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# A BILL FOR AN ACT

RELATING TO DENTAL ASSISTANTS.

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

1           SECTION 1. The legislature finds that the proper  
2 standardization and regulation of dental assistants is necessary  
3 to ensure the health, safety, and well-being of the State's  
4 citizens. Currently, Hawaii is one of only a handful of states  
5 that does not require dental assistants to be certified, and the  
6 legislature finds that this exposes patients to unnecessary  
7 risks. The legislature further finds that establishing minimum  
8 requirements for dental assistants, including educational  
9 requirements, will ensure that dental patients receive the best  
10 available care.

11           Accordingly, the purpose of this Act is to establish  
12 minimum requirements for dental assistants in Hawaii, including:

13           (1) Requiring an individual hired as a dental assistant on  
14           or after July 1, 2021, to hold a cardiopulmonary  
15           resuscitation certification and complete a two-  
16           semester program accredited by the American Dental  
17           Association Commission on Dental Accreditation;



1 (2) Requiring all dental assistants employed as of July 1,  
2 2020, to obtain a cardiopulmonary resuscitation  
3 certification by July 1, 2021;

4 (3) Requiring an individual employed as a dental assistant  
5 for less than five years as of July 1, 2020, to  
6 provide proof of enrollment in a two-semester program  
7 accredited by the American Dental Association  
8 Commission on Dental Accreditation;

9 (4) Exempting an individual employed as a dental assistant  
10 for at least five years as of July 1, 2020, from the  
11 education requirements for dental assistants; provided  
12 that the individual has no history of complaints filed  
13 with the board of dentistry; and

14 (5) Clarifying the allowable and prohibited practices of  
15 dental assistants.

16 SECTION 2. Chapter 448, Hawaii Revised Statutes, is  
17 amended by adding a new section to be appropriately designated  
18 and to read as follows:

19 "§448- Dental assistants; requirements; allowed and  
20 prohibited practices. (a) All individuals hired as dental  
21 assistants in this State on or after July 1, 2021, shall:



1       (1) Hold a cardiopulmonary resuscitation certification;

2           and

3       (2) Provide proof to the board that the dental assistant

4           has successfully completed a two-semester program

5           accredited by the American Dental Association

6           Commission on Dental Accreditation.

7       (b) An individual employed as a dental assistant as of

8       July 1, 2020, shall obtain a cardiopulmonary resuscitation

9       certification by July 1, 2021.

10       (c) An individual employed as a dental assistant for less

11       than five years as of July 1, 2020, shall provide proof to the

12       board that the individual has enrolled in a two-semester program

13       accredited by the American Dental Association Commission on

14       Dental Accreditation by July 1, 2021.

15       (d) An individual employed as a dental assistant for at

16       least five years as of July 1, 2020, shall be exempt from the

17       education requirement under subsection (a) (2); provided that the

18       individual has no history of complaints filed with the board.

19       (e) A dental assistant may perform the following

20       supportive dental procedures under the direct supervision,

21       direction, evaluation, and responsibility of a licensed dentist:



- 1        (1) Assisting a licensed dentist who is actually  
2        performing a dental procedure on a patient, including:  
3        (A) Preparing procedural trays or armamentaria set-  
4        ups;  
5        (B) Retracting a patient's oral tissues to maintain  
6        the field of operation during the dental  
7        procedure;  
8        (C) Removing debris, as is normally created and  
9        accumulated during or after operative procedures  
10       by the dentist;  
11       (D) Placing and removing the rubber dam;  
12       (E) Mixing dental materials; and  
13       (F) Transferring dental instruments or any other  
14       concept of four-handed dentistry the dentist  
15       requires to perform the procedure;  
16       (2) Assisting a licensed dental hygienist in the  
17       performance of the duties of the dental hygienist;  
18       provided that the assistance shall not include  
19       procedures included in subsection (f);  
20       (3) Collecting medical and dental histories, taking intra-  
21       oral and extra-oral photographs, and recording or



- 1           charting clinical findings as dictated by a licensed  
2           dentist or dental hygienist;
- 3           (4) Completing prescription and authorization forms for  
4           drug or restorative, prosthodontic, or orthodontic  
5           appliance for the supervising licensed dentist;  
6           provided that the licensed dentist signs the forms;
- 7           (5) Conducting mouth mirror supragingival inspections and  
8           reporting observations to the supervising licensed  
9           dentist; provided that the inspection and reporting  
10           observations shall not be interpreted as an oral  
11           cancer screening;
- 12           (6) Exposing, processing, mounting, and labeling  
13           radiographs;
- 14           (7) Making impressions for study casts; opposing models;  
15           occlusal appliances, such as splints and bite guards;  
16           mouth guards; orthodontic retainers; and medicament  
17           trays;
- 18           (8) Making intra-oral measurements for orthodontic  
19           procedures; performing the preliminary selection and  
20           sizing of bands; checking for loose bands and bonded  
21           brackets; placing and removing orthodontic separators,



- 1           ligature ties, and inter-arch elastics, including  
2           chain elastics and rubber bands; fitting and removing  
3           head appliances; and removing arch wires;  
4           (9) Measuring and recording vital signs;  
5           (10) Monitoring the nitrous oxide/oxygen unit and reporting  
6           to the supervising dentist any adverse observations;  
7           provided that the licensed dentist shall evaluate,  
8           initiate, and administer the sedation;  
9           (11) Placing matrix retainers;  
10          (12) Placing non-aerosol topical anesthetics;  
11          (13) Relating pre-operative and post-operative instructions  
12          and patient education in oral hygiene as instructed by  
13          the supervising licensed dentist or licensed dental  
14          hygienist;  
15          (14) Removing dressing and sutures;  
16          (15) Removing excess supragingival cement after a licensed  
17          dentist has placed a permanent or temporary prosthetic  
18          restoration, appliance, or orthodontic band with hand  
19          instruments; and



1        (16) Performing a try-in with any removable prosthetic or  
2                    orthodontic appliance; provided that the supervising  
3                    licensed dentist shall make the adjustments.

4        (f) A dental assistant shall not perform any activity  
5 deemed to be irreversible so as to cause change in the affected  
6 hard or soft tissues and is permanent, may require  
7 reconstructive or corrective procedures, or represents the  
8 practice of dentistry and dental hygiene or requires the  
9 knowledge, skill, and training of a licensed dentist or licensed  
10 dental hygienist, including the following procedures and intra-  
11 oral functions:

12        (1) Administering local anesthetic, sedation, or general  
13                    anesthesia;

14        (2) Cementing, bonding, and adjusting any part of a  
15                    prosthesis or appliance worn in the mouth;

16        (3) Cementing or re-cementing, finishing margins,  
17                    performing a try-in, and adjusting the occlusion of a  
18                    temporary or permanent fixed prosthetic restoration,  
19                    or placing cement bases;

20        (4) Cementing bands and brackets or activating any  
21                    orthodontic appliance;



- 1        (5) Establishing occlusal vertical dimension, making bite  
2        registrations, or making face-bow transfers;
- 3        (6) Examining, diagnosing, or prescribing a treatment  
4        plan;
- 5        (7) Making final impressions, which would lead to the  
6        fabrication of any appliance or prosthesis that, when  
7        worn by the patient, would come in direct contact with  
8        hard or soft tissues with the exception of the  
9        procedures listed in subsection (e)(7);
- 10       (8) Performing any endodontic procedure to ream, file,  
11       irrigate, medicate, dry, try-in cores, or fill root  
12       canals, or establishing the length of the tooth;
- 13       (9) Performing any surgical or cutting procedures on hard  
14       or soft tissues, extracting teeth, or suturing;
- 15       (10) Placing, condensing, carving, finishing, or adjusting  
16       the occlusion of final restorations; or placing cavity  
17       liners, medicaments, or pulp cap materials;
- 18       (11) Placings materials subgingivally including but not  
19       limited to prescriptive medicaments, retraction cords,  
20       and other devices that are used for tissue  
21       displacement;





- 1        (12) Prescribing medications or authorizing the fabrication  
2        of any restorative, prosthodontic, or orthodontic  
3        appliances;
- 4        (13) Performing pulp vitality tests or other non-surgical  
5        clinical and laboratory oral diagnostic tests;
- 6        (14) Using ultrasonic instruments or polishing natural or  
7        restored surfaces;
- 8        (15) Applying pit and fissure sealants;
- 9        (16) Performing non-surgical periodontal scaling and root  
10       planing, and periodontal maintenance;
- 11       (17) Performing dental prophylaxis, coronal polish natural  
12       or restored surfaces, or removing overhangs;
- 13       (18) Placing periodontal dressing;
- 14       (19) Collecting, documenting, and assessing comprehensive  
15       patient data including but not limited to screenings  
16       for oral cancer, periodontal chartings, indices, and  
17       risk assessments, which identify dental hygiene needs;
- 18       (20) Establishing a dental hygiene care plan that reflects  
19       dental hygiene goals and strategies; or
- 20       (21) Providing dental hygiene care including but not  
21       limited to pain management, full mouth debridement,



1           care of restorations, behavior modification, or  
2           preventative education and nutrition counseling as it  
3           relates to oral health."

4           SECTION 3. Section 448-3, Hawaii Revised Statutes, is  
5 amended by amending subsection (b) to read as follows:

6           "(b) A duly licensed and registered dentist may employ  
7 auxiliary personnel, other than registered dental hygienists, to  
8 assist the dentist in the practice of dentistry. These  
9 employees shall be known as dental assistants and shall perform  
10 all duties assigned to them under the supervision, direction and  
11 responsibility of the dentist [~~—Duties of the dental assistant  
12 and regulatory directives shall be delineated under rules which  
13 the board of dentistry may from time to time adopt.~~] pursuant to  
14 section 448- ."

15           SECTION 4. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17           SECTION 5. This Act shall take effect on July 1, 2020.



**Report Title:**

Dental Assistants; Minimum Requirements; Certifications

**Description:**

Establishes minimum requirements for dental assistants.  
Clarifies the allowable and prohibited practices by dental  
assistants. (SD1)

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

