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# A BILL FOR AN ACT

RELATING TO THE BOARD OF DENTISTRY AND DENTAL HYGIENE.

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

1           SECTION 1. The legislature finds that the name "board of  
2 dental examiners" is no longer an accurate description of the  
3 board's scope and function. The legislature finds that the name  
4 "board of dentistry and dental hygiene" is a more appropriate  
5 and logical choice, since the board's purview encompasses the  
6 regulation of dentistry, under chapter 448, Hawaii Revised  
7 Statutes, and dental hygienists, under chapter 447, Hawaii  
8 Revised Statutes. Furthermore, the board no longer exists  
9 merely for purposes related to conducting licensing exams. The  
10 board now has additional responsibilities to regulate its  
11 members and the profession.

12           The legislature further finds that there are currently  
13 twelve members on the board. Eight of these members are  
14 practicing dentists, while only two members are dental  
15 hygienists. As of April 13, 2015, there were 1,512 dentists and  
16 1,052 dental hygienists licensed by the State. According to  
17 these numbers, one dentist board member represents one hundred



1 eighty-nine licensed dentists, while one dental hygienist board  
2 member represents five hundred twenty-six licensed dental  
3 hygienists.

4 Like the eight dentist members on the board, the two dental  
5 hygienist members are practicing professionals and must arrange  
6 for time off, often as unpaid leave, to fulfill their increasing  
7 duties. It is challenging for the two dental hygienist members  
8 to carry out their growing responsibilities, which includes  
9 providing dental hygienist expertise and perspective, as  
10 compared to the eight dentists sharing board member tasks.

11 The legislature finds that dental hygiene is one of the few  
12 health professions that is generally controlled by another  
13 profession. Due to the significantly higher representation of  
14 dentists on the board, the dental hygienists' contributions and  
15 guidance are often not reflected in the board's actions. A 1993  
16 state auditor's report noted that adequate representation for  
17 dental hygienists was particularly important, "since the  
18 interests of [dental hygienists] may conflict with and be  
19 outweighed by those of dentists."

20 Accordingly, the purpose of this Act is to:

- 1           (1) Update the name of the board of dental examiners to  
2           the board of dentistry and dental hygiene, which more  
3           accurately reflects the board's scope; and
- 4           (2) Beginning on July 1, 2018, increase the board  
5           membership to fifteen members and apportion the dental  
6           hygienist representation among Oahu and neighbor  
7           island residents.

8           SECTION 2. Section 448-5, Hawaii Revised Statutes, is  
9           amended to read as follows:

10           "**§448-5 Board of [~~examiners,~~] dentistry and dental**  
11 **hygiene; appointment.** The board of [~~dental examiners~~] dentistry  
12 and dental hygiene shall consist of twelve members, eight of  
13 whom shall be practicing dentists who have been engaged in the  
14 practice of dentistry for a period of five years preceding their  
15 several appointments, two of whom shall be practicing dental  
16 hygienists, duly licensed under section 447-1, who have been  
17 engaged in the practice of dental hygiene in the State for a  
18 period of five years preceding appointment, and two of whom  
19 shall be public members. No member shall be in any way  
20 connected with, or interested financially in, any dental supply  
21 company. One member in the practice of dentistry shall be



1 appointed from each of the counties of Hawaii, Maui, and Kauai  
 2 and five members in the practice of dentistry shall be appointed  
 3 from the city and county of Honolulu. As used in this chapter,  
 4 "board" means the board of [~~dental examiners.~~] dentistry and  
 5 dental hygiene."

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

8 "~~§448-5 Board of [examiners.]~~ dentistry and dental  
 9 hygiene; appointment. The board of [~~dental examiners~~] dentistry  
 10 and dental hygiene shall consist of [~~twelve~~] fifteen members,  
 11 eight of whom shall be practicing dentists who have been engaged  
 12 in the practice of dentistry for a period of five years  
 13 preceding their several appointments, [~~two~~] five of whom shall  
 14 be practicing dental hygienists, duly licensed under section  
 15 447-1, and who have been engaged in the practice of dental  
 16 hygiene in the State for a period of five years preceding  
 17 appointment, and two of whom shall be public members. A  
 18 background in public health dentistry is a desirable  
 19 qualification, but not a requirement, for at least one member of  
 20 the board who is a practicing dentist. Of the members who are  
 21 practicing dental hygienists, three shall be residents of Oahu,



1 and two shall be residents of neighbor islands. No member shall  
 2 be in any way connected with, or interested financially in, any  
 3 dental supply company. One member in the practice of dentistry  
 4 shall be appointed from each of the counties of Hawaii, Maui,  
 5 and Kauai and five members in the practice of dentistry shall be  
 6 appointed from the city and county of Honolulu. As used in this  
 7 chapter, "board" means the board of [~~dental-examiners-~~  
 8 dentistry and dental hygiene."]

9 SECTION 4. Sections 26-9, 423-1, 447-1(a), 447-1.5, 447-2,  
 10 447-3, 447-3.5, 447-4, 447-6, 447-7, 448-1.5, 448-2, 448-3,  
 11 448-7, 448-9.6, 448-11, 448-12, 448-13, 448-16, 448-16.5,  
 12 448-22, 448-23, and 451D-2, Hawaii Revised Statutes, are amended  
 13 by substituting the words "board of dentistry and dental  
 14 hygiene", or similar term, wherever the words "board of dental  
 15 examiners", or similar term, appears, as the context requires.

16 SECTION 5. Statutory material to be repealed is bracketed  
 17 and stricken. New statutory material is underscored.

18 SECTION 6. This Act shall take effect on July 1, 2017;  
 19 provided that section 3 of this Act shall take effect on July 1,  
 20 2018.



**Report Title:**

Board of Dentistry and Dental Hygiene; Dentistry; Dentists;  
Dental Hygienists

**Description:**

Changes the name of the Board of Dental Examiners to the Board of Dentistry and Dental Hygiene. Beginning on 7/1/2018, changes the board composition by increasing dental hygienist representation and ensuring Oahu and neighbor island representation among dental hygienist members. (SD1)

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

