

**PRESENTATION OF THE BOARD
OF DENTAL EXAMINERS**

TO THE HOUSE COMMITTEE ON
HEALTH AND HUMAN SERVICES

TWENTY-NINTH LEGISLATURE
Regular Session of 2018

Wednesday, March 14, 2018
8:40 a.m.

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

TO THE HONORABLE JOHN M. MIZUNO, 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 S.B. 2926, S.D. 1, Relating to Dentistry. While the Board supports the concept of a tiered approach to dental assistants, the Board has serious concerns about this measure as written and is therefore testifying in opposition.

This measure establishes minimum requirements for all dental assistants hired on or after July 1, 2018, and:

- ✓ Requires dental assistants employed on or after 7/1/2018 to successfully complete the Dental Assisting National Board, Inc.’s (“DANB”) National Entry Level Dental Assistant certification within three years of first being hired;
- ✓ Requires dental assistants with four or more years’ experience to apply or register for the DANB’s Certified Dental Assistant certification; and
- ✓ Exempts dental assistants with more than ten years’ experience from having to obtain a Certified Dental Assistant certification, but requires these dental assistants to hold a cardiopulmonary resuscitation certification and pass the DANB’s Infection Control examination within two years.

S.B. 2926, S.D. 1 does not recognize “grandfathering” or the high school students who are currently attending health-related workforce training from their participating high schools. This measure also requires all dental assistants employed in Hawaii on or after July 1, 2018, to obtain some form of DANB certification

and or passage of the DANB's Infection Control examination within proposed time periods.

Presently, only one dental assisting program in Hawaii is accredited by the Commission on Dental Accreditation. This program is located at Kapiolani Community College ("KCC program") to educate, train, and prepare dental assistants for certification. The KCC program does not have the resources or the capacity to enroll, train, and certify all currently employed dental assistants within the proposed time periods.

The January 2018 Office of the Auditors' Sunrise Analysis: Regulation of Dental Assistants, Report No. 18-02 indicates that the estimated number of dental assistants in Hawaii are between 2,000 to 4,000. Furthermore, the report also indicates that the KCC Dental Assisting Program does not have the sufficient capacity to serve as the sole pathway for certification of dental assistants. It was noted that approximately twelve students are enrolled in the dental assisting program per school year.

Presently, H.B. 2207, H.D. 2, Relating to Dental Assistants, is moving and establishes a tiered approach and regulatory structure for the regulation of dental assistants, as recommended in the Auditors' report. This measure recognizes the basic level dental assistants, certified dental assistants, and advanced-qualified dental assistants. H.B. 2207, H.D. 2 also allows the Board time to thoroughly analyze the Auditors' report to develop and amend its administrative rules before moving towards regulation.

The Board believes the language of S.B. 2926, S.D. 1 is too restrictive and does not offer practical options to become a dental assistant in Hawaii. This bill could severely impact the current workforce and safety of the public.

For these reasons, the Board fully supports H.B. 2207, H.D. 2, opposes S.B. 2926, S.D.1 in its current form, and recommends that the Senate measure be held.

Thank you for the opportunity to testify on S.B. 2926, S.D. 1.

SB-2926-SD-1

Submitted on: 3/12/2018 10:10:18 AM

Testimony for HHS on 3/14/2018 8:40:00 AM

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

Comments:

This testimony is in support of SB2926 SD1. After reading the Sunrise review regarding regulation of dental assistants in Hawaii, this bill would 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

Petition summary and background:	As Registered Dental Hygienists in the state of Hawaii, we SUPPORT SB2926,SD1. 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 for the safety of the public.

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Printed name	Signature	Address	Comment	Date

supports its passage.

SB2926 SD1 is in accord with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it establishes minimum requirements for all dental assistants hired on or after 7/1/2018; requires dental assistants employed on or after 7/1/2018 to successfully complete the Dental Assisting National Board, Inc.'s (DANB) National Entry Level Dental Assistant certification within three years of first being hired; requires dental assistants with four or more years' experience to apply or register for the DANB's Certified Dental Assistant certification.

SB2926 SD1 exempts dental assistants with more than ten years' experience from having to obtain a Certified Dental Assistant certification, but requires these dental assistants to hold a cardiopulmonary resuscitation certification and pass the DANB's Infection Control examination within two years.

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** establishes minimum requirements for all dental assistants hired on or after 7/1/2018; requires dental assistants employed on or after 7/1/2018 to successfully complete the Dental Assisting National Board, Inc.'s (DANB) National Entry Level Dental Assistant certification within three years of first being hired; requires dental assistants with four or more years' experience to apply or register for the DANB's Certified Dental Assistant certification, 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, Tel.: (808) 258-8889



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

Ellie Kelley-Miyashiro, RDH, BS

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

March 13, 2018

Dear Respected Members of the HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES:

The Hawaii Dental Hygienists' Association (HDHA) strongly supports **SB 2926**, **SD1**. 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**. 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-SD-1

Submitted on: 3/13/2018 9:59:31 AM

Testimony for HHS on 3/14/2018 8:40:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Neil Furuya	Individual	Oppose	No

Comments:

This Bill totally ignores our dental assistants who have been working in the field who do not qualify to be exempt from the examination and would disrupt dental care for everyone in Hawaii for a long time. It is hard enough trying to find people who want to work as dental assistants. There is a shortage of dental assistants and now you want to impose hardship on those already working full time to have to take an examination and make it even harder to find people qualified to take and pass a formal examination to encompass all aspects in Dentistry and maybe stop working to take formal training to qualify for the examination. Dentists have trained their dental assistants to work in their offices, so they are trained to what the dentist needs, not all aspects of dentistry. Some will eventually train all aspects in dentistry, but most will only learn certain tasks, so to ask them to take a formal examination to test in all aspects in dentistry would disqualify most of the dental assistants from working. This bill will devastate dental care for many years to come which is totally not necessary. The dental assistants are supervised and trained by the dentists, and the dentists would not allow a dental assistant to continue to work if there is any risk to the patients because the liability fall under the dentist, so the dental assistants are already scrutinized by the dentists.

SB-2926-SD-1

Submitted on: 3/13/2018 12:25:36 PM

Testimony for HHS on 3/14/2018 8:40:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Leila Wong	Individual	Oppose	No

Comments:

I oppose SB 2926 because it does not adequately transition assistants already in the workplace.

SB-2926-SD-1

Submitted on: 3/13/2018 2:27:50 PM

Testimony for HHS on 3/14/2018 8:40:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dayton Q.L.Lum	Individual	Oppose	No

Comments:

I am a dentist practicing in Pearl City and Kahala, I reside in Kahala, I am opposed to SB 2926, due to the limiting deadline for our assistants. The auditors report on dental assistants ask for a tiered level of dental assistants, which is better covered in HB 2207, which I am in favor of. Thank You ,Dayton Lum



Hawaii Dental Association

LATE

To: The House Committee on Health and Human Services
Time/Date: 8:40 a.m., March 14, 2018
Location: Capitol Conference Room 329
Re: SB 2926, SD1, Relating to Dentistry

Aloha Chair Mizuno, Vice Chair Kobayashi and members of the committees!

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.

Hawaii Dental Association supported Act 84 (2017) which requested that the state auditor submit a report on the advisability of regulating dental assistants. That report recommends a tiered approach, which is reflected in HB 2207. Therefore, we respectfully oppose SB 2626 and request consideration of the alternate approach reflected in HB 2207.

Mahalo for the opportunity to testify.