STAND. COM. REP. NO. 1372

Honolulu, Hawaii

Mach 23, 2007

RE:

S.B. No. 58

S.D. 2 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2007 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 58, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DENTISTS,"

begs leave to report as follows:

The purpose of this bill is to provide for the orderly disposition of a licensed dentist's practice in the event of the dentist's unexpected death or incapacity by allowing the executor or administrator of the dentist's estate, or the dentist's legal guardian or authorized representative, to operate the practice for up to one year for the purpose of winding down, transferring, or selling the practice.

Several concerned individuals testified in support of this bill. The Board of Dental Examiners and the Hawaii Dental Association supported this measure with amendments.

The sudden death or incapacitation of a dentist not only affects patients' continuity of care, but also causes the dental practice to rapidly lose value for each day it remains closed. In such situations, the dentist's family may be forced to hurriedly sell the practice before it loses much of its value; the dentist's work staff may suddenly find themselves unemployed; and existing patients may be confused by the abrupt change in the practice's ownership. Your Committee finds that this bill seeks to address these concerns by providing a sufficient transition period for a

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deceased or incapacitated dentist's practice to be closed, transferred, or sold.

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 S.B. No. 58, S.D. 2, H.D. 1, and recommends that it be referred to the Committee on Judiciary.

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

ROBERT N. HERKES, Chair

HSCR 1372

## State of Hawaii House of Representatives The Twenty-fourth Legislature

## **Record of Votes of the Committee on Consumer Protection & Commerce**

Bill/Resolution No.:	Date:			
SB 58 SD 2, HD 1	March 19,2007			
Committee Referral: HLT, CPC, JUD	☐ The committee is reconsidering its previous decision on the measure.			
The recommendation is to: Pass, unamended	☐ Pass, with amendments			
/ D Hold	Pass, with amendments, for recommittal for further consideration			
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)				
2. McKELVEY, Angus L.K. (VC)				
3. CALDWELL, Kirk				
4. EVANS, Cindy				
5. GREEN, Josh, M.D.	-			
6. ITO, Ken				
7. LUKE, Sylvia				
8. MORITA, Hermina M.				
9. SONSON, Alex M.				
10. SOUKI, Joseph M.				
11. TSUJI, Clift				
12. YAMANE, Ryan I.				
13. YAMASHITA, Kyle T.				
14. MARUMOTO, Barbara C.		***************************************		
15. THIELEN, Cynthia				
		-		***************************************
TOTAL	13			2
The recommendation is: Adopted				
☐ Not Adopted				
If joint referral, did not support recommendation.				
committee acronym(s)				
Vice Chair's or designee's signature:				
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Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office				