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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. Section 448-8.5, Hawaii Revised Statutes, is  
2 amended to read as follows:  
3           "~~§~~448-8.5 ~~[+]~~ Continuing education requirements. The  
4 board shall adopt a program of continuing education for dentists  
5 and a program of continuing education for dental hygienists.  
6 After January 1, 2002, at the time of reregistration of license  
7 as a dentist or dental hygienist, each licensee shall present to  
8 the board evidence of compliance with the program of continuing  
9 education applicable to their profession. In addition to any  
10 other continuing education requirement adopted by the board,  
11 after January 1, 2016, each licensee who is a dentist shall  
12 present to the board evidence of having completed at least three  
13 hours of ethics training during the previous year. Failure to  
14 reregister and present evidence of compliance shall constitute a  
15 forfeiture of license, which may be restored only upon written  
16 application therefor and payment to the board of a restoration  
17 fee."



1 SECTION 2. Section 448-17, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3 "(b) In addition to any other actions authorized by law,  
4 the board may suspend or revoke any license issued under this  
5 chapter and may fine a licensee for any cause authorized by law,  
6 including but not limited to the following:

- 7 (1) Fraud in procuring license;
- 8 (2) Habitual intoxication or addiction to the use of  
9 drugs;
- 10 (3) Wilful or repeated violations of the rules of the  
11 department of health;
- 12 (4) Acceptance of a fee for service as a witness, without  
13 the knowledge of the court, in addition to the fee  
14 allowed by the court;
- 15 (5) Division of fees or agreeing to split or divide the  
16 fees received for dental services with any person for  
17 bringing or referring a patient;
- 18 (6) Assisting in the care or treatment of a patient,  
19 without the knowledge of the patient or the patient's  
20 legal representative;



- 1           (7)   Employing, procuring, inducing, aiding, or abetting a  
2           person not licensed as a dentist to engage in the  
3           practice of dentistry;
- 4           (8)   Making any misrepresentations or false promises,  
5           directly or indirectly, to influence, persuade, or  
6           induce dental patronage;
- 7           (9)   Professional connection or association with, or  
8           lending one's name to another for, the illegal  
9           practice of dentistry by another, or professional  
10          connection or association with any person, firm, or  
11          corporation holding oneself, themselves, or itself out  
12          in any manner contrary to this chapter;
- 13          (10)  By false or fraudulent representations, obtaining or  
14          seeking to obtain practice or money or any other thing  
15          of value;
- 16          (11)  Practicing, either in the State or elsewhere, under a  
17          name other than one's own;
- 18          (12)  Any other improper, unprofessional, or dishonorable  
19          conduct in the practice of dentistry;
- 20          (13)  Violation of section 447-4; [and]



1 (14) False or misleading advertising not otherwise provided  
2 for under this subsection, including:

3 (A) Advertising to the public as practicing a dental  
4 specialty in which the dentist has not  
5 successfully completed the education specified  
6 for the dental specialty as defined by the  
7 American Dental Association; and

8 (B) Using the following words or phrases in  
9 advertising when the dentist has not successfully  
10 completed the education specified for the dental  
11 specialty as defined by the American Dental  
12 Association:

- 13 (i) "Dental public health";
- 14 (ii) "Endodontics";
- 15 (iii) "Oral and maxillofacial pathology";
- 16 (iv) "Oral and maxillofacial radiology";
- 17 (v) "Oral and maxillofacial surgery";
- 18 (vi) "Orthodontics and dentofacial orthopedics";
- 19 (vii) "Pediatric dentistry";
- 20 (viii) "Periodontics"; or
- 21 (ix) "Prosthodontics";



1 provided that this paragraph shall not apply to a  
2 dentist who advertises as being qualified in a  
3 recognized specialty area of dental practice so long  
4 as each advertisement, regardless of form, contains a  
5 prominent disclaimer that the dentist is a general  
6 dentist or that the specialty services will be  
7 provided by a general dentist[-]; and

8 (15) Conduct or practice contrary to recognized standards  
9 of ethics of the profession, as adopted by the  
10 American Dental Association or the Hawaii Dental  
11 Association."

12 SECTION 3. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

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



**Report Title:**

Dentistry; Dentists; Continuing Education; Ethics; Board of  
Dental Examiners

**Description:**

Requires, after January 1, 2016, the continuing education program for dentists to include three hours of ethics training per year. Specifies that the board of dental examiners may suspend or revoke any license issued under chapter 448, Hawaii Revised Statutes, for conduct or practice contrary to recognized standards of ethics of the profession, as adopted by the American Dental Association or the Hawaii Dental Association.

(SD1)

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

