

**PRESENTATION OF THE
BOARD OF DENTAL EXAMINERS**

TO THE HOUSE COMMITTEE ON HEALTH

TWENTY-NINTH LEGISLATURE
Regular Session of 2017

Tuesday, February 14, 2017
10:00 a.m.

TESTIMONY ON HOUSE BILL NO. 561, RELATING TO DENTISTRY.

TO THE HONORABLE DELLA AU BELATTI, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Paul Guevara, D.M.D., M.D.S., Chairperson of the Board of Dental Examiners ("Board"). I appreciate the opportunity to testify and offer comments on House Bill No. 561, Relating to Dentistry which requires every dentist to post, in a conspicuous place, a notice containing contact information for the Consumer Resource Center of the Regulated Industries Complaints Office. It also requires the Board of Dental Examiners to ensure on-site inspections of the facilities, equipment, and staffing of all applicants seeking written authorizations or permits for the administration of general anesthesia, deep sedation, or moderate (conscious) sedation.

The Board has not had an opportunity to review this bill. The next meeting of the Board is Monday, February 13, 2017 (the morning immediately preceding this hearing), at which time the Board will discuss and determine its position on this measure. I will be available to relay the information to the committee at this hearing and to answer any questions that the committee may have.

The Board has made significant rule amendments addressing major issues and implemented the current guidelines and recommendations of the ADA Guidelines for the

Use of Sedation and General Anesthesia by Dentist; the American Academy of Pediatrics and the American Academy of Pediatric Dentistry Guidelines for Monitoring and Management of Pediatric Patients During and After Sedation for Diagnostic and Therapeutic Procedures. The rules have an anesthesia permit application and requirements in place, including the Anesthesia Site Inspection Check List. Prior to the issuance of a written authorization or permit, the Board conducts an on-site inspection of the facility, equipment, and personnel to determine whether the facilities and staff requirements have been met. A licensed dentist who has received a written authorization or permit shall renew the written authorization or permit biennially. The Board may, at any time, re-evaluate the credentials, facilities, equipment, personnel, and procedures of a licensed dentist to determine if the dentist is still qualified to hold a written authorization or permit.

In regards to the proposed adoption of a "Code Blue" or other emergency plan or protocol, the Board's rules require a dentist administering general anesthesia or moderate sedation to complete the Advanced Cardiac Life Support (ACLS) and/or the Pediatric Advanced Life Support (PALS) course if treating pediatric patients or both ACLS and PALS courses if treating pediatric patients and minors thirteen years or older.

As such, the Board's administrative rules, under section 16-79-78, HAR, as the rules are being implemented to a higher standard and degree in comparison to the provisions of this measure. Therefore, Legislation may not be necessary.

Thank you for the opportunity to testify on House Bill No. 561.



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REGULATED INDUSTRIES COMPLAINTS OFFICE

TO THE HOUSE COMMITTEE
ON
HEALTH

TWENTY-NINTH STATE LEGISLATURE
REGULAR SESSION, 2017

TUESDAY, FEBRUARY 14, 2017
10:00 A.M.

TESTIMONY ON HOUSE BILL NO. 561
RELATING TO DENTISTRY

TO THE HONORABLE DELLA AU BELATTI, CHAIR,
AND TO THE HONORABLE BERTRAND KOBAYASHI, VICE CHAIR,
AND MEMBERS OF THE COMMITTEE:

The Department of Commerce and Consumer Affairs ("Department") appreciates the opportunity to testify on House Bill No. 561, Relating to Dentistry. My name is Daria Loy-Goto and I am the Complaints and Enforcement Officer for the Department's Regulated Industries Complaints Office ("RICO"). RICO offers comments on this bill.

House Bill No. 561 requires all dentists to conspicuously display a notice at their place of business that any person may contact the Department's Consumer Resource Center for licensing and complaints information, or to file a complaint.

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The bill also requires the Board of Dental Examiners ("Board") to ensure that on-site inspections of the facilities, equipment, and personnel be conducted prior to the issuance or renewal of a permit to administer general anesthesia, deep sedation, or moderate sedation.

RICO believes posting a conspicuous notice containing the contact information for RICO's Consumer Resource Center will readily identify for consumers where they can obtain important consumer protection information, such as licensing and complaints information.

RICO defers to the Board on the issue of on-site inspection of dental facilities, equipment, and personnel.

Thank you for the opportunity to testify on House Bill No. 561. I will be happy to answer any questions the Committee may have.

LATE



Hawaii Dental Association

To: The House Committee on Health
Time/Date: 10:00 a.m., February 14, 2017
Location: Capitol Conference Room 329
Re: HB 561, RELATING TO DENTISTRY

Aloha Chair Belatti, Vice Chair Kobayashi and members of the committees! My name is Dr. Chris Lee and I serve as the president of the Hawaii Dental Association, a professional association comprised of nearly 1,000 member dentists. The Hawaii Dental Association (HDA) is a statewide professional membership organization representing dentists practicing in Hawaii and licensed by the State of Hawaii Board of Dental Examiners. HDA members are committed to protecting the oral health and well-being of all of the people of Hawaii, from keiki to kupuna and everyone in between.

We oppose this bill in its current format and are writing to respectfully request that HB 561 be amended to insert the underscored phrases:

Require every dental office in which general anesthesia, deep sedation, or moderate (conscious) sedation, is administered to display and keep in a conspicuous place a notice containing contact information for the consumer resource center of the department of commerce and consumer affairs' regulated industries complaints office, so that consumers can verify that the dentist is licensed to administer anesthesia or perform sedation, request prior complaint history on a dentist or dental licensee, or file a complaint against a dentist or dental licensee.

We recognize the legislature's intent to ensure the health and safety of Hawaii residents. Likewise, the Hawaii Dental Association is committed to improve oral health in Hawaii. We look forward to continuing to work collaboratively with you on key policy initiatives to accomplish those goals. In addition, and consistent with our longstanding public positions, we believe that water fluoridation would make significant contributions to improving oral health in our state. Mahalo for this opportunity to testify.

Respectfully,
Dr. Chris Lee, D.D.S
President, Hawaii Dental Association

kobayashi2 - Jessi

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 12, 2017 10:35 PM
To: HLTtestimony
Cc: edcassella@hawaii.rr.com
Subject: Submitted testimony for HB561 on Feb 14, 2017 10:00AM

HB561

Submitted on: 2/12/2017

Testimony for HLT on Feb 14, 2017 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Edmund A. Cassella, DMD	Individual	Oppose	No

Comments: I am OPPOSED to this bill as written, I understand that safeguards are being attempted to protect the public from unexpected bad outcomes when general anesthesia, deep sedation or moderate sedation are administered. A very low percentage of dentists administer sedation, so to require every dentist to have a notice warning patients of a procedure that they do not perform is beyond reasonable. The language should be directed to those dentists who have applied and were approved to administer sedation through the BODE. Only those offices should be required to provide the NOTICE and inspected by the BODE.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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kobayashi2 - Jessi

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 11, 2017 8:43 PM
To: HLTtestimony
Cc: jamesjtz@aol.com
Subject: *Submitted testimony for HB561 on Feb 14, 2017 10:00AM*

HB561

Submitted on: 2/11/2017

Testimony for HLT on Feb 14, 2017 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
James Gauer	Individual	Support	No

Comments:

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