
A BILL FOR AN ACT

RELATING TO OCCUPATIONAL LICENSING.

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

1 SECTION 1. The legislature finds that occupational
2 licensing systems must achieve an important balance.
3 Occupational licensing protects public health and safety by
4 ensuring that persons meet minimum educational requirements and
5 industry oversight; supports career development and pathways for
6 licensed workers; and steps in when market forces fail to
7 achieve the desired outcome. However, unnecessary and
8 burdensome occupational licensing systems can reduce employment,
9 reduce market competition and innovation, increase the price of
10 goods and services, disproportionately burden certain
11 populations of workers, and impede worker mobility without
12 countervailing benefits.

13 The legislature further finds that certain aspects of the
14 occupational licensing requirement for dentists in the State
15 impede mobility for otherwise well-qualified dentists who seek
16 to relocate to Hawaii, which can impact overall access to high-
17 quality dental care. Specifically, the legislature notes that



1 the majority of state dental boards grant licenses to dentists
2 to practice in any setting, if those dentists are currently
3 licensed and in active, continuous practice for a specified
4 period of time in another jurisdiction, without further
5 theoretical and clinical examination. The legislature
6 additionally finds that the American Dental Association supports
7 this license recognition system for dentists, which is often
8 referred to as licensure by credentials and may also be referred
9 to as licensure by reciprocity, endorsement, or criteria.
10 However, Hawaii is one of a small minority of states that do not
11 permit licensure by credentials.

12 The legislature also finds that the existing law requiring
13 passage of the American Board of Dental Examiners (ADEX)
14 examination for licensure as a dentist in the State was
15 originally enacted in 2005 to allow Hawaii to participate in a
16 standardized national examination process. However, limiting
17 the approved examination to only the ADEX examination has
18 created difficulties for dentists seeking to obtain licensure in
19 Hawaii. For example, experienced, qualified, and competent
20 dentists who have been practicing licensed dentistry in other
21 states prior to 2005 and who desire to relocate and practice



1 dentistry in Hawaii have been unable to do so because they did
2 not take and pass the ADEX examination.

3 Accordingly, the purpose of this Act is to:

4 (1) Require the board of dentistry to issue a license by
5 credentials to a practicing dentist who is licensed in
6 another state and meets other specific professional
7 qualification requirements; and

8 (2) Expand the required qualifications for dental
9 licensure to include passage of any other nationally
10 recognized clinical dental examination recommended by
11 the American Dental Association and dental licensure
12 in another state; provided certain requirements are
13 met.

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

17 "§448- _____ Licensure by credentials. The board shall issue
18 a license by credentials to a dentist if:

19 (1) The applicant:

20 (A) Files an application for licensure by credentials
21 and pays any fees as prescribed by the board; and



- 1 (B) Is a practicing dentist who:
- 2 (i) Graduated from an accredited school of
- 3 dentistry;
- 4 (ii) Holds a license to practice dentistry in
- 5 another state, territory, or the District of
- 6 Columbia whose licensing requirements
- 7 include passage of the American Board of
- 8 Dental Examiners (ADEX) examination, its
- 9 predecessor examination, or another
- 10 nationally recognized, substantially
- 11 equivalent examination recommended by the
- 12 American Dental Association;
- 13 (iii) Is in good standing in the state of
- 14 licensure; and
- 15 (iv) Has engaged in the active practice of
- 16 dentistry in another state for a minimum of
- 17 five years immediately preceding the date
- 18 the application was received; and
- 19 (2) The board determines that no disciplinary action has
- 20 been taken by any dental licensing authority and the
- 21 applicant has not been the subject of adverse



1 judgments or settlements resulting from the practice
2 of dentistry that the board determines constitute
3 evidence of a pattern of negligence or incompetence."

4 SECTION 3. Section 448-9.4, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "~~§448-9.4 [American Board of Dental Examiners (ADEX)~~
7 ~~examination; regional examinations.] Dental licensure~~
8 ~~examination; other licensing qualifications.~~ An applicant shall
9 [take]:

10 (1) Take and pass the [ADEX] American Board of Dental
11 Examiners (ADEX) examination~~[, and neither the state~~
12 ~~examination nor any regional examination shall be~~
13 ~~accepted.] or any other nationally recognized clinical~~
14 dental examination recommended by the American Dental
15 Association; or

16 (2) Be a practicing dentist who meets the requirements of
17 section 448- ."

18 SECTION 4. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.



H.B. NO. 1498

1 SECTION 5. This Act shall take effect on July 1, 2022.

2

INTRODUCED BY: SG

JAN 18 2022



H.B. NO. 1498

Report Title:

Occupational Licensing; Dentistry; Board of Dentistry; Licensure by Credentials; Examination; Qualifications

Description:

Requires the board of dentistry to issue a license by credentials to a practicing dentist who is licensed in another state and meets other specific professional qualification requirements. Expands the required qualifications for dental licensure to include passage of any other nationally recognized clinical dental examination recommended by the American Dental Association and dental licensure in another state; provided certain requirements are met.

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