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# A BILL FOR AN ACT

RELATING TO DENTISTRY.

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

1           SECTION 1. Chapter 448, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§448- Summary suspension. (a) The board may summarily  
5 suspend any license issued under this chapter upon a specific  
6 determination that the failure to take such an action may result  
7 in an immediate and unreasonable threat to personal safety or of  
8 fraud that jeopardizes or endangers the health or safety of  
9 patients as determined by the professional standards of care  
10 upon consumers, and that, for the protection of the public from  
11 the possible consequences of such practices, the license should  
12 be immediately suspended or restricted.

13           (b) The order of summary suspension shall include a brief  
14 statement of findings of fact and conclusions of law and shall  
15 be served upon the licensee as required by chapter 91. The  
16 order of summary suspension shall be effective upon service.



1       (c) A licensee served with an order of summary suspension  
2 shall have the right to request a hearing to show cause why the  
3 order of summary suspension should be terminated. Any request  
4 for a hearing shall be made in writing and filed with the board  
5 within five business days of service of the order. The board  
6 shall hold a hearing within seven business days of receipt of  
7 the licensee's request for the hearing to show cause.

8       (d) Notwithstanding any law to the contrary, an order  
9 summarily suspending a license issued under this chapter shall  
10 remain in effect until the effective date of a final decision  
11 and order issued by the board in a disciplinary action or the  
12 effective date of an order issued by the board terminating the  
13 summary suspension following a hearing to show cause, whichever  
14 occurs first, but in either case shall not exceed thirty  
15 business days.

16       (e) The board shall conduct a hearing for disciplinary  
17 action against a licensee whose license has been summarily  
18 suspended under this section within twenty business days from  
19 the effective date of the order of summary suspension.

20       (f) Any attempt by the licensee to continue the practice  
21 of dentistry or the practice of dentistry by the licensee while



1 the license has been summarily suspended shall be grounds for  
2 revocation of the license and shall subject the licensee to any  
3 penalties prescribed under this chapter, the applicable  
4 licensing laws, or any rule or order of the board."

5 SECTION 2. This Act does not affect rights and duties that  
6 matured, penalties that were incurred, and proceedings that were  
7 begun, before its effective date.

8 SECTION 3. New statutory material is underscored.

9 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Dentistry; Summary Suspension of License

**Description:**

Allows the board of dental examiners to summarily suspend a license upon a specific determination that the failure to take such action may result in an immediate and unreasonable threat to personal safety or of fraud that jeopardizes or endangers the health or safety of patients. (HB268 HD1)

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

