service to our patients. Medical assistants in Hawaii are allowed to place topical fluoride in pediatrician/physicians' offices. Therefore, Dental Assistants should not be prohibited from doing this service in a dental office. This is especially important since Hawaii does not have community water fluoridation.

Due to these reasons, please do not advance this bill.

Respectively submitted by,

Gary S. Yonemoto, DDS.MS.

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rohinton Patel	Individual	Oppose	No

Comments: To whom it may concern, I am writing to OPPOSE SB 3085. This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already few dentists. This bill purports to but does not advance patient health and safety and it will negatively impact access to care. Please do not advance this bill. Thank you for your time and consideration regarding this bill. Dr. Rohinton Patel, Director Hawaii Pacific Dental Group, Inc. Adjunct Clinical Professor, Boston University, School of Dental Medicine  
[www.hawaiipacificdental.com](http://www.hawaiipacificdental.com) Oahu Practice (808) 955-0008

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kent Sato, DMD	Individual	Oppose	No

Comments: I am Kent Sato and a dentist in private practice. I have been practicing at 848 South Beretania St. in Honolulu for the past 32 years. I wish to testify in opposition to SB3085 SD 1 Relating to Health. This measure would needlessly restrict the Hawaii Board of Dental Examiners from input into defining rules regarding Dental Assistants. The Board of Dental Examiners currently regulates the scope of practice for dentists and dental hygienists and intends to update the rules, making this bill both unnecessary and potentially harmful. This bill will increase the cost of dental care. With Obamacare increasing the cost of health care, I don't see why we would want to increase the cost of dental care. The bill intends to protect patient health and safety but it will negatively impact access and cost to dental care. Please do not advance this bill. Thank you. Kent Sato, DMD

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**LATE**

Nalu Dental LLC  
28 Kamoi St, Ste #200, Kaunakakai, HI, 96748

Aloha,

I'm Boki Chung DDS, owner of Nalu Dental LLC at 28 Kamoi St, Ste #200, Kaunakakai, HI, 96748.

I am writing to OPPOSE SB 3085.

**I live on Molokai, where access to care is already hard as it is.** By passing this bill, it will increase the cost of dental care for my 7500 community members. We are not an island of affluence, and oral health is poor here because a lot of adults do NOT have dental insurance. **Why would want to decrease the access to care for my community?**

Please do not advance this bill.

Mahalo,

Boki Chung, DDS

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dr. Blake Kitamura	Individual	Oppose	No

Comments: My name is Blake Kitamura. I am an oral and maxillofacial surgeon in Honolulu. I am writing to OPPOSE SB 3085. This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already few dentists. This bill purports to but does not advance patient health and safety and it will negatively impact access to care. Please do not advance this bill. Thank You, Blake Kitamura, DDS

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**LATE**

Monday, March 28, 2016  
2:20 P.M.  
Capitol Conference Room 325

Testimony regarding SB 3085

My name is Steven Uchida DDS and I have two offices, one located in Kailua and one located on South King St in the Ala Moana area. I was born and raised in Hawaii.

I have practiced in Hawaii since 1993, twenty three years. I am opposed to Senate Bill 3085 as it puts even more economic strains on doing business in Hawaii. That is something that we just do not need as the business climate in Hawaii is poor and needs to start turning around for the positive.

This bill would turn things for the negative. Like most regulatory bills, it was intended for safety but the net result is more cost of doing business and the net result would be for the poor to be left behind in terms of dental care. If you are interested in growing the economic state of Hawaii and all its people please do not pass Senate Bill 3085.

Mahalo,

Steven Uchida DDS



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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Russell Tom, DDS	Individual	Oppose	No

Comments: My name is Russell Tom and I am a dentist in private practice in Honolulu. I am opposed to SB 3085. Please do not try to fix something that is not broken. We are not like the certain parts of the mainland. In Hawaii, we have some the safest patient care laws as far as practicing Dentistry is concern. The BDE are doing a outstanding job in protecting the public.SB 3085 will only increase out of pocket cost to every consumer of dental health treatment. This will negatively impact access to dental care especially in areas where there is a shortage a shortage of health care providers. Please consider the big picture and not the wishes of a few. Thank You for your time, Russell Tom D.D.S. Sent from my iPad.

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**LATE**



Errol Y.W. Yim, DDS, MS

Errol Y.W. Yim, DDS, MS, Inc.  
45-939 Kamehameha Hwy - Suite 103  
Kaneohe, HI 96744  
T 808.247.6039 | dryim@erroyimdds.com

Dear Sirs,

We are very responsible dentist in the state of Hawaii and we take great pride and training to train our dental assistants to perform task that we feel are appropriate to the patient's care. We would never promote or agree to any procedures done by dental assistants without proper training and approval by ourselves, the dentist in charge.

I am writing to OPPOSE SB 3085. This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already few dentists. This bill purports to but does not advance patient health and safety and it will negatively impact access to care. Please do not advance this bill.

Please OPPOSE this Bill SB 3085.

Dr Errol Y.W. Yim



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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dean Sueda, DDS, MS	Individual	Oppose	No

Comments: Dear Consumer Protection and Commerce Committee Members, My name is Dean Sueda and I've practicing pediatric dentistry in Honolulu since 1980. I want to express my strong OPPOSITION TO SB 3085. This bill will increase the costs of dentistry not only in the private sector but also in the public sector of Hawaii. With increases in costs, especially in the public sectors, it will make it more difficult for community centers to remain open and thus will directly impede the public's access to dental care. This bill purports to but does NOT advance public health and safety but it WILL negatively impact access to care. Thank you for allowing me to express my view in OPPOSITION OF SB 3085. Sincerely, Dean Sueda, DDS, MS

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Honored members of the COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Angus L.K. McKelvey, Chair; Rep. Justin H. Woodson, Vice Chair

Rep. Della Au Belatti, Rep. Mark M. Nakashima, Rep. Tom Brower, Rep. Marcus R. Oshiro

Rep. Richard P. Creagan, Rep. Joy A. San Buenaventure, Rep. Sharon E. Har, Rep. Gregg Takayama, Rep. Mark J. Hashem, Rep. Ryan I. Yamane, Rep. Derek S.K. Kawakami, Rep. Beth Fukumoto Chang, Rep. Chris Lee, Rep. Bob McDermott

Testimony in opposition to SB 3085, SD1, HD1 RELATING TO HEALTH

Clarifies the requirements for an individual to become a licensed dental hygienist. Clarifies the allowable and prohibited practices and training requirements for dental assistants.

Monday, March 28, 2016; 2:20PM; Conference Room 325

My name is Dr. Alan K. Yoshida, I have been practicing Dentistry in Hawaii since August 1979.

This measure unnecessarily confuses the rules regarding Dental Assistants and needlessly restates the block anesthesia requirement for Dental Hygiene licensure. It is confusing as to why the former items regarding Dental Assistants should be addressed as a Statutory change and seeks to undermine the due diligence that the Hawaii Board of Dental Examiners have applied in the formulation of the Rules section of the Dental Practice Act.

I would still strongly urge the members of this committee to remove this bill from any serious consideration.

Thank you for this opportunity to submit testimony in opposition to SB3085, SD1, HD1

Dr. Alan K. Yoshida  
1003 Bishop Street #350  
Honolulu, Hawaii 96813



Honored members of the COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Angus L.K. McKelvey, Chair; Rep. Justin H. Woodson, Vice Chair

Rep. Della Au Belatti, Rep. Mark M. Nakashima, Rep. Tom Brower, Rep. Marcus R. Oshiro

Rep. Richard P. Creagan, Rep. Joy A. San Buenaventure, Rep. Sharon E. Har, Rep. Gregg Takayama, Rep. Mark J. Hashem, Rep. Ryan I. Yamane, Rep. Derek S.K. Kawakami, Rep. Beth Fukumoto Chang, Rep. Chris Lee, Rep. Bob McDermott

Testimony in opposition to SB 3085, SD1, HD1 RELATING TO HEALTH

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Monday, March 28, 2016; 2:20PM; Conference Room 325

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This measure unnecessarily confuses the rules regarding Dental Assistants and needlessly restates the block anesthesia requirement for Dental Hygiene licensure. It is confusing as to why the former items regarding Dental Assistants should be addressed as a Statutory change and seeks to undermine the due diligence that the Hawaii Board of Dental Examiners have applied in the formulation of the Rules section of the Dental Practice Act.

I would still strongly urge the members of this committee to remove this bill from any serious consideration.

Thank you for this opportunity to submit testimony in opposition to SB3085, SD1, HD1

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Scott Morita	Individual	Oppose	No

Comments: I am Dr. Scott Morita, President of the Hawaii Dental Association: Young Dentist Group and an orthodontist in private practice. I am writing to OPPOSE SB 3085. This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already few dentists. This bill purports to but does not advance patient health and safety and it will negatively impact access to care. Please do not advance this bill.

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Duane Tamashiro	Individual	Oppose	No

Comments: Duane S. Tamashiro, D.D.S.,Inc. 1010 S. King Street, Suite 204 Honolulu, HI 96814 Dear Legislative Member, My name is Duane Tamashiro, I have been practicing Dentistry in Hawaii since 1998. I am writing to oppose Senate Bill 3085. This bill will negatively effect both private practice dentists and community dental centers. This measure also unnecessarily confuses the rules regarding Dental Assistants and needlessly restates the block anesthesia requirement for Dental Hygiene licensure. It is a little confusing as to why the former items regarding Dental Assistants should be addressed as a Statutory change and seeks to undermine the due diligence that the Hawai'i Board of Dental Examiners have applied in the formulation of the Rules section of the Dental Practice Act. I would still strongly urge the members of this committee to remove this bill from any serious consideration. Thank you for this opportunity to submit testimony in opposition to SB3085, SD1, HD1. Respectfully yours, Duane Tamashiro, D.D.S. Duane S. Tamashiro, D.D.S.,Inc. 1010 S. King Street, Suite 204 Honolulu, HI 96814

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jaimie	Individual	Oppose	No

Comments:

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Joan Greco	Individual	Oppose	No

Comments: I am writing to OPPOSE SB 3085. First, this measure would needlessly restrict the Hawaii Board of Dental Examiners from input into defining rules regarding Dental Assistants. The Board of Dental Examiners currently regulates the scope of practice for dentists and dental hygienists and intends to update the rules, making this bill both unnecessary and potentially harmful. Second, the most egregious point of this bill is that it will prohibit dental assistants from applying topical fluoride on coronal surfaces of the teeth. Currently, Hawaii is the only state in the country that prohibits dental assistants this activity. Medical assistants in Hawaii are allowed to place topical fluoride in pediatrician/physician's offices; therefore, Dental Assistants should not be prohibited from doing so in a dental office. This provision alone will increase cost 3 to 4 times on EVERY patient receiving a topical application. Those increased costs will further impede the access to care in communities where there are few dentists to begin with, in either public or private settings. I see countless number of pediatric patients that would be impacted by with-holding this care. The amount of baby bottle caries and decay caused by essential "neglect" could be, in part, combated by allowing the dental assistant to apply the topical fluoride. This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already few dentists. This bill purports to but does not advance patient health and safety and it will negatively impact access to Dcare. Please do not advance this bill. I am an Oral and Maxillofacial Surgeon in Kamuela and Hilo on the Big Island Many thanks, Dr. Joan Greco Oral and Maxillofacial Surgeon 65-1230 Mamalahoa Hwy, Kamuela, HI 96743

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**LATE**

*Dr. Neil Furuya and Dr. Kenneth Choy*  
Honolulu Periodontics and Implants  
615 Piikoi Street., PH 2  
Honolulu, HI 96814  
email: [honoluluperiodontics@yahoo.com](mailto:honoluluperiodontics@yahoo.com)

I am a member of the Hawaii Dental Association (HDA) with over 1,000 member dentists and have been practicing full time dentistry in Honolulu as well as teaching dental residents for over 27 years. I appreciate the opportunity to testify in opposition of Senate Bill 3085 SD 1 Relating to Health. The Board of Dental Examiners (Board), whom I have worked with many years as a dental exam grader and many years as the Dental Hygiene Examination calibrator, currently and has been effectively regulating the scope of practice for dentists and dental hygienists and intends to update the rules, making this bill both unnecessary and potentially harmful.

Dental health services relating to dental hygienists and dental assistants is constantly modernizing. Highly trained dental assistants now are permitted on the mainland to perform some basic services and procedures which were previously performed by dental hygienists. By passing this legislation and blocking the Board from updating the rules, Hawaii will be locking itself in to archaic practices and procedures.

This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are few dentists to begin with, in either public or private settings. Worse, this bill could reduce available services in marginally served communities when private dentists or community health centers which cannot absorb the costs created by this legislation. The Hawaii Dental Association as well as I, oppose this legislation on the poor public policy it sets and the additional financial burden it puts on consumers in Hawaii.

Please let the Board continue to effectively do its job and not tie their hands. There are lay people on this Board for a reason. If they felt the Board was not effectively doing their job, they would oppose the regulations and would be vocal about their concerns.

*Thank you,*  
*Neil Furuya, DDS*

**LATE**

**Peter H. Fay, DMD**

**Prosthodontist**

140 Hoohana St., #300

Kahului, HI 96732

[808-871-6283](tel:808-871-6283)

[www.drpeterfay.com](http://www.drpeterfay.com)

Re: Opposition to SB 3085

Dear Hawaii State Legislators,

As a prosthodontic specialist dentist practicing in Kahului, Maui, I am writing to strongly OPPOSE SB 3085.

This bill is completely unnecessary and will do nothing to improve dental care and will do nothing to improve access to dental care in the state. In fact this bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already few dentists. This bill purports to but does not advance patient health and safety and it will negatively impact access to care.

Please do not advance this completely unnecessary bill.

Sincerely,

Peter Fay

**LATE**

From: mailinglist@capitol.hawaii.gov  
Sent: Sunday, March 27, 2016 6:22 PM  
To: CPCtestimony  
Cc: gviernes-smiledental@hawaii.rr.com  
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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Gina Viernes	Individual	Oppose	No

Comments: Smile Dental Center Inc. 94-300 Farrington Hwy , Ste D-02 Waipahu , HI 96797 I am writing to OPPOSE SB 3085. This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already few dentists. This bill purports to but does not advance patient health and safety and it will negatively impact access to care. Please do not advance this bill." Sincerely, Dr Gina Viernes Smile Dental Center Inc. 94-300 Farrington Hwy , Ste D-02 Waipahu , HI 96797

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Subject: Submitted testimony for SB3085 on Mar 28, 2016 14:20PM

**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Frances Hamada	Individual	Oppose	No

Comments: My name is Francis Hamada, D.D.S. My address is 98-1247 Kaahumanu street. Since 1982 I have practiced dentistry in the Downtown Honolulu and Aiea area with the utmost care for my patients. It disturbs me when Statutory changes are made that make it more difficult to provide services to our patients and ultimately raise the cost of dental services. This is the ultimate result of SB 3085. I strongly urge the Committee to delete this Bill from any other consideration. Thank you for the opportunity to express my opposition to SB 3085, SD1,HD1. Francis Hamada, D.D.S. March 26, 2016

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To: CPCtestimony  
Cc: dougwrobel@gmail.com  
Subject: Submitted testimony for SB3085 on Mar 28, 2016 14:20PM

**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Doug Wrobel	Individual	Oppose	No

Comments: I am a dentist who has been practicing in Hawaii Kai for 28 years. I am writing to OPPOSE SB 3085. The bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already fee dentists. This bill purports to but does not advance patient health and safety and it will negatively impact access to care. Please do not advance this bill. Regards, Dr. Doug Wrobel

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Garrett Hayashi, D. D. S.	Individual	Oppose	No

Comments: My name is Garrett Hayashi and I have a private practice located in downtown Honolulu. I am writing to state my opposition to Senate Bill 3085 which will directly impact my small business in a negative way by driving up further the cost of running a business in the state of Hawaii. Please allow the Board of Dental Examiners to continue to advance our profession using guidelines already applied in most mainland dental practices already. Sincerely, Garrett Hayashi, D. D. S.

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To: CPCtestimony  
Cc: marcus\_hannah@hotmail.com  
Subject: Submitted testimony for SB3085 on Mar 28, 2016 14:20PM

**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dr. Marcus Hannah	Individual	Oppose	No

Comments: I am a practicing dentist in Kailua and would like to voice my strong opposition to Bill 3085. My practice name is Kailua Dental Arts located at 970 N. Kalaheo Ave. Ste A305 Kailua, HI 96734. It is ridiculous that dental assistants are not allowed to apply beneficial fluoride to patients and that needs to change. Please do not let this bill pass. Thank you for your consideration.

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Cc: rhtamaru@gmail.com  
Subject: Submitted testimony for SB3085 on Mar 28, 2016 14:20PM

**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Tamaru	Individual	Oppose	No

Comments: I am Dr. Richard Tamaru, and I have been practicing dentistry in Honolulu for 29 years. I am writing to OPPOSE SB 3085. This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already few dentists. This bill purports to but does not advance patient health and safety and it will negatively impact access to care. I strongly urge you to remove this bill from consideration. Thank you, Richard Tamaru Richard H. Tamaru DMD LLC 615 Piikoi St., Ste. 804 Honolulu, HI 96814

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Cc: dr.shellykawamoto@mac.com  
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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Shelly Kawamoto	Individual	Oppose	No

Comments: My name is Dr. Shelliann Kawamoto, Board of Trustee member of the Hawaii Dental Association and a dentist in private practice. I wish to testify in opposition to SB3085 SD 1 Relating to Health. First, this measure would needlessly restrict the Hawaii Board of Dental Examiners from input into defining rules regarding Dental Assistants. The Board of Dental Examiners currently regulates the scope of practice for dentists and dental hygienists and intends to update the rules, making this bill both unnecessary and potentially harmful. Second, the most egregious point of this bill is that it will prohibit dental assistants from applying topical fluoride on coronal surfaces of the teeth. Currently, Hawaii is the only state in the country that prohibits dental assistants this activity. Medical assistants in Hawaii are allowed to place topical fluoride in pediatrician/physician's offices; therefore, Dental Assistants should not be prohibited from doing so in a dental office. This provision alone will increase cost 3 to 4 times on EVERY patient receiving a topical application. Those increased costs will further impede the access to care in communities where there are few dentists to begin with, in either public or private settings. I oppose this legislation on the poor public policy it sets and the additional financial burden it puts on consumers in Hawaii. Thank You, Dr. Shelliann Kawamoto Shelly Kawamoto DDS MS Orthodontist We Make People Smile :)™ dr.shellykawamoto@mac.com 1441 Kapiolani Street Suite 503 Honolulu, Hawaii 96814 94-673 Kupuohi Street Suite C-103 Waipahu, Hawaii 96797

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Neshone Gardner	Individual	Support	No

Comments:

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Michael Pampalon	Individual	Oppose	No

Comments: My name is Michael Pampalon, and I am a dentist in practice in Honolulu. I would like to express my opposition to SB3085. First, this measure would needlessly restrict the Hawaii Board of Dental Examiners from input into defining rules regarding Dental Assistants. The Board of Dental Examiners currently regulates the scope of practice for dentists and dental hygienists and intends to update the rules, making this bill both unnecessary and potentially harmful. Second, this bill will prohibit dental assistants from applying topical fluoride on coronal surfaces of the teeth. Currently, Hawaii is the only state in the country that prohibits dental assistants this activity. Medical assistants in Hawaii are allowed to place topical fluoride in pediatrician/physician's offices; therefore, Dental Assistants under the supervision of Dentists should not be prohibited from doing so in a dental office. This bill will increase the cost of dental health care for both dentists in private practice and for community health centers around the state. Those increased costs will further impede the access to care in communities where there are already few dentists. This bill purports to but does not advance patient health and safety and it will negatively impact access to care. Please do not advance this bill. Thank you, Michael Pampalon DMD

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kyoko Tomita	Individual	Support	No

Comments:

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**SB3085**

Submitted on: 3/27/2016

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robin Sasaki	Individual	Support	No

Comments:

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Frank H. Sayre, D.D.S.	Individual	Support	No

Comments: As a retired dentist who practiced for 42 years in Hawaii, I support this bill. The protection of the patient comes before all else. Duties of dental auxiliaries need to be spelled out and education and training levels be mandated. To defeat this bill would be the first step towards legislating mediocrity.

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Sarah Li	Individual	Support	No

Comments:

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**SB3085**

Submitted on: 3/27/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Christopher Lee	Individual	Oppose	No

Comments: I am Dr. Christopher Lee, a pediatric dentist who practices in Honolulu and Ewa Beach. I wish to testify in opposition to SB3085 SD 1 Relating to Health. First, this measure would needlessly restrict the Hawaii Board of Dental Examiners from input into defining rules regarding Dental Assistants. The Board of Dental Examiners currently regulates the scope of practice for dentists and dental hygienists and intends to update the rules, making this bill both unnecessary and potentially harmful. The practice of dentistry and the standards of care are constantly changing, and this law makes it impossible for the Board of Dental Examiners to keep up with the standards taught in accredited schools across the country. Second, the most egregious point of this bill is that it will prohibit dental assistants from applying topical fluoride on coronal surfaces of the teeth. Topical fluoride application is the single most valuable, clinically administered, preventive measure against tooth decay. Currently, Hawaii is the only state in the country that prohibits dental assistants this activity. Medical assistants in Hawaii are currently allowed to place topical fluoride in pediatrician/physician's offices. Therefore, Dental Assistants should not be prohibited from doing so in a dental office. This provision does not even make sense. The Hawaii State Board of Dental Examiners has been working hard to bring Hawaii up to speed regarding the changing landscape of dentistry and this bill will bring those efforts to a screeching halt. Ultimately, this bill serves as a huge roadblock for access to care in underserved communities as it will further impede the access to care in communities where there are few dentists to begin with, in either public or private settings. I oppose this legislation on the poor public policy it sets and the additional financial burden it puts on consumers in Hawaii. Thank You, Dr. Christopher Lee

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**SB3085**

Submitted on: 3/28/2016

Testimony for CPC on Mar 28, 2016 14:20PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Divine Grace Boquiren, RDH	Individual	Support	No

Comments: This bill is a public safety issue. It would be disservice to the public to allow unlicensed employees who are not properly educated and trained to perform dental hygiene duties, simply to cut cost and follow trend set by other states with registered dental assistants. As regards to the licensing requirements for dental hygienists, ALL documents must be met before a license is granted. Thank you for allowing me to testify.

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