

Honolulu, Hawaii

**MARCH 6**, 2015

RE: H.B. No. 268

H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 268, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DENTISTRY,"

begs leave to report as follows:

The purpose of this measure is to protect the public by granting the Board of Dentistry the power to summarily suspend the license of a licensee upon a specific determination that the failure to take 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.

The Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs, Hawaii Dental Association, and two concerned individuals testified in support of this measure. The Board of Dental Examiners provided comments.

Your Committee has amended this measure to:

- (1) Authorize the Director of Commerce and Consumer Affairs to issue cease and desist orders to stop the unlicensed practice of dentistry or any act that violates the dentist licensing laws under the same terms and subject to the same conditions that the prior version of this measure authorized the Board of Dental Examiners to issue summary suspensions of a licensee's license;



- (2) Specify that violation of a cease and desist order is a Class C felony;
- (3) Change the effective date to March 15, 2038 to encourage further discussion; and
- (4) Make technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 268, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 268, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



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KARL RHOADS, Chair



