

SB 2926

SD1

HD1

A BILL FOR AN ACT

RELATING TO DENTISTRY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The board of dental examiners shall adopt rules
2 pursuant to chapter 91, Hawaii Revised Statutes, to establish a
3 regulatory structure for the regulation of dental assistants in
4 Hawaii via the following certification options that shall
5 establish educational criteria and permitted duties:

6 (1) Basic-level dental assistants;

7 (2) Qualified dental assistants, who shall have:

8 (A) Graduated from high school or earned a general
9 equivalency diploma; and

10 (B) Successfully passed the Certified Dental
11 Assistant certification examination administered
12 by the Dental Assisting National Board, Inc.; and

13 (3) Advanced-qualified dental assistants, who shall have:

14 (A) Graduated from high school or earned a general
15 equivalency diploma;



1 (B) Successfully passed the Certified Dental
2 Assistant certification examination administered
3 by the Dental Assisting National Board, Inc.; and

4 (C) Received expanded function training in duties as
5 specified in rules adopted by the board.

6 SECTION 2. No later than twenty days prior to the
7 convening of the regular session of 2019, the board of dental
8 examiners shall submit to the legislature a report detailing the
9 progress of adopting rules pursuant to section 1 of this Act.

10 SECTION 3. This Act shall take effect on July 1, 3000.



Report Title:

Board of Dental Examiners; Rules; Dental Assistants

Description:

Requires the Board of Dental Examiners to adopt rules to establish a regulatory structure for the regulation of dental assistants in Hawaii. (SB2926 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.



**PRESENTATION OF THE
BOARD OF DENTAL EXAMINERS**

TO THE HOUSE COMMITTEE ON INTRASTATE COMMERCE

TWENTY-NINTH LEGISLATURE
Regular Session of 2018

Wednesday, March 21, 2018
9:00 a.m.

**TESTIMONY ON SENATE BILL NO. 2926, S.D. 1, H.D. 1, RELATING TO
DENTISTRY.**

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 in support of S.B. 2926, S.D. 1, H.D. 1, Relating to Dentistry, which is identical to H.B. 2207, H.D. 2.

S.B. 2926, S.D. 1, H.D. 1 requires the Board to adopt rules to establish a tiered regulatory structure for the regulation of dental assistants in Hawaii and to report to the 2019 Legislature on its progress in adopting rules.

This bill establishes a tiered approach and regulatory structure for dental assistants and allows the Board time to thoroughly analyze the Office of the Auditors' Sunrise Analysis: Regulation of Dental Assistants, Report No. 18-02, to develop and amend its administrative rules before moving towards regulation.

Thank you for the opportunity to testify in support of S.B. 2926, S.D. 1, H.D. 1.



Testimony in Support of SB **2926**, **SD1**, **HD1**, Relating to Dentistry

Ellie Kelley-Miyashiro, RDH, BS

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

March 19, 2018

Dear Respected Members of the House Committee on Intrastate Commerce:

The Hawaii Dental Hygienists' Association (HDHA) strongly supports **SB 2926**, **SD1**, **HD1**. We applaud your leadership in initiating this important safety measure during the 2018 legislative session.

Currently, in the state of Hawai'i, dental assistants are not required to obtain specific education, training or meet any standardized qualifications. Because of this, the profession of dental assisting is not regulated by the State. In the Hawai'i Revised Statute and Hawai'i Administrative Rules, dental assistants are identified as unlicensed auxiliary personnel who perform supportive dental procedures under the direct supervision, direction, evaluation, and responsibility of a licensed dentist. Currently, training for the duties performed by dental assistant are typically done on-the-job by the supervising dentist or staff member, and can vary in length, extensiveness and technique 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 which can lead to a public safety issue.

It has been determined by the Hawai'i State Auditor in his review of the profession, 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 have been deemed to pose some risk to patients. Because of this risk, HDHA supports legislation that would require dental assistants to be uniformly trained and certified via the Dental Assisting National Board. This certification will then create a means the State can regulate and monitor this important profession.

HDHA thanks you for your time and consideration of **SB 2926**, **SD1**, **HD1**. 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.

SB-2926-HD-1

Submitted on: 3/20/2018 7:52:33 AM

Testimony for IAC on 3/21/2018 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i	Support	No

Comments:

To the Honorable Takashi Ohno, Chair; the Honorable Isaac W. Choy, ViceChair and the Members of the House Committee on Intrastate Commerce:

Good morning. My name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") on Legislative Priorities of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on **SB2926 SD1 HD1** relating to Board of Dental Examiners; Rules; and Dental Assistants.

The OCC Legislative Priorities Committee is in favor of **SB2926 SD1 HD1** and supports its passage.

SB2926 SD1 HD1 is in accord with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it requires the Board of Dental Examiners to adopt rules to establish a regulatory structure for the regulation of dental assistants in Hawaii.

The DPH Platform states that "[a]ccess to health care is a basic human need. Our citizens and visitors have an inherent right to high quality, high standard health care. The state legislature and the federal government should take all appropriate steps to create and support a health care system of public, for-profit, and nonprofit hospitals and other medical facilities that follow best practices to enhance and protect and preserve life. (Platform of the DPH, P.7, Lines 360-364 (2016)).

Given that **SB2926 SD1 HD1** requires the Board of Dental Examiners to adopt rules to establish a regulatory structure for the regulation of dental assistants in Hawaii, it is the position of the OCC Legislative Priorities Committee to support this measure.

Thank you very much for your kind consideration.

Sincerely yours,

/s/ Melodie Aduja

Melodie Aduja, Chair, OCC Legislative Priorities Committee

Email: legislativepriorities@gmail.com, Text/Tel.: (808) 258-8889

SB-2926-HD-1

Submitted on: 3/19/2018 1:33:34 PM

Testimony for IAC on 3/21/2018 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Diane Brucato	Individual	Support	No

Comments:

This testimony is in support of SB2926 SD1 HD1. While this bill is highly simplified, it is a start. After reading the Sunrise review regarding regulation of dental assistants in Hawaii, this bill would help ensure the safety of the public while providing greater opportunity for dental assistants in Hawaii.

In a letter from the American Dental Assisting Association (AADA) referenced in the 1/2/2001 Minutes of the Hawaii Board of Dental Examiners, the AADA wrote:

"With increased technology and minimally trained and knowledgeable assistants, the ADAA is requesting the Board to mandate certification, education, and credentialing of all dental assistants." (HBDE Minutes 1/2/2001)

Our Legislative leaders are commended for moving the profession forward in this manner to provide a higher standard of care and ensure public safety.

Thank you for this opportunity to provide testimony.

Respectfully,

Diane M. Brucato, RDH, EF, BS, FAADH

Petition to Submit Testimony in Support of SB2926,SD1, HD1

Petition summary and background:	As Registered Dental Hygienists in the state of Hawaii, we SUPPORT SB2926,SD1, HD1. In State Statute, Dental Assistants have clearly delineated allowable/prohibited duties, but no regulation or licensing of Dental Assistants is required in the state of Hawaii. The majority of Dental Assistants in Hawaii are trained on the job by other Dental Assistants or their supervising Dentist. For the public's safety, we feel requiring Dental Assistants to obtain certification from the Dental Assisting National Board would be a wise decision. Several duties routinely performed by Dental Assistants in Hawaii can pose a reasonable risk of injury to patients. Because of this risk, we believe Dental Assistants should be uniformly trained and certified via the Dental Assisting National Board. After certification, the State can then properly regulate licenses.
Action petitioned for:	We, the undersigned are concerned citizens who urge our leaders to act now to SUPPORT SB2926,SD1, HD1 for the safety of the public.

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Printed name	Signature	Address	Comment	Date



Hawaii Dental Association

LATE

LATE

To: The House Committee on Intrastate Commerce
Time/Date: 9:00 a.m. March 21, 2018
Location: Capitol Conference Room 429
Re: SB 2926, HD1, Relating to Dental Assistants

Aloha Chair Ohno, Vice Chair Choy and members of the committee! My name is Kim Nguyen and I serve as the executive director 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 SB 2926, HD1, 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.