

1 important that unlicensed persons do not infringe upon any
2 licensed profession's scope of practice. The legislature also
3 finds that training and education for dental assistants are
4 important. However, it is not appropriate for unlicensed
5 auxiliary personnel to be expected or required to perform
6 duties, activities, or functions that, if performed by a dental
7 hygienist, would require licensure.

8 The legislature's intent is to make clear that if the board
9 of dental examiners wishes to amend the scope of practice for
10 licensed professionals or auxiliary personnel under the board's
11 purview, then the board must approach the legislature, so such a
12 change can be made in statute.

13 Accordingly, the purpose of this part is to clarify the
14 allowable and prohibited practices for dental assistants.

15 SECTION 2. Section 448-3, Hawaii Revised Statutes, is
16 amended by amending subsection (b) to read as follows:

17 "(b) A duly licensed and registered dentist may employ
18 auxiliary personnel, other than registered dental hygienists, to
19 assist the dentist in executing the dentist's practice of
20 dentistry. These employees shall be known as dental assistants
21 and shall perform all duties assigned to them under the



1 supervision, direction, and responsibility of the dentist.
2 [~~Duties~~] Additional duties of the dental assistant and
3 regulatory directives [~~shall~~] may be delineated under rules
4 which the board of dental examiners may from time to time
5 adopt[-]; provided that the rules shall not infringe upon,
6 overlap with, or conflict with the duties and scope of practice
7 for any other licensed professional. No person shall employ,
8 direct, or otherwise order a dental assistant or other person to
9 perform services or procedures within the scope of practice of
10 dental hygiene as provided in chapter 447, unless the person who
11 performs the services or procedures is a licensed dental
12 hygienist under section 447-1."

13 **PART II**

14 SECTION 3. The legislature finds that thirty-eight states
15 and the District of Columbia require some form of certification
16 or licensure for dental assistants. However, dental assistants
17 are not currently required to be certified or otherwise
18 regulated in Hawaii. The legislature notes that the University
19 of Hawaii, Kapiolani community college offers a dental assistant
20 certification program, accredited by the Commission on Dental
21 Accreditation of the American Dental Association. Furthermore,



1 Kapiolani community college's dental assisting program offers
2 pathways to certification as a certified dental assistant via
3 passage of an examination offered by the Dental Assisting
4 National Board, Inc.

5 Accordingly, the purpose of this part is to require the
6 auditor to conduct a sunrise analysis on the effects of
7 regulation of dental assistants in the State via the
8 certification options for dental assistants offered by Kapiolani
9 community college's dental assisting program.

10 SECTION 4. (a) Notwithstanding any other law, the auditor
11 shall conduct a sunrise analysis on the effects of regulation of
12 dental assistants in the State via the certification
13 requirements for dental assistants offered by the University of
14 Hawaii Kapiolani community college's dental assisting program.

15 (b) The auditor shall examine the following pathways to
16 certification for dental assistants:

17 (1) Successful completion of the certificate of
18 achievement in dental assisting program at Kapiolani
19 Community College and successful completion of the
20 certified dental assistant examination offered by the
21 Dental Assisting National Board, Inc.; and



Report Title:

Dental Assistants; Dental Hygienists; Licensing; Certification;
Scope of Practice; Auditor

Description:

Clarifies the allowable and prohibited practices requirements for dental assistants. Clarifies that rules shall not infringe upon, overlap with, or conflict with the duties and scope of practice for other licensed professionals. Prohibits persons from employing, directing, or ordering a dental assistant or other person to perform services or procedures within the scope of practice of dental hygiene. Requires the auditor to conduct a study on the effects of regulation of dental assistants in the State via the certification requirements for dental assistants offered by Kapiolani community college. (SD1)

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