

# HB221 HD2

Measure Title: RELATING TO DENTAL ASSISTANTS.  
Report Title: Dental Assistants; Minimum Requirements;  
Certifications; Report  
Description: Requires the Board of Dentistry to adopt rules for the regulation of dental assistants using certification options based on education level and permitted duties. Requires the Board to report to the Legislature. (HB221 HD2)  
Companion:  
Package: None  
Current Referral: CPH  
Introducer(s): MIZUNO

**Testimony of the Board of Dentistry**

**Before the  
Senate Committee on Commerce, Consumer Protection, and Health  
Tuesday, March 19, 2019  
9:05 a.m.  
State Capitol, Conference Room 229**

**On the following measure:  
H.B. 221, H.D. 2, RELATING TO DENTAL ASSISTANTS**

Chair Baker 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 Dentistry (Board). The Board supports this bill.

The purposes of this bill are to require the Board to: (1) adopt rules for the regulation of dental assistants using certification options based on education level and permitted duties; and (2) report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2020, detailing the progress of the rules adopted pursuant to section 1 of the bill.

The Board supports statutory changes to establish a logical tiered approach to the regulation of dental assistants at all levels, as recommended by the Auditor's January 2018 report. This tiered approach would be an improvement over the current system, and public health would not be put at any undue risk. In addition, the Board requests an appropriate amount of time to discuss with all stakeholders the promulgation of its rules.

Thank you for the opportunity to testify on this bill.



## Hawaii Dental Hygienists' Association

### Testimony in Support of HB 221 HD2, Relating to Dental Assistants

March 18, 2019

Dear Chair Baker and members of the COMMITTEE ON COMMERCE, CONSUMER PROTECTION AND HEALTH :

The Hawaii Dental Hygienists' Association (HDHA) supports **HB 221 HD2**. We applaud your leadership in initiating this important safety measure during the 2019 legislative session.

Currently, dental assistants in Hawai'i do not need any specific education or other qualifications and are unregulated by the State. In Hawai'i, Dental Assistants are identified in statute and administrative rule as unlicensed auxiliary personnel who perform supportive dental procedures under the direct supervision, direction, evaluation, and responsibility of a licensed dentist. Training for dental assistant duties is typically done on-the-job by the supervising dentist and/or another assistant, and varies from office to office and from dentist to dentist. This "on-the-job" method of training creates patient dental care with little, to no standardization. It also creates an environment where dental assistants can risk public safety and practice beyond their allowable duties, due to the absence of, or limited knowledge of, the Hawaii Revised Statutes and Hawaii Administrative Rules.

It has been determined by the State auditor's report that several tasks, routinely performed by dental assistants in Hawai'i, can and do pose a reasonable risk of injury to patients. Tasks such as, proper infection control and sterilization, radiation exposure, use of sharp instruments to remove excess cement or other materials within the mouth, or possible aspiration while taking intraoral impressions, all pose some risk to patients. Because of this risk, HDHA believes all Dental Assistants should be uniformly trained and certified via the Dental Assisting National Board or another means measurable by the State, creating a way to monitor this important profession.

HDHA does have concerns with **HD2** regarding a tiered approach with employing a Basic Level dental assistant. We feel this would still allow for an "on-the-job" approach to training a new dental assistant, which would be a similar scenario to what is currently happening. If no legal requirement is set in place to require standardized training for all dental assistants, we feel no real change will occur. The intent of this measure is clearly to increase public safety, so to allow a "same case scenario" is not an effective use of legislators' time nor is it in the best interest of the public.

Addressing concerns brought forward by the Hawaii Board of Dentistry and the Kapiolani Community College Dental Assisting program, HDHA feels a high school externship for dental assistants would be considered an extension of an educational setting and would not be a paid position, thus excluding the need for certification. Once a student has



completed their externship and chooses to become a paid employee as a dental assistant, certification should be required.

HDHA thanks you for your time and consideration of **HB 221 HD2**. 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.



Hawaii Dental Association

To: The Senate Committee on Commerce, Consumer Protection & Health

Time/Date: 9:05 a.m., March 19, 2019

Location: Capitol Conference Room 229

Re: HB 221, HD 2 Relating to Dental Assistants

**LATE**

Aloha Chair Baker, Vice Chair Chang, and members of the committee:

The Hawaii Dental Association (HDA) is a statewide professional membership organization comprised of approximately 950-member dentists. HDA and its members are committed to protecting the oral health and well-being of the people of Hawaii, from keiki to kupuna and everyone in between.

HB 221, HD 2, establishes a tiered approach and framework of minimum qualifications for dental assistants. In January 2018, the State's legislative auditor finalized a report which recommended that the State consider a "tiered regulatory framework" for dental assistants. The auditor's report noted that such tiered regulatory frameworks have been adopted by many other states and provided examples of them. HDA is committed to advance the oral health of Hawaii residents and has participated along with dozens of stakeholders in the formation of the state's oral health strategic plan. We therefore support the intent of this measure and wish to be part of ongoing public conversations concerning its implementation provisions.

Thank you for the opportunity to testify with comments on this measure.

# Petition to Submit Testimony in Support of HB221 HD2

<p>Petition summary and background:</p>	<p>As Registered Dental Hygienists in the state of Hawaii, we SUPPORT HB221 HD2. 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 Hawaii Dental Assistants are trained on the job by other Dental Assistants or their supervising Dentist.</p> <p>According to the State auditor, several duties routinely performed by Dental Assistants in Hawaii can and do pose a reasonable risk of injury to patients. Because of this risk, we believe all Dental Assistants should be uniformly trained and/ or certified via the Dental Assisting National Board or another means measurable by the State.</p> <p>Upon completion of uniformly trained and/ or certification, the State can then properly regulate this important profession.</p>
<p>Action petitioned for:</p>	<p>We, the undersigned, are concerned citizens who urge our leaders to act now to Support HB221 HD2 requesting the Board of Dentistry (with input from HDA, HDHA and other dental-related entities) to adopt rules requiring uniformly trained and/ or certification of dental assistants by the Dental Assisting National Board or other State-approved certification for the public's safety.</p>

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