

Honolulu, Hawaii

February 10, 2015

RE: H.B. No. 268  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 268 entitled:

"A BILL FOR AN ACT RELATING TO DENTISTRY,"

begs leave to report as follows:

The purpose of this measure is to grant the Board of Dental Examiners the power to issue cease and desist orders for the unlicensed practice of dentistry and any other act or practice in violation of dental licensing laws.

The Hawaii Dental Association testified in support of this measure. The Department of Commerce and Consumer Affairs and the Board of Dental Examiners provided comments on this measure.

Your Committee has amended this measure by:

- (1) Removing the language that would have granted the Board of Dental Examiners the power to issue cease and desist orders for the unlicensed practice of dentistry and any other act or practice in violation of dental licensing laws; and
- (2) Inserting language that:
  - (A) Allows the Board of Dental Examiners to summarily suspend the license of a licensee 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;

- (B) Details the process and requirements that shall apply to any action to summarily suspend a license;
- (C) Specifies the rights of a licensee who is served with an order of summary suspension; and
- (D) Provides penalties for any licensee who attempts to practice dentistry or practices dentistry while the license has been summarily suspended.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 268, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 268, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Consumer  
Protection & Commerce,



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ANGUS L.K. MCKELVEY, Chair



