
A BILL FOR AN ACT

RELATING TO DENTAL ASSISTANTS.

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

1 SECTION 1. The legislature finds that existing law permits
2 duly licensed and registered dentists to employ auxiliary
3 personnel, known as dental assistants, to assist a dentist in
4 the dentist's practice. Like dental hygienists, dental
5 assistants are a valuable part of a dental team. However,
6 dental assistants are not currently licensed or certified in
7 Hawaii and are not required to meet the same stringent standards
8 of training and care as licensed dental hygienists. The
9 legislature notes that some concerns have been raised over
10 proposed expansion by rule of the duties of a dental assistant
11 and whether those duties would overlap with duties currently
12 within the scope of practice for licensed dental hygienists.

13 The legislature additionally finds that it is important for
14 those in the field of dentistry to be aware of and adhere to
15 legislatively determined parameters regarding the duty and scope
16 of practice for licensed dental hygienists. It is also
17 important that unlicensed persons do not infringe upon any



1 licensed profession's scope of practice. The legislature also
 2 finds that the training and education for dental assistants are
 3 important. However, it is not appropriate for unlicensed
 4 auxiliary personnel to be expected or required to perform
 5 duties, activities, or functions that, if performed by a dental
 6 hygienist, would require licensure.

7 The legislature further finds that because of these complex
 8 issues, many states have either required the registration of
 9 dental assistants while other states have enacted full licensure
 10 for the profession to better determine the scope of practice and
 11 to protect consumers. Because of the growing number of
 12 jurisdictions that have adopted some form of regulation in this
 13 complex area, the legislature believes it is prudent to re-
 14 examine this issue again through a sunrise analysis as required
 15 under section 26H-6, Hawaii Revised Statutes.

16 Accordingly, the purpose of this Act is to require the
 17 auditor to conduct a sunrise analysis of establishing licensure
 18 and certification requirements for dental assistants.

19 SECTION 2. The auditor shall perform a sunrise analysis of
 20 establishing licensure and certification requirements for dental
 21 assistants in accordance with section 26H-6, Hawaii Revised



1 Statutes, including the probable effects of such licensure and
2 certification requirements, an assessment of whether the
3 enactment of such regulation is consistent with the policies set
4 forth in section 26H-2, Hawaii Revised Statutes, and an
5 assessment of alternative forms of regulation.

6 The auditor shall submit a report of findings and
7 recommendations, including any proposed legislation, to the
8 legislature no later than twenty days prior to the convening of
9 the regular session of 2018.

10 SECTION 3. This Act shall take effect upon its approval.



Report Title:

Dental Assistants; Licensing

Description:

Requires the Auditor to conduct a sunrise analysis of establishing licensure and certification requirements for dental assistants. (HB374 HD2)

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

