

**PRESENTATION OF THE
BOARD OF DENTAL EXAMINERS**

TO THE HOUSE COMMITTEE ON INTRASTATE COMMERCE

TWENTY-NINTH LEGISLATURE
Regular Session of 2018

Tuesday, February 6, 2018
10:30 a.m.

TESTIMONY ON HOUSE BILL NO. 2207, RELATING TO DENTAL ASSISTANTS.

TO THE HONORABLE TAKASHI OHNO, CHAIR, AND MEMBERS OF THE
COMMITTEE:

My name is Sandra Matsushima, and I am the Executive Officer of the Board of Dental Examiners ("Board"). Thank you for the opportunity to testify on H.B. 2207, Relating to Dental Assistants. The Board takes no position at this time but will be discussing this measure at its February 5, 2018, meeting.

This measure requires the Board of Dental Examiners to adopt rules to establish a regulatory structure for the regulation of dental assistants in Hawaii.

The Board will provide its position and an update at this hearing.

Thank you for the opportunity to comment on H.B. 2207.

Petition to Submit Testimony in Support of HB2207

Petition summary and background:	As Registered Dental Hygienists in the state of Hawaii, we SUPPORT the intent of HB2207 but offers the following comments and recommendations for this measure. The Boards of Dental Examiners has allowable/prohibited duties for dental auxiliary (this includes Dental Assistants) but no regulation or licensing of Dental Assistants in the state of Hawaii. A majority of Dental Assistants in Hawaii are trained on the job by other Dental Assistants or their supervising Dentist.
Action petitioned for:	We, the undersigned are concerned citizens who urge our leaders to act now to SUPPORT HB2207. For the safety of the public, please consider the sunrise analysis of Dental Assistants recently completed, the cost and feasibility of regulation for Dental Assistants and a comparison with other state's certification and regulation enforcement prior to Board of Dental Examiners adopting rules for regulation of Dental Assistants in Hawaii.

Printed name	Email Address	Comment	Date
Shirley Chun, RDH	scpinksky@gmail.com		
Jamie Tengan, RDH	jamzan10@gmail.com		
Faye Fox, RDH	fnf1464@gmail.com		
Darlee Motosue, RDH	dkmotosue@yahoo.com		
Audra Dennis, RDH	oceanbreeze@gci.net		
Gaea Tunnissen, RDH	gaea.tunnissen@gmail.com		
Arimxay Varel, RDH	aavarel19@gmail.com		
Ariel Ita, RDH	ariel1214@yahoo.com		
Jennifer Shiroma, RDH	jshiroma@hawaiiifamilydental.com		
Christine Schroeder, RDH	dnqtrdh808@gmail.com		
Cynthia Taylor, RDH	cynktaylor@gmail.com		
Chelsea Acob, RDH	cjba@hawaii.edu		
Lorie Calma, RDH	l0121376@aol.com		
Linda Kang, RDH	lindakan@hawaii.edu		
Andrea Hetherington, RDH	ajh.rdh13@gmail.com		
Susan Eladnani, RDH	susaneladnani@gmail.com		
Iris Woolsey, RDH	igttwink@hawaii.rr.com		

Printed name	Email Address	Comment	Date
Crystal Egusa, RDH	cegusa@gmail.com		
Samantha Fisher, RDH	samjfisher@yahoo.com		
Kim Schneider, RDH	kschneider@hawaii.rr.com		
Marilyn Nonaka, RDH	texaninhawaii@gmail.com		
Stacy Matsuyama, RDH	smsekioka@gmail.com		
Tabitha Kukahiko, RDH	tabitha4avon@yahoo.com		
Marie Duke, RDH	maduke92254@gmail.com		
Rayann Bautista Echavez, RDH	hyannrdh@gmail.com		
Anna Akaka, RDH	annaakaka@gmail.com		
Kyoko Tomita, RDH	kyotokomrdh@gmail.com		
Candace Kawakami, RDH	denniskawakami@hawaii.rr.com		
Tori Clegg, RDH	tlegg09@gmail.com		
Melorie Yuen, RDH	melorieyuen@gmail.com		
Michelle Estakaya, RDH	estamichelle@gmail.com		
Donna Christman, RDH	dchristman76@gmail.com		
Tracy Furukawa, RDH	alanandracy@hawaiiantel.net		
Caroline Kanno, RDH	smile@hawaiidentaltemp.com		
Chanda Park, RDH	chandapark@gmail.com		
Maile Mokulehua, RDH	41dash@gmail.com		
Jan Migita, RDH	migitajans@gmail.com		
Steffany Giammalvo, RDH	steffgiammanlvo@gmail.com		
Mavis Gushiken, RDH	mavisg808@hawaii.rr.com		
Shori Patten, RDH	shori21@aol.com		
Jackie Sawai, RDH	jackiesawai@gmail.com		
Valerie Zukeran, RDH	theheartofbusiness@gmail.com		
Stacie Okihara, RDH	skye_lar@hotmail.com		
Jaimie Yuen, RDH	jyuen001@hawaii.rr.com		
Sandy Bangert, RDH	skirkoski@icloud.com		
Natasha Fong, RDH	fongn@hawaii.edu		
Jessica Chang, RDH	jprestler@gmail.com		
Kimi Yagi, RDH	kannyagi@gmail.com		
Jessica Busby, RDH	jessica_mowder@hotmail.com		

Printed name	Email Address	Comment	Date
Samantha Boroff, RDH	boroff.212@osu.edu		
Alaina Pacheco, RDH	amprdh555@gmail.com		
Emeraude Thai, RDH	amythai@msn.com		
Audra Nakamatsu, RDH	anakamatsu@hotmail.com		
Nahoku Keala, RDH	nahokukeala@gmail.com		
Beverly Duyan, RDH	bslduyan@gmail.com		
Carly Takara, RDH	cftakara@gmail.com		
Gayle Chang, RDH	gchang50@gmail.com		
Nicole Pikini, RDH	nicole.pikini64@gmail.com		
Mikiel Lina Agoy, RDH	m.linardh@gmail.com		
Allie Jefferies, RDH	alliejefferiesrdh@gmail.com		
Carolyn Nacapuy, RDH	battulayan@yahoo.com		
Elsie Santos, RDH	nontoxic808@gmail.com		
Janice Blaser, RDH	alohajuice@hotmail.com		
Jennifer Fajardo, RDH	healthysmile@yahoo.com		
Erica Tabalba, RDH	etabalba@gmail.com		
Nicole Florendo-Serai, RDH	localgirl521@yahoo.com		
Gail Pang, RDH	batsnookums@yahoo.com		
Deb Mapel, RDH	dmapel@hawaii.edu		
Karen Nagamine, RDH	cn1cn2605@yahoo.com		
Amy Tsubota-Cruz, RDH	aimsstsu@gmail.com		
Shirley Li, RDH	sara_li88@ymail.com		
Brenda Yospe, RDH	byospe@hotmail.com		
Megumi Kodama, RDH	megu2_4@hotmail.com		
Yvette Like, RDH	kaiulani67@yahoo.com		
Mie Choe, RDH	mrainbow0220@gmail.com		
Diane Clements, RDH	clements002@hawaii.rr.com		
Theresa Brown, RDH	terri4brown@aol.com		
Sarah Kolar, RDH	skolar.rdh@gmail.com		
Michelle Baniaga, RDH	michellehullrdh@hotmail.com		
Jessica Lozano, RDH	jes_lozano@yahoo.com		
Marian Manoais, RDH	dentalhygienist07@yahoo.com		

Printed name	Email Address	Comment	Date

**PRESENTATION OF THE
BOARD OF DENTAL EXAMINERS**

TO THE HOUSE COMMITTEE ON
INTRASTATE COMMERCE

TWENTY-NINTH LEGISLATURE
Regular Session of 2018

Tuesday, February 6, 2018
10:30 a.m.

TESTIMONY ON HOUSE BILL NO. 2207, RELATING TO DENTAL ASSISTANTS.

TO THE HONORABLE TAKASHI OHNO, CHAIR, AND MEMBERS OF THE
COMMITTEE:

My name is Paul Guevara, D.M.D, M.D.S., and I am the Chairperson of the Board of Dental Examiners (“Board”). Thank you for the opportunity to testify on H.B. 2207, Relating to Dental Assistants. The Board appreciates the intent of this bill and suggests amendments for the Committee’s consideration.

This measure requires the Board to adopt rules to establish a regulatory structure for the regulation of dental assistants in Hawaii.

The Board discussed this bill on February 5, 2018, and respectfully requests the following amendments:

Amend page 1, lines 6-8, to read as follows:

(1) Basic-level dental assistants; [~~who shall have graduated from high school or earned a general equivalency diploma;~~]

Amend page 2, lines 4-6, to read as follows:

(c) Received expanded function training in [~~the application of pit and fissure sealants or advanced remediable intra-oral dental tasks~~] duties as specified in the rules.

Amend page 2, line 9 to 10, to read as follows:

"...examiners shall submit to the legislature a report on the progress in adopting rules ~~[detailing the rules adopted]~~ pursuant to section 1 of this Act.

The Board supports the concept of establishing a tiered approach and regulatory structure for dental assistants. However, the Board will need more time to thoroughly analyze the Office of the Auditors' Sunrise Analysis: Regulation of Dental Assistants, Report No. 18-02, to develop and amend the administrative rules before moving towards regulation.

Thank you for the opportunity to testify on H.B. 2207.



Hawaii Dental Association

To: The House Committee on Intrastate Commerce
Time/Date: 10:30 a.m. February 6, 2018
Location: Capitol Conference Room 429
Re: HB 2207, Relating to Dental Assistants

Aloha Chair Ohno, Vice Chair Choy and members of the committee! My name is Dr. Robert Baysa and I serve as the president of the Hawaii Dental Association, a professional association comprised of approximately 950-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.

The purpose of HB 2207 is to establish a tiered regulatory framework for dental assistants. Last year, the legislature enacted Act 84 which requested that the state auditor study the issue of regulating dental assistants. The auditor recommended that the State consider a tiered regulatory framework, requiring dental assistants who perform tasks related to patient safety to be credentialed by the State. We believe that a body, such as the Board of Dental Examiners, or a task force comprised of knowledgeable stakeholders, should be tasked with developing such a framework.

We appreciate the legislature's support of the dentistry profession and we look forward to continuing to work collaboratively with you to assist in the development of sound oral health policies.

Respectfully,
Dr. Robert Baysa, D.D.S
President, Hawaii Dental Association

HB-2207

Submitted on: 2/5/2018 10:34:17 PM

Testimony for IAC on 2/6/2018 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Prestler Chang		Support	No

Comments:



Testimony in Support of **HB 2207**, Relating to Dentistry

Ellie Kelley-Miyashiro, RDH, BS

Hawaii Dental Hygienists' Association Regulations and Practice Chairperson
2017-2018

February 4, 2018

Dear Chairperson Ohno, Vice Chair Choy and Respected Members of the House
Committee on Intrastate Commerce:

The Hawaii Dental Hygienists' Association (HDHA) supports the **intent** of **HB2207**. We applaud your leadership in initiating this important safety measure during the 2018 legislative session.

Currently, dental assistants in Hawai'i do not need any specific education or other qualifications and are not regulated by the State. In Hawai'i, Dental Assistants are identified in statute and administrative rule as unlicensed auxiliary personnel who perform supportive dental procedures under the direct supervision, direction, evaluation, and responsibility of a licensed dentist. Training for dental assistant duties is typically done on-the-job by the supervising dentist or another assistant, and varies from office to office and from dentist to dentist. This "on-the-job" method of training creates a standard of care with little, to no standardization.

It has been determined that several tasks routinely performed by dental assistants in Hawai'i can pose a reasonable risk of injury to patients. Tasks such as, proper infection control and sterilization, use of sharp instruments to remove excess cement or other materials within the mouth, or possible aspiration while taking intraoral impressions, all pose some risk to patients. Because of this risk, HDHA believes all Dental Assistants should be uniformly trained and certified via the Dental Assisting National Board. This certification will then create a framework the State can begin to regulate this important profession.

We are concerned with a tiered system which still allows no additional education, training or certification for dental assistants (Tier 1 Basic Dental Assistant). HDHA feels a more substantial statutory framework of regulation and viable enforcement for the Hawaii Board of Dental Examiners would need to be implemented with supportive rules, but this step is one in the right direction. HDHA thanks you for your time and consideration of **HB 2207**. As always, The Hawaii Dental Hygienists' Association would like to convey our core desire that dentists, hygienists and dental assistants continue to be integral members of the oral health team, and feel that the public is best served and protected when all members of the Oral Health workforce are properly trained, certified and regulated.

Thank you for your consideration.

P.O. Box 23313 ♦ Honolulu, HI 96823 ♦ www.hdha.net

DENTAL ASSISTANT, REGULATION OF
HOUSE BILL #2207
HEARING 2/6/18; 10:30 AM, RM 429

ALOHA AND GOOD MORNING MR. CHAIRMAN, VICE-CHAIR, DISTINGUISHED REPRESENTATIVES AND GUESTS. I AM JOSEPH P. MAYER, JR., DDS. I HAVE AN UNRESTRICTED DENTAL LICENSE IN HAWAII. I AM EMPLOYED BY A FEDERALLY QUALIFIED HEALTH CENTER ON THE NORTH SHORE. REGARDING HOUSE BILL NUMBER 2207, THAT ADDRESSES THE ISSUE OF REGULATION OF DENTAL ASSISTANTS, PURSUANT TO CHAPTER 91, HAWAII REVISED STATUTES. I ACKNOWLEDGE THAT THIS IS NECESSARY IN LIGHT OF EVENTS. I WOULD SUGGEST THAT IMPOSING LEGISLATION THAT MANDATES THE HAWAII BOARD OF DENTAL EXAMINERS, HEREAFTER "THE BOARD", TO ESTABLISH A "REGULATORY STRUCTURE" AND CERTIFICATION OF DENTAL ASSISTANTS, ON THIS TIME LINE IS NOT BENEFICIAL TO THE GOOD INTENTION OF THE AUTHORS OF THIS PROPOSED LEGISLATION AND COULD POTENTIALLY HANDCAP THE "BOARD" IN CREATING THOSE REGULATIONS. I AM CONFIDENT THAT THE BOARD WILL GIVE DUE DILIGENCE TO THIS ISSUE. THE PROPOSED LEGISLATIVE INITIATIVES HAS INCENTIVISED THE BOARD TO PRIORTIZE THE REGULATING OF DENTAL ASSISTANTS. I BELIEVE THAT THE BOARD IS THE BEST QUALIFIED SOURCE FOR THE CREATION OF THESE REGULATIONS. I HAVE FULL FAITH AND CONFIDENCE

THAT THE BOARD CAN CREATE A STRUCTURE THAT CONSIDERS ALL THE UNDERLYING ISSUES.

TO PARA-PHRASE ANOTHER PERSON:

“WHO KNEW THAT REGULATING DENTAL ASSISTANCES WOULD BE SO COMPLICATED?”

THE COMPLICATIONS ARE MANY:

- 1 IT IS MY UNDERSTANDING THAT THERE IS CURRENTLY ONLY ONE DENTAL ASSISTING PROGRAM IN HAWAII THAT HAS BEEN ACCREDITED BY AMERICAN DENTAL ASSOCIATION, COMMISSION ON DENTAL ACCREDITATION. THAT IS THE PROGRAM RUN BY PROFESSOR SHEILA KITAMURA AT THE KAPIOLANI COMMUNITY COLLEGE.

THE OTHER ISLANDS DO NOT HAVE A CURRENT PATHWAY THROUGH AN EDUCATIONAL PROGRAM FOR CERTIFIED TRAINING. THE OTHER PATHWAY WOULD BE “ON THE JOB TRAINING.”

- 2 THE PROGRAM HAS ONLY RECENTLY RECEIVED ACCREDITATION. SO THOSE ASSISTANTS THAT COMPLETED THE PROGRAM PREVIOUSLY WERE NOT IN AN ACCREDITED PROGRAM OF INSTRUCTION.
- 3 THE CERTIFICATION EXAMINATION ADMINISTERED BY THE ADA, DENTAL ASSISTING NATIONAL BOARD, INC. IS A VERY DIFFICULT EXAMINATION THAT REQUIRES MONTHS OF PREPARATION ACCORDING TO PROFESSOR KITAMURA.
- 4 THERE ARE EXCELLENT DENTAL ASSISTANTS IN HAWAII THAT HAVE PROVIDED CARE FOR DECADES. HOW ARE THEY TO BE “GRANDFATHERED” AS ASSISTANTS AND AT WHAT LEVEL OF RESPONSIBILITIES?

5 THIS LEGISLATION WILL EFFECT THE LIVELYHOOD OF POTENTIALLY 1,000 HOUSEHOLD OR MORE THAT ARE DEPENDENT ON THE INCOME EARNED TO MAKE ENDS MEET. IF THIS IS NOT DONE CORRECTLY IT COULD HAVE MANY NEGATIVE EFFECTS ON THOSE HOUSEHOLDS.

5 WHO BETTER THAN THE BOARD TO DETERMINE THE DUTIES AND RESPONSIBILITIES THAT CAN BE DELIGATED TO BASIC, INTERMEDIATE AND ADVANCED DENTAL ASSISTANTS.

6 THIS MONTH, MY CLINIC ADVERTISED EMPLOYMENT FOR 2 DENTAL ASSISTANTS. ONLY ONE OF 7 APPLICANTS HAS PRIOR TRAINING AND EXPERIENCE. THERE IS CURRENTLY A SHORTAGE OF DENTAL ASSISTANTS ON OAHU. I CAN NOT SPEAK FOR THE OTHER ISLANDS.

I BELIEVE THAT PASSAGE OF THE PROPOSED LEGISLATION COULD PUT THE BOARD "UNDER THE GUN" IN DEVELOPING THE REGULATION AND POSSIBLY HANDCAP THE PROCESS. ONCE IT BECOMES LAW, YOU CAN'T TAKE IT OUT. I BELIEVE THAT RUSHING THIS LEGISLATION DOES NOT BENEFIT ANYONE. PLEASE PERMIT THE BOARD TO PROVIDE A WELL THOUGHT OUT, CO-HEARENT PROPOSAL FOR THE NEXT LEGISLATIVE SESSION.

THANK YOU FOR YOUR TIME AND ATTENTION.

JOSEPH P. MAYER, JR., DDS