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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 June 18, 2050.



**Report Title:**

Dental Assistants; Minimum Requirements; Certifications

**Description:**

Establishes minimum requirements for dental assistants.  
Clarifies the allowable and prohibited practices by dental  
assistants. Effective 6/18/2050. (SD2)

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