

SB344

Measure Title: RELATING TO DENTAL ASSISTANTS.

Report Title: Dental Hygienists; Dental Assistants; Licensing

Description: Clarifies the allowable and prohibited practices requirements for dental assistants. Prohibits the ordering of a person without a dental hygienist license to perform services or procedures within the scope of practice of dental hygiene.

Companion: [HB374](#)

Package: None

Current Referral: CPH

Introducer(s): BAKER, INOUYE, KIDANI, S. Chang, Espero, Gabbard, Ihara, Nishihara, Taniguchi

**PRESENTATION OF THE
BOARD OF DENTAL EXAMINERS**

TO THE SENATE COMMITTEE ON
COMMERCE, CONSUMER PROTECTION, AND HEALTH

TWENTY-NINTH LEGISLATURE
Regular Session of 2017

Friday, February 24, 2017
9:30 a.m.

TESTIMONY ON SENATE BILL NO. 344, RELATING TO DENTAL ASSISTANTS.

TO THE HONORABLE ROSALYN H. BAKER, 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 on Senate Bill No. 344, Relating to Dental Assistants. This measure clarifies the allowable and prohibited practices requirements for dental assistants and prohibits the ordering of a person without a dental hygienist license, to perform services or procedures within the scope of practice of dental hygiene.

The Board strongly opposes this bill as it would prohibit dental assistants from performing a simple procedure that is within the scope of practice of dental hygiene as provided in Chapter 447, Hawaii Revised Statutes ("HRS").

Chapter 447, HRS specifies that the practice of dental hygiene includes, among other services, "the application of preventive chemical agents to the coronal surfaces of teeth". The application of fluoride would be included in this definition.

The Board believes that dental assistants can safely apply fluoride to patients, similarly as all other states allow dental assistants to apply fluoride. As proposed in its administrative rules, the dental assistant would be able to apply fluoride in a manner

appropriate by the American Dental Association in a unit dose approved by the supervising licensed dentist or in an amount pre-measured by the supervising licensed dentist. Also, the Board requires the supervising licensed dentist to appropriately train or provide training to dental assistants before performing any activity.

It is not the Board's intent to eliminate or erode the practice of dental hygiene as dental hygienists provide extremely valuable services and skills, and is an essential part of the dental team. However, with changes to the practice of dentistry and rapid improvements to technology and equipment, the Board would like to continue having the ability to implement changes through its administrative rules by using its expertise and in protecting the health, safety and welfare of the public.

Therefore, the Board recommends deferral of this measure.

Thank you for the opportunity to testify on Senate Bill No. 344.



Hawaii Dental Association

To: The Senate Committee on Commerce, Consumer Protection & Health
Time/Date: 9:30 a.m., February 24, 2017
Location: Capitol Conference Room 229
Re: **SB 344, Relating to Dental Assistants**

Aloha Chair Baker, Vice Chair Nishihara and members of the committee! 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 are writing to respectfully oppose SB 344 which restricts the allowable practices for dental assistants. This bill limit, among other activities, the ability of dental assistants to apply topical fluoride. We believe that this activity is an important step toward improving oral health in Hawaii. Therefore, we ask that you hold this bill.

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



Hawaii
Dental Hygienists' Association

Hawaii House of Representatives Committee on Consumer Protection and Commerce
February 24, 2017
Legislative Hearing on SB 344 Relating to Dental Assistants
Testimony in Support of SB344
Ellie Kelley-Miyashiro, RDH, BS
Regulation and Practice Chairperson HDHA 2017

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

The Hawaii Dental Hygienists' Association (HDHA) supports the intent of **SB 344**. We would like to congratulate you on your leadership in initiating 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 allowable and prohibited duties of a Dental Assistant.

In a dental office, dental assistants are an important part of the dental team. Each team member plays a critical role in the execution of outstanding patient care. With that being said, HDHA feels that in order to protect the safety of the public, HRS 448-3 needs to clearly delineate the allowable duties and prohibited duties of an unlicensed dental assistant as they relate to the scope of practice of licensed dental hygienists.

We feel the addition of the wording: "provided that the rules shall not infringe upon or overlap or conflict with the duties and scope of practice licensed dental hygienists under chapter 447. No person shall employ, direct, or otherwise order a dental assistant or other person to perform services or procedures within the scope of practice of dental hygiene as provided in chapter 447, unless the person who performs the services or procedures is a licensed dental hygienist under section 447-1" is a much needed addition to HRS 448-3 (b). Having this in statute would allow changes in duties for dental assistants as technology advances, without encroaching on the scope of practice of another, licensed profession.

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 be in place. At this point however, there are no educational requirements or standardized training required for dental assistants, so it is critical that their allowable and prohibited duties be clearly stated in statute.

HDHA thanks you for your time and consideration of **SB 344**. 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 and highly trained and work within their practice acts.

Thank you for your time and consideration.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 20, 2017 10:24 PM
To: CPH Testimony
Cc: tealent@aol.com
Subject: *Submitted testimony for SB344 on Feb 24, 2017 09:30AM*

SB344

Submitted on: 2/20/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Teri A Matsumura | Individual | Support | No |

Comments:

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To: CPH Testimony
Cc: tyeanne.lubking@gmail.com
Subject: *Submitted testimony for SB344 on Feb 24, 2017 09:30AM*

SB344

Submitted on: 2/21/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Tyeanne Lubking | Individual | Oppose | No |

Comments:

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To: CPH Testimony
Cc: Mokuluanui@yahoo.com
Subject: Submitted testimony for SB344 on Feb 24, 2017 09:30AM

SB344

Submitted on: 2/20/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Kevin Ching DDS | Individual | Oppose | No |

Comments: I am opposed to SB344. This bill is unnecessary, and actually could result in higher costs to the consumer/patient. The practice of dentistry is mindful of the limitations of their staff and the repercussions of using unqualified staff to perform duties that they are not qualified to perform. Adding this regulation does nothing to increase the safety of the patient, but it will increase the cost of producing the service of dentistry, and make access to care, especially the poor, more limited, for financial reasons.

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Re: SB 344 RELATING TO DENTAL ASSISTANTS

COMMITTEE ON COMMERCE, CONSUMER PROTECTION, & HEALTH

Senator Rosalyn H. Baker, Chair

Senator Clarence K. Nishihara, Vice Chair

Hearing Date: Friday, February 24, 2017

Time: 9:30 pm

Place: Conference Room 229

Dear Honorable Senator Baker, Chair, Senator Nishihara, Vice Chair, and Committee Members:

This testimony is in **strong support** of **SB 344**.

My name is Diane Brucato, RDH, EF, BS, FAADH. A dental hygienist since 1979, I have been a practicing Dental Hygienist in good standing on the island of Hawaii since 1992, living in Hilo 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; was an Anesthesia Examiner for Western Regional Examining Board; have maintained membership in the American Association of Dental Boards since the mid 1980's; **attended almost every Hawaii Board of Dental Examiners (HBODE); meeting since 2007**; and twice applied for a position on the HBODE; and am now serving my seventh year on the Regulated Industries Complaints Office's (RICO) Dental Advisory Committee.

Thank you for the thought and consideration in bringing forth SB344. It is important in that it has the power to resolve long standing issues of public safety and concern regarding the drafting of rules by the HBODE that conflict with §447-3(b) and would allow unlicensed personnel to perform duties that have required standardized education, testing, and a license to practice Dental Hygiene, as defined in said statute. This testimony will include history as support.

History:

In November of 2007, the Hawaii Board of Dental Examiners (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 persisted with testimony to include them. That process required constant vigilance for public safety. **Only THREE years ago, in January 2014, the result of that extensive Rules Change process was implemented.**

Late 2015, through a letter from Dan Fujii, DDS, it came to the attention of HBODE that medical assistants were applying fluoride varnish on children, which HBODE ASSUMED was allowable. According to Donald Balasa, JD, MBA, the American Association of Medical Assistants' Chief Executive Officer and Legal Counsel (Questions may be directed to AAMA Executive Director, Donald A. Balasa, JD, MBA, at dbalasa@aama-ntl.org or 800/228-2262):

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 licensed health care 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 the interpretation of 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 25th, 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 currently 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. The reason (cited by Dr. Chun of the HBODE) is

to lower cost of applying fluoride and increase access, because dental assistants' hourly salary is much lower than dental hygienists' hourly salary. Fluoride costs about a dollar a dose and takes, at most, three minutes to apply. Yet, the fees for applying topical fluoride vary from \$15-30.00. Whether or not dental assistants are allowed this duty will not change the fees that dentists charge, and therefore, will not save the public money or increase access. It will only increase the profit margin and patient risk.

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. Serious known risks include toxic overdose and even anaphylactic shock. Children especially, deserve the safe application of various fluoride treatments by licensed professionals, who possess the knowledge, skill, training, and licensure, and, who understand the chemical ingredients, risks, and contraindications.**

SB344 acts to clarify HRS §448-3(b) and serves to protect the public by disallowing the proposal or drafting any rules that would allow unlicensed personnel to perform duties that have, to date, required standardized education, testing, stringent licensure, and continuing education. Assuring public safety, this measure would eliminate redundant, time-consuming re-visitation by the HBODE, and prevent constant threat to public safety by unregulated personnel.

Please support SB 344. 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 Past President, Hawaii Dental Hygienists' Association

ADHA/Hu-Friedy Master Clinician Award 2008 Sunstar/RDH Award of Distinction 2002

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 19, 2017 8:05 PM
To: CPH Testimony
Cc: wshleong@aol.com
Subject: *Submitted testimony for SB344 on Feb 24, 2017 09:30AM*

SB344

Submitted on: 2/19/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Wayne Leong | Individual | Oppose | No |

Comments:

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Sent: Sunday, February 19, 2017 12:23 PM
To: CPH Testimony
Cc: blake.matsuura.dds@gmail.com
Subject: *Submitted testimony for SB344 on Feb 24, 2017 09:30AM*

SB344

Submitted on: 2/19/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Blake Matsuura | Individual | Oppose | No |

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To: CPH Testimony
Cc: lkhorton@drlili.com
Subject: Submitted testimony for SB344 on Feb 24, 2017 09:30AM

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Submitted on: 2/19/2017

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| Submitted By | Organization | Testifier Position | Present at Hearing |
|----------------------|---------------------|---------------------------|---------------------------|
| Lili Horton, DMD, MS | Individual | Oppose | No |

Comments: Dear Senate Chair Baker and committee members, I respectfully oppose SB344, which is not needed for clarification of allowable and prohibited practices for dental assistants since they are currently well defined in HRS448 and HAR16-79. This bill will limit the Board of Dental Examiners from making rules that will allow dentists to effectively and efficiently implement the new advances in dentistry. Many dental practices do not employ dental hygienists. Therefore, this bill will potentially limit the allowable duties of dental assistants who are part of the dental team effort, thereby limiting access to care.

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Sent: Sunday, February 19, 2017 11:03 AM
To: CPH Testimony
Cc: kelasadds@aol.com
Subject: Submitted testimony for SB344 on Feb 24, 2017 09:30AM

SB344

Submitted on: 2/19/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

| Submitted By | Organization | Testifier Position | Present at Hearing |
|-----------------------|---------------------|---------------------------|---------------------------|
| Kelvin N Asahina, DDS | Individual | Oppose | No |

Comments: I strongly oppose any legislation that further limits the currently approved duties of a dental assistant who has had adequate training to safely fulfill said duties.

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From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 18, 2017 9:03 PM
To: CPH Testimony
Cc: janetancheta9@gmail.com
Subject: *Submitted testimony for SB344 on Feb 24, 2017 09:30AM*

SB344

Submitted on: 2/18/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| janet ancheta | Individual | Support | No |

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 18, 2017 5:55 PM
To: CPH Testimony
Cc: jananakamura58@gmail.com
Subject: *Submitted testimony for SB344 on Feb 24, 2017 09:30AM*

SB344

Submitted on: 2/18/2017

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| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| JANA NAKAMURA | Individual | Support | No |

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Sent: Saturday, February 18, 2017 5:00 PM
To: CPH Testimony
Cc: babycody@gmail.com
Subject: *Submitted testimony for SB344 on Feb 24, 2017 09:30AM*

SB344

Submitted on: 2/18/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Joycelyn Swan | Individual | Support | No |

Comments:

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Sent: Saturday, February 18, 2017 3:34 PM
To: CPH Testimony
Cc: gerrainet@excite.com
Subject: Submitted testimony for SB344 on Feb 24, 2017 09:30AM

SB344

Submitted on: 2/18/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Gerraine Hignite | Individual | Support | No |

Comments: The PUBLIC'S SAFETY is very important to me. Currently, dental assistants in Hawaii are trained on the job. They are not required to be certified or licensed in the state of Hawaii. Registered Dental Hygienists (RDH) are required to be a graduate of an accredited dental hygiene school and be certified in local/block anesthesia in order to be licensed in the state of hawaii. I am in SUPPORT of SB344...

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To: CPH Testimony
Cc: aaroncolbydds@gmail.com
Subject: *Submitted testimony for SB344 on Feb 24, 2017 09:30AM*

SB344

Submitted on: 2/21/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Aaron Colby | Individual | Oppose | No |

Comments:

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To: CPH Testimony
Cc: ammonwhigham@gmail.com
Subject: Submitted testimony for SB344 on Feb 24, 2017 09:30AM

SB344

Submitted on: 2/22/2017

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| Submitted By | Organization | Testifier Position | Present at Hearing |
|----------------------------------|---------------------|---------------------------|---------------------------|
| Ammon Boyd Koaikapono Whigham | Individual | Support | No |

Comments: Through personal experience I work with a staff of about 20 dental assistants for the largest non-profit organization serving the underserved/uninsured populations of Hawaii. It is my experience that dental assistants do not have the knowledge as to WHY they are performing their duties but only know HOW they are to do it as depicted by the dentist. Most dental assistants I work with do not understand the basic scientific reasoning behind the usage of fluoride, radiation for x-rays, sterilization, etc. I was surprised to find there is no certification process for dental assisting in Hawaii as most other states require some level of education to perform such duties. I highly recommend the dental board create some sort of curriculum to properly train these employees so they do not continue to practice without knowing the purpose for their duties performed.

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To: CPH Testimony
Cc: sdsrdh@hotmail.com
Subject: *Submitted testimony for SB344 on Feb 24, 2017 09:30AM*

SB344

Submitted on: 2/22/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

| Submitted By | Organization | Testifier Position | Present at Hearing |
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| Susan Smith | Individual | Support | No |

Comments:

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To: CPH Testimony
Cc: annaakaka@gmail.com
Subject: *Submitted testimony for SB344 on Feb 24, 2017 09:30AM*

SB344

Submitted on: 2/22/2017

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| Submitted By | Organization | Testifier Position | Present at Hearing |
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| Anne Akaka | Individual | Support | No |

Comments:

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To: CPH Testimony
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Subject: *Submitted testimony for SB344 on Feb 24, 2017 09:30AM*

SB344

Submitted on: 2/21/2017

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| Submitted By | Organization | Testifier Position | Present at Hearing |
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| michele Tui | Individual | Support | No |

Comments:

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Sent: Tuesday, February 21, 2017 7:27 PM
To: CPH Testimony
Cc: mitchellchun@hotmail.com
Subject: *Submitted testimony for SB344 on Feb 24, 2017 09:30AM*

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Submitted on: 2/21/2017

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| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Mitchell Chun | Individual | Oppose | No |

Comments:

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To: CPH Testimony
Cc: c.kimura2@hawaiiantel.net
Subject: *Submitted testimony for SB344 on Feb 24, 2017 09:30AM*

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Submitted on: 2/21/2017

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|---------------------|---------------------|---------------------------|---------------------------|
| Craig Kimura | Individual | Oppose | No |

Comments:

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From: mailinglist@capitol.hawaii.gov
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To: CPH Testimony
Cc: kschneider@hawaii.rr.com
Subject: Submitted testimony for SB344 on Feb 24, 2017 09:30AM

SB344

Submitted on: 2/22/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| kimberly schneider | Individual | Support | No |

Comments: Please maintain the educational standards

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 22, 2017 1:31 PM
To: CPH Testimony
Cc: jbays4@yahoo.com
Subject: *Submitted testimony for SB344 on Feb 24, 2017 09:30AM*

SB344

Submitted on: 2/22/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Janelle Bays | Individual | Support | No |

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 22, 2017 10:40 AM
To: CPH Testimony
Cc: ichimuraderek@gmail.com
Subject: *Submitted testimony for SB344 on Feb 24, 2017 09:30AM*

SB344

Submitted on: 2/22/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

| Submitted By | Organization | Testifier Position | Present at Hearing |
|------------------------------|---------------------|---------------------------|---------------------------|
| Derek H. Ichimura, D.M.D. | Individual | Oppose | No |

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 23, 2017 7:29 AM
To: CPH Testimony
Cc: love.kiki.koko@gmail.com
Subject: *Submitted testimony for SB344 on Feb 24, 2017 09:30AM*

SB344

Submitted on: 2/23/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Naomi hashimoto | Individual | Support | No |

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 23, 2017 6:08 AM
To: CPH Testimony
Cc: jrpirie@gmail.com
Subject: *Submitted testimony for SB344 on Feb 24, 2017 09:30AM*

SB344

Submitted on: 2/23/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Jennifer R Pirie | Individual | Support | No |

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 23, 2017 8:04 AM
To: CPH Testimony
Cc: thomasratkin@hotmail.com
Subject: Submitted testimony for SB344 on Feb 24, 2017 09:30AM

SB344

Submitted on: 2/23/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Thomas Atkin | Individual | Oppose | No |

Comments: As a licensed dentist in hawaii for the past 9 years I oppose this bill as it would unnecessarily restrict auxiliary duties performed by trained dental assistants. Despite the rumor, urban myth, and here-say, fluoride is neither dangerous or toxic, and its use and application by dental assistants is not a danger to public health. The last thing we need in the dental profession is additional rules and regulations. If anyone in the state legislature wants additional information on this matter, please feel free to stop by my office at the princeville shopping center on Kauai, we would be glad to give free demonstrations on any one of thousands of our keiki my assistants treat with fluoride under the keiki quest program my office accepts for our low income residents who so badly need better quality oral care. The state legislature should carefully consider the advice of those who are experts in the field of dental medicine and reject this proposal.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 22, 2017 10:32 PM
To: CPH Testimony
Cc: diannasumnall@yahoo.com
Subject: *Submitted testimony for SB344 on Feb 24, 2017 09:30AM*

SB344

Submitted on: 2/22/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Dianna Sumnall | Individual | Support | No |

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 22, 2017 8:18 PM
To: CPH Testimony
Cc: fsayre@hawaii.rr.com
Subject: Submitted testimony for SB344 on Feb 24, 2017 09:30AM

SB344

Submitted on: 2/22/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

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

Comments: For safety and quality of care reasons these procedures should be performed by a licensed dental hygienist.

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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Laura A. Mallery-Sayre, R.D.H., M.S.D.H.Ed.
Educational Consultant
P. O. Box 1285
Kailua-Kona, Hawaii 96745
808-325-5456

February 23, 2017

Hawaii State Senate
Senator Roslyn Baker, Chair
Senator Clarence Nishihara, Vice-Chair

I speak in support of SB344 relating to Dental Assistants. As a dental hygiene educator with a Master's in Dental Hygiene Education and as a dental practice manager of 45 years experience, I have previously been employed by dental schools, dental hygiene schools and dental assisting schools to train their students. I have also served The Hawaii State RICCO Dental Advisory Board (and continue to do so) for over 25 years. I believe that it is imperative to pass SB344 to ensure the safety of the public that is served by the Hawaii State House of Representatives.

In the State of Hawaii, there currently exists no regulatory process for certifying or for licensing dental assistants. Most dental assistants are trained on the job by other dental assistants that were trained on the job and the majority lack any type of formal training.

In contrast, the dental hygienists that are educated at the University of Hawaii at Manoa have four years of college education to prepare them with a BS in Dental Hygiene. Strict academic guidelines are in place for these students to meet the accreditations standards established by CODA, The Commission on Dental Accreditation, which serves the public and profession by developing and implementing accreditation standards that promote and monitor the continuous quality and improvement of dental education programs. Accreditation is the ultimate source of consumer protection for prospective students. It is often a prerequisite for governmental funding. Graduation from an accredited program is almost always stipulated by state law and is an eligibility requirement for licensure and/or certification examinations. In short, accreditation of a school or program is a student's most important source of independent validation that the program has at least enough educational value to be "approved" by a credible (expertise-based), independent (free of outside influence), reliable (consistently applied standards) organization that has the U.S. Department of Education's approval. Upon graduation from an accredited dental hygiene program, dental hygiene students are required to take a National Board Exam to ensure their knowledge base as well as a Regional Board Examination to test their clinical skills before they can be licensed to practice. None of these requirements are in place for a dental assistant in Hawaii.

It is my educated opinion that no dentist should be directing a dental assistant to perform dental hygiene duties on his or her patients outside of the scope of educational requirements and Hawaii Statute as these duties are clearly outlined to protect the public from uneducated and unqualified personnel. This Bill will ensure the protection of the dental consumer, will prevent the delegation of dental hygiene duties to unlicensed dental auxiliaries, and will further delineate the supervisory role of dentists in the State of Hawaii, thus preventing future misunderstanding of

duties and scope of practice of dental hygienists and dental assistants.

I strongly urge the Committee on Commerce, Consumer Protection and Health to pass SB344 for the above reasons. If I can be of further service to this committee, I am available at 808-325-5456 or 808-640-9456.

Sincerely,

Laura A. Mallery-Sayre, RDH, MSDHED

To: Senate Committee on Commerce, Consumer Protection and Health

Date: Friday, February 24, 2017

Time: 9:30 a.m.

Location: Hawaii State Capitol, Room 229

Dear Chair Baker, Vice Chair Nishihara, and Committee Members,

My name is Errol Yim and I am a practicing dentist in Honolulu.

I am writing to respectfully **oppose SB 344**, which prohibits the ordering of a person without a dental hygienist license to perform services or procedures within the scope of practice of dental hygiene. This bill would limit the effective use of dental assistants in Hawaii and will not help in the advancement of oral health care.

Please defer SB 344.

Thank you,

Errol Y.W. Yim, DDS, MS

Dean S. Arashiro, DDS, MS, LTD
Laser Gum Surgery and Implants
145 Ma'a Street
Kahului, HI 96732

TESTIMONY IN OPPOSITION OF SB 344 RELATING TO DENTAL ASSISTANTS

Friday, February 24, 2017

9:30am

Hawaii State Capitol, Room 229

Aloha Chair Baker, Vice Chair Nishihara, and members of the Senate Commerce, Consumer Protection and Health Committee -

My name is Dr. Dean Arashiro and I am writing to respectfully request that you OPPOSE SB 344, relating to dental assistants.

The duties of dental assistants are very important in the dental office. If SB 344 is passed, dental assistants would be restricted in assisting those with dental practices like myself and negatively impact the flow of services that have made us successful in delivering efficient quality dental service to our community. Consequently, this bill will negatively impact the dentists in a wide variety of tasks. Please do not pass this measure.

Sincerely,

Dr. Dean Arashiro, DDS, MS, LTD

Testimony **IN OPPOSITION** to **SB 344** relating to dental assistants

Hearing date and time: Friday, February 24, 2017 at 9:30 am
Senate Committee on Commerce, Consumer Protection, and Health
Hawaii State Capitol, Room 229

Aloha Chair Rosalyn Baker, Vice Chair Clarence Nishihara, and members of the committee,

My name is Chris Lee, and I am a pediatric dentist in Honolulu. I am writing **in opposition to SB 344** which prohibits the ordering of a person without a dental hygienist license to perform services or procedures within the scope of practice of dental hygiene.

This bill limits the effective use of dental assistants in our state. SB 344, which clarifies the allowable and prohibited practices and training requirements for dental assistants, will not help in the advancement of improving oral health care in Hawaii.

Please do not advance this measure.

Thank you,

Chris Lee, DDS

SHELLIANN KAWAMOTO, D.D.S., M.S.
ALA MOANA BUILDING, SUITE 503 | KUNIA SHOPPING CENTER, SUITE C103 | (808) 947-3737

Senate Committee on Commerce, Consumer Protection and Health

February 24, 2017, 9:30 a.m.
Hawaii State Capitol, Room 229

Aloha Honorable Chair Rosalyn Baker, Vice Chair Clarence Nishihara, and committee members -

My name is Shelliann Kawamoto and I am an orthodontist in Honolulu.

I am submitting testimony **opposing SB 344 RELATING TO DENTAL ASSISTANTS**. Dental assistants are an integral part of the dental office team, and their duties should not be restricted. This bill limits their effective contributions to the team.

Please defer SB 344.

Thank you for your time,

Shelliann Kawamoto, DDS, MS

| Scott L. Morita, D.D.S., M.S.

Testimony for SB 344 RELATING TO DENTAL ASSISTANTS

Position: OPPOSE

Hearing: Friday, February 24, 2017 at 9:30 am
Senate Committee on Commerce, Consumer Protection and Health
Hawaii State Capitol, Room 229

Aloha Chair Baker, Vice Chair Nishihara, and members of the Senate Committee on Commerce, Consumer Protection and Health,

My name is Dr. Scott Morita and I am a practicing dentist in Honolulu.

I oppose SB 344, which "clarifies the allowable and prohibited practice requirements for dental assistants. (The bill) prohibits the ordering of a person without a dental hygienist license to perform services or procedures within the scope of practice of dental hygiene."

Dental assistants' roles and duties are very significant in the dental office. This bill limits the effective use of dental assistants in our state. SB 344 will not help in the advancement of improving oral health care in Hawaii.

With appreciation for your consideration,

Scott Morita, DDS, MS

Senate Committee on Commerce, Consumer Protection and Health

Friday, February 24, 2017, 9:30 AM
Hawaii State Capitol Room 229

TESTIMONY IN OPPOSITION TO SB 344 RELATING TO DENTAL ASSISTANTS

Dear Chair Baker, Vice Chair Nishihara, and Committee Members,

My name is Michael Pampalon, and I am submitting this testimony in opposition of SB 344.

If passed, this bill would limit the scope of work for dental assistants, who are crucial members of the dental office. This bill is a step backwards in terms of delivering quality oral health care.

Please oppose this measure.

Thank you for your time,

Michael Pampalon, DMD

Senate Committee on Commerce, Consumer Protection and Health

Friday, February 24, 2017

9:30 A.M.

State Capitol Room 229

SB 344, RELATING TO DENTAL ASSISTANTS

Aloha Chair Baker, Vice Chair Nishihara, and Committee Members,

My name is Matthew Dodson. I am submitting oppose testimony to respectfully request that you defer SB344, relating to dental assistants. SB344, which clarifies the allowable and prohibited practices requirements for dental assistants and prohibits the ordering of a person without a dental hygienist license to perform services or procedures within the scope of practice of dental hygiene would significantly decrease the effective use of dental assistants.

Please do not pass SB 344.

Mahalo,

Matthew Dodson, DDS

HEATHER HEARON, DMD

February 24, 2017

Rosalyn Baker, Chair
Clarence Nishihara, Vice-Chair
Committee on Commerce, Consumer Protection and Health
Hawaii State Senate

Aloha Chair Baker, Vice-Chair Nishihara, and committee members,

My name is Dr. Heather Hearon and I am a practicing dentist in Honolulu. I am writing this testimony **in opposition of SB 344, relating to dental assistants.**

This bill limits the effective use of dental assistants to provide quality oral health care in our state. Dental assistants are an integral part of dental offices.

Please do not advance this measure.

Sincerely,

Dr. Heather Hearon

Senate Committee on Commerce, Consumer Protection and Health

Date: Friday, February 24, 2017

Time: 9:30 A.M.

Location: State Capitol Room 229

RE: SB 344 RELATING TO DENTAL ASSISTANTS

Dear Chair Baker, Vice Chair Nishihara, and Committee Members,

My name is Dr. Wesley Choy. I am writing today **in opposition to SB 344** which restricts the work of dental assistants. It prohibits the ordering of a person without a dental hygienist license to perform services or procedures within the scope of practice of dental hygiene. This bill will not assist in the advancement of improving oral health care and I hope you defer this measure.

Respectfully,

Wesley Choy, DDS
1744 Liliha St # 101
Honolulu, HI 96817

Committee on Commerce, Consumer Protection and Health, Hawaii State Senate

February 24, 2017
9:30 am
Hawaii State Capitol
Room 229

Testimony OPPOSING SB 344 RELATING TO DENTAL ASSISTANTS

Honorable Chair Rosalyn Baker, Vice Chair Clarence Nishihara, and members of the committee –

My name is Wayne Leong and I am writing to you in regards to Senate Bill 344.

I am writing in opposition to SB 344, which clarifies the allowable and prohibited practices and training requirements for dental assistants. This bill will restrict the scope of work of dental assistants, and will not help in the advancement of improving oral health care in Hawaii.

Thank you,

Wayne S.H. Leong, DDS
82 Pu'uhonu Place, Suite 201
Hilo, HI 96720
(808) 935-3552