

SB774

Measure Title:	RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING.
Report Title:	Professional and Vocational Licensing; Licensing Authority; Rules; Duties; Scope of Practice
Description:	Prohibits a licensing authority from using rules to supersede requirements set forth in licensing laws and adopting rules that authorize an unlicensed individual to perform duties, activities, or functions that, if performed by another professional, would require licensure of that professional.
Companion:	HB73
Package:	None
Current Referral:	CPH
Introducer(s):	BAKER, S. Chang, English, Fevella, Keith-Agaran



DAVID Y. IGE
GOVERNOR

JOSH GREEN
LT. GOVERNOR

**STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

335 MERCHANT STREET, ROOM 310
P.O. BOX 541
HONOLULU, HAWAII 96809
Phone Number: 586-2850
Fax Number: 586-2856
cca.hawaii.gov

CATHERINE P. AWAKUNI COLÓN
DIRECTOR

JO ANN M. UCHIDA TAKEUCHI
DEPUTY DIRECTOR

Testimony of the Department of Commerce and Consumer Affairs

**Before the
Senate Committee on Commerce, Consumer Protection, and Health
Thursday, February 21, 2019
9:00 a.m.
State Capitol, Conference Room 229**

**On the following measure:
S.B. 774, RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING**

Chair Baker and Members of the Committee:

My name is Charlene Tamanaha, and I am the Acting Licensing Administrator of the Department of Commerce and Consumer Affairs' (Department) Professional and Vocational Licensing Division (PVL). The Department opposes this bill.

The purposes of this bill are to prohibit a licensing authority from: (1) using rules to supersede requirements set forth in licensing laws; and (2) adopting rules that authorize an unlicensed individual to perform duties, activities, or functions that, if performed by another professional, would require licensure of that professional.

This bill adds a new section to Hawaii Revised Statutes chapter 436B, which may adversely impact auxiliary personnel (e.g., electricians, plumbers, principal guards, and detectives) for many of the PVL's licensing areas. As the Committee may be aware, the PVL regulates many areas that require on-the-job training by working under the supervision of a tradesperson or licensee. As written, this bill would essentially halt all

training of these individuals and would ultimately affect the applicant's ability to qualify for a license.

Although subsection (d) on page 3, lines 15-17 exempts apprentices or trainees who are working toward licensure in an apprenticeship program or a clinical program, it does not take into consideration trainees who are not affiliated with a formal apprenticeship or clinical program.

If this bill becomes law, it will exclude certain trainees from learning the trade or profession to qualify for licensure because they would be prohibited from performing activities that would ultimately lead to licensure. Thus, the Department respectfully requests that this bill be held.

Thank you for the opportunity to testify on this bill.

Testimony of the Contractors License Board

**Before the
Senate Committee on Commerce, Consumer Protection, and Health
Thursday, February 21, 2019
9:00 a.m.
State Capitol, Conference Room 229**

**On the following measure:
S.B. 774, RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING**

Chair Baker and Members of the Committee:

My name is Candace Ito, and I am the Executive Officer of the Contractors License Board (Board). The Board opposes this bill.

The purposes of this bill are to prohibit a licensing authority from: (1) using rules to supersede requirements set forth in licensing laws; and (2) adopting rules that authorize an unlicensed individual to perform duties, activities, or functions that, if performed by another professional, would require licensure of that professional.

This bill proposes to only exempt apprentices or trainees who are working toward licensure in an apprenticeship program or a clinical program. The Board accepts on-the-job training as qualifying experience, and many individuals working toward licensure are not in an apprenticeship program. Thus, this bill will prohibit many individuals from gaining the requisite qualifying experience needed to obtain a contractor's license. The Board respectfully requests that individuals who are working toward a contractor's license are also exempted from this section.

Thank you for the opportunity to testify on this bill.

Petition to Submit Testimony in Support of SB774

Petition summary and background:	<p>As Registered Dental Hygienists in the state of Hawaii, we feel it is of utmost importance that unlicensed, unregulated individuals, such as dental auxiliary personnel, do not infringe upon a particular licensed profession's scope of practice.</p> <p>Dental auxiliary personnel are considered a valuable part of a team. However, a majority are not licensed or certified in the state of Hawaii or required to meet the same stringent standards of training and care as licensed individuals in certain professions or vocations.</p> <p>It is inappropriate for unlicensed, unregulated dental auxiliary personnel to be expected or required to perform duties that are currently being performed by other licensed professionals.</p>
Action petitioned for:	<p>We, the undersigned, are concerned citizens who urge our leaders to act now to SUPPORT SB774.</p> <p>In the best interest of the public's safety, this bill will prohibit a licensing authority from adopting rules that authorize an unlicensed, unregulated individual to perform duties that may overlap or conflict with the duties and scope of any licensed profession or vocation.</p>

Printed name	Signature	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				

Printed name	Signature	Address	Comment	Date
Linda Kang, RDH		l0121376@aol.com		
Andrea Hetherington, RDH		lindakan@hawaii.edu		
Susan Eladnani, RDH		ajh.rdh13@gmail.com		
Iris Woolsey, RDH		susaneladnani@gmail.com		
Crystal Egusa, RDH		igttwink@hawaii.rr.com		
Samantha Fisher, RDH		cegusa@gmail.com		
Kim Schneider, RDH		samjfisher@yahoo.com		
Marilyn Nonaka, RDH		kschneider@hawaii.rr.com		
Stacy Matsuyama, RDH		texaninhawaii@gmail.com		
Tabitha Kukahiko, RDH		smsekioka@gmail.com		
Marie Duke, RDH		tabitha4avon@yahoo.com		
Rayann Bautista Echavez, RDH		maduke92254@gmail.com		
Anna Akaka, RDH		rayannrdh@gmail.com		
Kyoko Tomita, RDH		annaakaka@gmail.com		
Candace Kawakami, RDH		kyotokomrdh@gmail.com		
Tori Clegg, RDH		denniskawakami@hawaii.rr.com		
Melorie Yuen, RDH		tlegg09@gmail.com		
Michelle Estakaya, RDH		melorieyuen@gmail.com		
Donna Christman, RDH		estamichelle@gmail.com		
Tracy Furukawa, RDH		dchristman76@gmail.com		
Caroline Kanno, RDH		alanandtracy@hawaiiantel.net		
Chanda Park, RDH		smile@hawaiidentaltemp.com		
Maile Mokulehua, RDH		chandapark@gmail.com		
Jan Migita, RDH		41dash@gmail.com		
Steffany Giammalvo, RDH		migitajans@gmail.com		
Mavis Gushiken, RDH		steffgiammanlvo@gmail.com		
Shori Patten, RDH		mavisg808@hawaii.rr.com		
Jackie Sawai, RDH		shori21@aol.com		
Valerie Zukeran, RDH		jackiesawai@gmail.com		
Stacie Okihara, RDH		theheartofbusiness@gmail.com		
Jaimie Yuen, RDH		skye_lar@hotmail.com		
Sandy Bangert, RDH		jyuen001@hawaii.rr.com		

Printed name	Signature	Address	Comment	Date
Natasha Fong, RDH		skirkoski@icloud.com		
Kimi Yagi, RDH		fongn@hawaii.edu		
Jessica Busby, RDH		kannyagi@gmail.com		
Samantha Boroff, RDH		jessica_mowder@hotmail.com		
Alaina Pacheco, RDH		boroff.212@osu.edu		
Emeraude Thai, RDH		amprdh555@gmail.com		
Audra Nakamatsu, RDH		amythai@msn.com		
Nahoku Keala, RDH		anakamatsu@hotmail.com		
Katrina Dela Cruz, RDH		nahokukeala@gmail.com		
Carly Takara, RDH		ktdlcr@yahoo.com		
Gayle Chang, RDH		cftakara@gmail.com		
Donna Altshul, RDH		gchang50@gmail.com		
Mikiel Lina Agoy, RDH		daltshul@westhawaiiichc.org		
Allie Jefferies, RDH		m.linardh@gmail.com		
Carolyn Nacapuy, RDH		alliejefferiesrdh@gmail.com		
Elsie Santos, RDH		battulayan@yahoo.com		
Janice Blaser, RDH		nontoxic808@gmail.com		
Jennifer Fajardo, RDH		alohajuice@hotmail.com		
Erica Tabalba, RDH		healthysmile@yahoo.com		
Nicole Florendo-Serai, RDH		etabalba@gmail.com		
Gail Pang, RDH		localgirl521@yahoo.com		
Deb Mapel, RDH		batsnookums@yahoo.com		
Karen Nagamine, RDH		dmapel@hawaii.edu		
Amy Tsubota-Cruz, RDH		cn1cn2605@yahoo.com		
Shirley Li, RDH		aimsstsu@gmail.com		
Brenda Yospe, RDH		sara_li88@ymail.com		
Megumi Kodama, RDH		byospe@hotmail.com		
Yvette Like, RDH		megu2_4@hotmail.com		
Mie Choe, RDH		kaiulani67@yahoo.com		
Diane Clements, RDH		mrainbow0220@gmail.com		
Theresa Brown, RDH		clements002@hawaii.rr.com		
Sarah Kolar, RDH		terri4brown@aol.com		

Printed name	Signature	Address	Comment	Date
Michelle Baniaga, RDH		skolar.rdh@gmail.com		
Robyn McCarthy, RDH		michellehullrdh@hotmail.com		
Marian Manoais, RDH		mccarthyrdh@gmail.com		
Lenora Marks, RDH		dentalhygienist07@yahoo.com		
Janet Ancheta, RDH		leimarks@yahoo.com		
Jamie Pang, RDH		janetancheta9@gmail.com		
Lehua Bolton, RDH		Opbpep@aol.com		
Dollcy Gebauer, RDH		lehuakaala@yahoo.com		
Joanne Takahashi, RDH		Dollcydones@yahoo.com		
Melinda Lau, RDH		jtaki808@gmail.com		
Lori Tamayori, RDH		Mellau@gmail.com		
Dawn Teshima, RDH		misoyucky@gmail.com		
Raynette Kodama, RDH		det@hawaii.rr.com		
Tori Clegg, RDH		raynettekodama@hawaii.rr.com		
Joycelyn Swan, RDH		Tclegg09@gmail.com		
Karen Guevarra, RDH		jwan02@hotmail.com		
Joana Shin, RDH		joyerz@aol.com		
Noelani Greene, RDH		Joana.choy@gmail.com		
Christen Coloma, RDH		jusnoe@aol.com		
Gerraine Hignite, RDH		christen.coloma@gmail.com		
Rachel Ament, RDH		gerrainehignite@gmail.com		
Linda Austin, RDH		Rachelqryan@gmail.com		
Pearl Arrington, RDH		linda.austin@doh.hawaii.gov		
Elaine Baker, RDH		pmardh@aol.com		
Lesley Barangan, RDH		kulasky11@google.com		
Karen Bardin-Billman, RDH		lesleyjaimie@gmail.com		
Shelbi Barroga, RDH		kbillman2001@yahoo.com		
Aileen Bisquera-Ng, RDH		shelbib@hawaii.edu		
Sandra Boggess, RDH		AileenieB22@aol.com		
Madeleine Budde, RDH		girlfriend1969@aol.com		
Miyuki Butrick, RDH		ic45budde@yahoo.com		
Loreizl Cahinhinan, RDH		m.butrick@yahoo.com		

Printed name	Signature	Address	Comment	Date
Traci Chang, RDH		loreiz1@gmail.com		
Ja'Nae Chaves, RDH		tracichang7@gmail.com		
Penny Ching, RDH		JADINZ1@yahoo.com		
Carolyn Chun, RDH		pennylee@hawaii.edu		
Caitlyn Curammeng, RDH		chunster74@yahoo.com		
Misty Debebar, RDH		caitlyncurammeng@gmail.com		
Judith Dodson, RDH		m.debebar@yahoo.com		
Brittany Drake, RDH		jet4_50@hotmail.com		
Heather Dressel, RDH		bjaco@iupui.edu		
Ashley Eastman, RDH		heather.dressel@gmail.com		
Markee Estioko, RDH		Ashleyeastmanrdh@gmail.com		
Chelsey Flores, RDH		markee.estioko@gmail.com		
Nami Foree, RDH		chels.flores@gmail.com		
Vanessa Frerk, RDH		namiforee@hawaii.rr.com		
Melissa Frommer, RDH		vfrerk@hotmail.com		
Kris Gabriel, RDH		frommerm001@gmail.com		
Christopher Gamboa, RDH		gabrielf001@hawaii.rr.com		
Jan Gibson, RDH		chris.gamboa.rdh@gmail.com		
Candis Goto, RDH		evergreen360@aol.com		
Lois Goto, RDH		rabbitus1959@gmail.com		
Amber Harris, RDH		go2lois@gmail.com		
Barbara Hashimoto, RDH		amberboyles@yahoo.com		
Melody Hayase, RDH		bwhashi@gmail.com		
Leanne Higa, RDH		mhayase@hawaii.edu		
Nicole Ibarra, RDH		higaleanne@gmail.com		
Lisa Inaba, RDH		nicolecvibarra@hotmail.com		
Sunny Ivanyi, RDH		inabal001@hawaii.rr.com		
Cathy Kagawa, RDH		talk2sunn@yahoo.com		
Susan Kahawai, RDH		catkagawa@gmail.com		
Marrissa Kaili-Frank, RDH		sukahawai2004@yahoo.com		
Debra Kailiwai, RDH		kailifrm@pacificu.edu		
Norine Kalaiwaa, RDH		debbie.kailiwai@hawaiiantel.net		

Printed name	Signature	Address	Comment	Date
Christos Kalesperides, RDH		kalaiwaas@hawaii.rr.com		
Lauren Kam-Felipe, RDH		Christos5@hotmail.com		
Kerilyn Kaopuiki, RDH		lkamfelipe@gmail.com		
Valerie Keliioomaluu, RDH		Kerilyndofa@gmail.com		
Erin Kihara, RDH		valrdh@msn.com		
Violet Kitamori, RDH		k5cows@hawaii.rr.com		
Dana Kokubun, RDH		kitamori001@hawaii.rr.com		
Mary Kunimura, RDH		dbk@hawaii.rr.com		
Robyn Kurahara, RDH		makunimura@gmail.com		
Brianna Lee, RDH		jrkurahara@aol.com		
Nancy Lee, RDH		bgoto@hawaii.edu		
Katie Lyles, RDH		leen1808@gmail.com		
Myra Macapinlac, RDH		novrain04@hawaiiantel.net		
Nora Macaraeg, RDH		myra.macapinlac@gmail.com		
Laura Mallery-Sayre, RDH		starlightmaui2@aol.com		
Alyson Martin, RDH		mallerysayre@hawaii.rr.com		
Maile Mathison, RDH		alymartinrdh@gmail.com		
Ruth Mc Caffrey, RDH		mai_tai9@hotmail.com		
Jennifer McKig, RDH		lorraine1000@hawaii.rr.com		
Michele McTague		splash4@mac.com		
Jeannette Vences, RDH		rdhshel.mctague@gmail.com		
Kira Lynn Minato, RDH		Jeannette.vences@gmail.com		
Cheryl Nakagawa, RDH		kiraminato@yahoo.com		
Catherine Nakamura, RDH		cherylnaka2@aol.com		
Kelly Nance, RDH		katnak@yahoo.com		
Michelle Nicotre, RDH		nancekellyann@gmail.com		
Noelle Nyquist, RDH		mnicotre@yahoo.com		
Kathleen Oide, RDH		serrano.noelle@yahoo.com		
Jessica Oliviera, RDH		gkoide@hotmail.com		
Julee Otori, RDH		joliviera.rdh@gmail.com		
Kristine Osada, RDH		juleeo@hawaii.edu		
Arlene Palileo-Noel, RDH		ksato@hawaii.rr.com		

Printed name	Signature	Address	Comment	Date
Vicki Phan, RDH		palileo65@gmail.com		
Jennifer Pirie, RDH		vickikimo@gmail.com		
Janet Quinn-Chun, RDH		jrprie@gmail.com		
Adrienne Ragasa, RDH		jqchun@juno.com		
Alana Rarick, RDH		adrienneragasa@yahoo.com		
Naomi Rhodes, RDH		ararick@hawaii.edu		
Daryl Robertson, RDH		alohasmilehi@yahoo.co.jp		
Kari Rodrigues, RDH		djfrobertson@gmail.com		
Audree Roman, RDH		karir@hawaii.edu		
Peggi Rossi, RDH		auj808@hotmail.com		
Marian Rubino, RDH		peggiudd@yahoo.com		
Tami Ryan, RDH		gaylerubino@hotmail.com		
Joelle Sato, RDH		browner4@hawaii.rr.com		
Rebecca Schaupp, RDH		Jakcsato@hawaii.edu		
Marilyn Shrive, RDH		rebeschaupp@gmail.com		
Carol Smith, RDH		ms_romuar@msn.com		
Diana Smith, RDH		Carol_Smith@adidam.org		
Justin Stanton, RDH		dgsinhawaii@gmail.com		
Jennifer Takata, RDH		justinstantonrdh@gmail.com		
Heaven Tancayo, RDH		jen.takata@gmail.com		
Rhonda Tengan, RDH		Kamalei006@gmail.com		
Linda Tesar-Amimoto, RDH		rhondah212@gmail.com		
Marianne Timmerman, RDH		lindatesaramimoto@earthlink.net		
Kelsie Torres, RDH		got.floss@hotmail.com		
Ashley Trapp, RDH		ktorres7@hawaii.edu		
Michele Tui, RDH		trappa@hawaii.edu		
Erin Twohy, RDH		mctui@hotmail.com		
Joyce Yamada, RDH		erintwohy@gmail.com		
Rachelle Ventura, RDH		yamadajo@hawaii.edu		
Hillary Vidinhar, RDH		rgventurardh@gmail.com		
Rosemary Vierra, RDH		hillhogg_1@yahoo.com		
Sharon Walker, RDH		rivierra@hawaii.edu		

SB-774

Submitted on: 2/20/2019 3:24:44 PM

Testimony for CPH on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ellie Kelley-Miyashiro	Testifying for Hawai Dental Hygienists' Association	Support	Yes

Comments:



Senate Committee on Commerce, Consumer Protection and Health

February 20, 2019

Testimony in Support of SB 774

Ellie Kelley-Miyashiro, RDH

Regulation and Practice Chairperson HDHA 2019

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

The Hawaii Dental Hygienists' Association (HDHA) supports SB 774. We would like to congratulate you on your leadership in initiating this important discussion during this legislative session to aid in increasing public safety.

HDHA feels that this measure has the potential to create law that would protect the public's safety across professionally licensed vocations. It would place in statute that clearly delineated duties of a licensed profession should not be within the scope of practice of another unlicensed, unregulated profession. Again, we feel this is for the public's safety.

Using the example of a dental office, dental assistants are undoubtedly an important part of the dental team. Each team member plays a critical role in the execution of outstanding patient care. In the day to day work of a dental office, many duties performed by Dental Hygienists are also performed by Dental Assistants. We feel this measure would help the Hawaii Board of Dentistry, licensees, and those employing

auxiliary, unlicensed team members understand that the five DEFINED duties of a licensed Dental Hygienist can not be performed by unlicensed Dental Assistants.

HDHA thanks you for your time and consideration of SB 774. 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.

SB-774

Submitted on: 2/16/2019 7:57:44 PM

Testimony for CPH on 2/21/2019 9:00:00 AM

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

Comments:

This bill is imperative for the safety of the public. I strongly support this bill and thank you for your foresight in creating it. Please pass SB774, as is, without amendments. Thank you for your consideration.

SB-774

Submitted on: 2/20/2019 3:14:24 PM

Testimony for CPH on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Lozano	Individual	Support	No

Comments:

SB-774

Submitted on: 2/20/2019 3:25:42 PM

Testimony for CPH on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Christen	Individual	Support	No

Comments:

I am a dental hygienist licensed in Hawaii and I am in support of this bill.