

NEL ABERCROMBIE GOVERNOR

BRIAN SCHATZ

# STATE OF HAWAII OFFICE OF THE LIEUTENANT GOVERNOR OFFICE OF INFORMATION PRACTICES

CATHY L TAKASE ACTING DIRECTOR

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E-MAIL: oip@hawaii.gov
www.hawaii.gov/oip

To:

Senate Committee on Health

From:

Cathy L. Takase, Acting Director

Hearing:

Wednesday, February 16, 2011, 3:30 p.m.

State Capitol, Room 229

Re:

Testimony on S.B. No. 1437

Relating to the Uniform Information Practices Act

Thank you for the opportunity to submit testimony on S.B. No. 1437. This bill seeks to require agencies to keep "consumer complaints" confidential under specified circumstances. The Office of Information Practices (OIP) has several major concerns about this bill.

#### Bill's Required Confidentiality of Consumer Complaints is Inconsistent with the UIPA

OIP's first concern is the inappropriate placement of a confidentiality provision within the Uniform Information Practices Act (Modified), chapter 92F, HRS (UIPA). The UIPA, the State's public records law, sets forth general requirements and exceptions for the disclosure of government records that apply to all government records. This bill's proposed specific prohibition against disclosure of consumer complaints is thus clearly inconsistent with the UIPA's statutory scheme.

Currently, the UIPA's exceptions to the general rule of disclosure are broad-based (such as the exceptions for privacy or for information whose disclosure would frustrate a legitimate government function): All confidentiality provisions concerning specific information or specific government records are placed in the laws governing the agencies maintaining the records. The UIPA recognizes these confidentiality provisions in other chapters of the Hawaii

Revised Statutes or in federal law, under § 92F-13(4), which excepts from disclosure government records that are protected from disclosure by state or federal law. OIP believes that the insertion of one confidentiality provision concerning a specific category of records creates confusion in the UIPA's statutory scheme and thus OIP strongly recommends against it.

#### Potential Confusion and Conflict of Bill's Disclosure and Confidentiality Provisions

OIP finds that the bill's proposed new provisions create potential confusion and conflict with each other and other provisions of the UIPA. For example, the bill requires the complaint to be kept confidential when "[t]he department of agency is conducting an active investigation or review of the complaint," but also provides that an agency must disclose a consumer complaint when "[t]he complaint will be referred for legal action." In some cases, however, the referral is internal because the legal action is prosecuted by the agency itself.

The bill also allows an agency to "establish rules pursuant to chapter 91 that define the information to be disclosed to the general public." Placing this provision within the UIPA may be found to conflict with the UIPA's general provisions that are intended to control the extent to which government records are required to be publicly disclosed.

#### Bill Focuses on Consumer Complaints when Complaint History is the Intended Target

OIP believes that this bill is an attempt to resurrect in substance a bill vetoed by the Governor last year that sought to declare that professional and vocational licensees have a significant privacy interest in their records of complaints until and unless a complaint is resolved against them. Yet the bill currently before your Committee specifically focuses on the consumer complaints themselves and only addresses a licensee's complaint history by removing it from the list of licensing information for which the UIPA recognizes no significant privacy interest. It is OIP's understanding that this bill is seeking to alter the long standing practice of informing consumers of a licensee's complaint history, but it is not clear from the bill itself that this result will even be achieved since the bill only addresses disclosure of the individual complaints themselves. Moreover, as currently drafted, the proposed bill is not limited to complaints against individual licensees, but would also prevent disclosure of complaints against any business, utility, non-profit, or other person or entity that provides any sort of services or goods for money and thus may be the subject of a consumer complaint. A complaint about a store that sold a faulty television and refused to accept a return, or about overbilling by a public utility, or about

deceptive insurance practices, or even about the food sold in a public school cafeteria, would all fall within this bill's scope.

#### Bill Seeks to Alter Consumers' Ability to Find Out about a Business' Complaint History

This bill seeks to make pending complaint information inaccessible, or at least not readily accessible, to consumers who may want this information in order to make informed decisions about whether to engage the services of a business. The amount of time a complaint is pending may be protracted, and it is reasonable to believe that the pendency of a complaint is longer where the allegations are of a serious nature and supported by some evidence.

This complaint information is clearly valuable to the public when seeking services from the vast range of businesses that the Legislature believes must be subject to regulation for the safety and protection of the public because these services pose a substantial risk of financial and/or bodily harm to consumers. This includes services of travel agencies, electricians, contractors, engineers, realtors, and nursing care homes. By amending the UIPA as proposed, the Legislature would greatly impact consumers by withholding information that would allow them to make their own informed choices and to protect themselves against potential risks.

OIP understands the desire of persons falsely accused of a wrongdoing to protect their reputation. However, one apparent reason the Legislature originally provided express access to licensee complaint history information was its belief that consumers had a right to access such information that could potentially protect them. Presumably, the Legislature believed that pending complaints or complaints not resolved may be given the appropriate weight by the affected member of the public seeking a licensee's service. OIP believes that disclosure of complaint information where no legal action is taken may also be important to the consumer, depending upon the reason no action is taken, and is also important to the public interest in ensuring accountability of government agencies in carrying out administration of laws and regulations governing businesses and designed to protect consumers.

The proposed amendment of the UIPA is ultimately a policy concern. However, because the bill creates a significant departure from the original intent of the UIPA's current provisions ensuring public access to complaint history information for the welfare of the public, OIP recommends that your committee hold this bill or, at a minimum, place this provision outside of the UIPA.



NEIL AMBERCROMBIE GOVERNOR

> BRIAN SCHATZ LT. GOVERNOR

## STATE OF HAWAII OFFICE OF THE DIRECTOR

**DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS** 

335 MERCHANT STREET, ROOM 310 P.O. Box 541 HONOLULU, HAWAII 96809 Phone Number: 586-2850 Fax Number: 586-2856 www.hawaii.gov/dcca KEALI'I S. LOPEZ DIRECTOR

EVERETT KANESHIGE DEPUTY DIRECTOR

## PRESENTATION OF THE OFFICE OF CONSUMER PROTECTION

TO THE SENATE COMMITTEE ON HEALTH

TWENTY-SIXTH LEGISLATURE Regular Session of 2011

Wednesday, February 16, 2011 3:30 p.m.

## TESTIMONY ON SENATE BILL NO. 1437, RELATING TO THE UNIFORM INFORMATION PRACTICES ACT.

TO THE HONORABLE JOSH GREEN, M.D., CHAIR, AND CLARENCE K. NISHIHARA, VICE CHAIR, AND MEMBERS OF THE COMMITTEE:

The Department of Commerce and Consumer Affairs ("Department") appreciates the opportunity to testify in opposition to Senate Bill No. 1437, Relating to The Uniform Information Practice Act. My name is Stephen Levins, and I am the Executive Director of the Office of Consumer Protection ("OCP"), representing the Department.

Senate Bill No. 1437 would obstruct the ability of the Office of Consumer Protection to provide consumer complaint information to our citizens. For at least the past 30 years, Hawaii has required the OCP to "Provide a central clearinghouse of information by collecting and compiling all consumer complaints and inquiries and making the collections and compilations available to the general public". See, Section

Testimony on Senate Bill No. 1437 Wednesday, February 16, 2011 Page 2

487-5(8) of the Hawaii Revised Statutes. This measure undermines this longstanding policy. The reason that the law is important is because it facilitates the concept of open government, allows transparency of the enforcement process and is consistent with the practices of virtually every jurisdiction in the United States.

In view of the foregoing, the OCP is in opposition to Senate Bill No. 1437.

Thank you for providing me with the opportunity to testify. I will be happy to answer any questions that the committee members may have.



NEIL ABERCROMBIE GOVERNOR

BRIAN SCHATZ

# STATE OF HAWAII OFFICE OF THE DIRECTOR DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

KEALI'I S. LOPEZ

EVERETT KANESHIGI DEPUTY DIRECTOR

335 MERCHANT STREET, ROOM 310 P.O. Box 541 HONOLULU, HAWAII 96809 Phone Number: 586-2850 Fax Number: 586-2856

www.hawaii.gov/dcca

# PRESENTATION OF DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS REGULATED INDUSTRIES COMPLAINTS OFFICE

## TO THE SENATE COMMITTEE ON HEALTH

TWENTY-SIXTH STATE LEGISLATURE REGULAR SESSION, 2011

WEDNESDAY, FEBRUARY 16, 2011 3:30 P.M.

TESTIMONY ON SENATE BILL NO. 1437
RELATING TO THE UNIFORM INFORMATION PRACTICES ACT

TO THE HONORABLE JOSH GREEN, M.D., CHAIR, AND TO THE HONORABLE CLARENCE K. NISHIHARA, VICE CHAIR, AND MEMBERS OF THE COMMITTEE:

The Department of Commerce and Consumer Affairs' Regulated Industries

Complaints Office ("RICO") appreciates the opportunity to testify on Senate Bill No.

1437, Relating To The Uniform Information Practices Act. My name is Jo Ann

Uchida, testifying on behalf of RICO. RICO opposes Senate Bill No. 1437.

Senate Bill No. 1437 adds a new section to Chapter 92F, Hawaii Revised Statutes ("HRS") to limit the disclosure of complaints information to only those complaints that are or will be referred for legal action, and where the subject of the

# Testimony to the Senate Committee on Health SB 1437 Relating to the Uniform Information Practices Act By Neil C. Nunokawa, D.D.S. 1885 Main Street, Suite 204 Wailuku, HI 96793

Senator Josh Green, M.D., Chair Senator Clarence K. Nishihara, Vice Chair

Wednesday, February 16, 2011, 3:30 P.M. Conference Room 229

Re: SB 1437, Relating to the Uniform Information Practices Act

Honorable Chair Josh Green M.D., Vice Chair Nishikawa and Members of the Senate Committee on Health:

As the present President-Elect of the Hawaii Dental Association and a practicing dentist from the island of Maui for over 30 years, I wish to testify IN SUPPORT of Senate Bill 1437, Relating to the Uniform Information Practices Act. The present process posts complaints with no substantiation or investigation as to validity. This bill seeks a minimum of due process so that malicious or unsubstantiated claims are first evaluated before being posted on an official website. I wish to point out that I have no opposition to valid complaints as such a posting would serve the protection of the consumer.

I have been informed that this bill is modeled after similar legislation in California with the appropriate vetting of possible problems.

Thank you for allowing my testimony in support of Senate Bill 1437.

Sincerely,

Neil C. Nunokawa D.D.S

From:

ltmbobo@aol.com

Sent:

Friday, February 11, 2011 8:03 PM

To:

HTHTestimony

Subject:

Please Help your Hawaii Dental Association Legislative Program

Michael Wong 1010 S. King St., #404 Honolulu, HI 96814-1705

February 12, 2011

HI Senate Health Committee

Dear HI Senate Health Committee:

I feel that Senate Bill 1437 and 1438 are important for how I'm able to practice Dentistry in Hawai'i.

The Senate Committee on Health Wednesday February 16, 2011; 3:30 p.m.; Conference Room 229

Testimony in support of SB 1437 RELATING TO THE UNIFORM INFORMATION PRACTICES ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT. Clarifies circumstances under which complaints submitted to departments and agencies shall be made available to the public.

SB 1438. RELATING TO DENTAL SERVICES. Prohibits dental service organizations, mutual benefit societies, and health maintenance organizations from requiring a dentist who provides services to its subscribers to accept a fee set by the plan for any services except covered services. Clarifies circumstances under which complaints submitted to departments and agencies shall be made available to the public.

Senator Josh Green, M.D., Chair; Senator Clarence K. Nishihara, Vice Chair; honored members of the Senate Committee on Health,

It would be greatly appreciated if you could facilitate the passage of SB1437. At present there is no substantive review or vetting of a frivolous or malicious complaints before its posting. It appears that the DCCA posts all complaints on their web site without any substantiation of the complaint's validity.

My concerns as a licensed, practicing dentist are as follows: With regards to SB 1437,

1. Hawaii is the only state in the country that posts completely unsubstantiated claims on a public web site. Only 2 states post unresolved complaints, but they actually have stringent safeguards to protect the integrity of the system against frivolous complaints before posting.

Hawaii is essentially the only state that discloses complaints against its licensed professionals which have not been adjudicated.

complaint information for all State and County licensees are available under Hawaii's Freedom of Information act.

This provides more accurate and useful information than is currently available on a web site which is a blanket listing of frivolous and non-legitimate complaints.

- 3. There is apparently a lack of parity within the DCCA as it appears that complaints against all licensees are not disclosed or investigated on an equal basis. Only the licensees under the Professional and Vocational Licensing Division and the Regulated Industries Complaint Office are posted on the DCCA web site. Licensees under the Insurance Division, the Business Registration Division and the Bank Examination Division are, in contrast, not subject to disclosure on the DCCA web site.
- 4. The DCCA web site is not updated in a timely manner and there are numerous instances where alleged citations remain on the web site in excess of the five year period. What is particularly onerous is that complaints resolved in favor of the licensee are still posted against the licensee for the 5 year period. This contrasts with what the DCCA has reported to the Legislature and to DCCA licensees.
- 5. In addition to the unfair and discriminatory actions by the DCCA, the State Judiciary's regulation and handling of complaints against licensed attorneys continues to be in apparent violation of current law. It appears that the Attorney General's staff is not even subject to the same law that the DCCA is applying inequitably to the PVL licensees. With regards to the lawyers employed by RICO, this inequity makes any posting by the DCCA appear as following a double standard. With regards to SB 1438, As a dentist practicing in the state of Hawaii. I strive to deliver dentistry to the best of my abilities for the benefit of my patients. To this end, I feel that there is an unfair ability by the insurance companies allowing them to interfere with the provision of these services.

As it stands now, a third party payor has the ability not only to deny payment on a non-covered service but in addition can limit what a dentist can collect on that service. This restricts what I can offer and provide to my patients. I have a fair amount of fixed and variable costs which I have to consider in my practice. All too often the insurance company will recognize the necessity any extra efforts but deny or restrict the amount that my patient can share in. This strikes me as an unfair way by the third party payor to limit what I can offer my patient.

I try to offer my patients a good value for my services. Please don't let an outside organization dictate how I can practice dentistry. It is also telling that the Hawaii Insurance Commission was, in the past, supportive of this measure. I humbly ask for your consideration in allowing the passage of SB 1437 and SB 1438. I believe that fair enforcement and reporting of license irregularities serves to enhance the business climate in Hawaii. Equitable treatment by third party payors also enables the effective provision of services to my patients. Thank you for your due consideration of these measures.

Mahalo for your support.

With aloha,

Michael Wong

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [WAL19Ud4]

From:

nunos@aloha.net

Sent:

Sunday, February 13, 2011 4:15 AM

To:

**HTHTestimony** 

Subject:

Please Help your Hawaii Dental Association Legislative Program

Neil Nunokawa 1885 Main Street Wailuku, HI 96793-1819

February 13, 2011

HI Senate Health Committee

Dear HI Senate Health Committee:

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Mahalo for your support.

With aloha,

Neil Nunokawa 808-244-3986 This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [22fclcm1]

From:

mpadora01@hawaii.rr.com

Sent:

Saturday, February 12, 2011 9:15 PM

To:

**HTHTestimony** 

Subject:

Please Help your Hawaii Dental Association Legislative Program

Maria Adora 1210 Dillingham Blvd. Suite 12 honolulu, HI 96817-4436

February 13, 2011

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With aloha,

Maria P. Adora, DMD 8088471225

From:

ortho@dr.com

Sent:

Saturday, February 12, 2011 9:50 PM

To:

**HTHTestimony** 

Subject:

Please Help your Hawaii Dental Association Legislative Program

e tinhan 727 kapaia st. honolulu, HI 96825-2412

February 13, 2011

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Mahalo for your support.

With aloha,

From:

benbtk215@aol.com

Sent:

Saturday, February 12, 2011 5:50 PM

To:

**HTHTestimony** 

Subject:

Please Help your Hawaii Dental Association Legislative Program

Ben Kawasaki 321 N Kuakini St 804 Honolulu, HI 96817-2362

February 12, 2011

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- 5. In addition to the unfair and discriminatory actions by the DCCA, the State Judiciary's regulation and handling of complaints against licensed attorneys continues to be in apparent violation of current law. It appears that the Attorney General's staff is not even subject to the same law that the DCCA is applying inequitably to the PVL licensees. With regards to the lawyers employed by RICO, this inequity makes any posting by the DCCA appear as following a double standard. With regards to SB 1438, As a dentist practicing in the state of Hawaii. I strive to deliver dentistry to the best of my abilities for the benefit of my patients. To this end, I feel that there is an unfair ability by the insurance companies allowing them to interfere with the provision of these services.

As it stands now, a third party payor has the ability not only to deny payment on a non-covered service but in addition can limit what a dentist can collect on that service. This restricts what I can offer and provide to my patients. I have a fair amount of fixed and variable costs which I have to consider in my practice. All too often the insurance company will recognize the necessity any extra efforts but deny or restrict the amount that my patient can share in. This strikes me as an unfair way by the third party payor to limit what I can offer my patient.

I try to offer my patients a good value for my services. Please don't let an outside organization dictate how I can practice dentistry. It is also telling that the Hawaii Insurance Commission was, in the past, supportive of this measure. I humbly ask for your consideration in allowing the passage of SB 1437 and SB 1438. I believe that fair enforcement and reporting of license irregularities serves to enhance the business climate in Hawaii. Equitable treatment by third party payors also enables the effective provision of services to my patients. Thank you for your due consideration of these measures.

Mahalo for your support.

With aloha,

Ben Kawasaki DDS,MSD 808-521-1896

From:

mauios2011@aol.com

Sent:

Saturday, February 12, 2011 7:25 PM

To:

**HTHTestimony** 

Subject:

Please Help your Hawaii Dental Association Legislative Program

Earl Hasegawa DDS 135 S. Wakea Ave, #103 Kahului, HI 96732-1385

February 13, 2011

HI Senate Health Committee

Dear HI Senate Health Committee:

I feel that Senate Bill 1437 and 1438 are important for how I'm able to practice Dentistry in Hawai'i.

The Senate Committee on Health Wednesday February 16, 2011; 3:30 p.m.; Conference Room 229

Testimony in support of

SB 1437 RELATING TO THE UNIFORM INFORMATION PRACTICES ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT. Clarifies circumstances under which complaints submitted to departments and agencies shall be made available to the public.

SB 1438. RELATING TO DENTAL SERVICES. Prohibits dental service organizations, mutual benefit societies, and health maintenance organizations from requiring a dentist who provides services to its subscribers to accept a fee set by the plan for any services except covered services. Clarifies circumstances under which complaints submitted to departments and agencies shall be made available to the public.

Senator Josh Green, M.D., Chair; Senator Clarence K. Nishihara, Vice Chair; honored members of the Senate Committee on Health,

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My concerns as a licensed, practicing dentist are as follows: With regards to SB 1437,

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Hawaii is essentially the only state that discloses complaints against its licensed professionals which have not been adjudicated.

complaint information for all State and County licensees are available under Hawaii's Freedom of Information act.

This provides more accurate and useful information than is currently available on a web site which is a blanket listing of frivolous and non-legitimate complaints.

- 3. There is apparently a lack of parity within the DCCA as it appears that complaints against all licensees are not disclosed or investigated on an equal basis. Only the licensees under the Professional and Vocational Licensing Division and the Regulated Industries Complaint Office are posted on the DCCA web site. Licensees under the Insurance Division, the Business Registration Division and the Bank Examination Division are, in contrast, not subject to disclosure on the DCCA web site.
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Mahalo for your support.

Sincerely,

Earl Hasegawa DDS

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [JWG12Fq3]

From:

macsak@gmail.com

Sent:

Friday, February 11, 2011 8:13 PM

To:

**HTHTestimony** 

Subject:

SB 1437 & 1438

steven kumasaka 46-030 kamehameha highway kaneohe, HI 96744-3714

February 12, 2011

HI Senate Health Committee

Dear HI Senate Health Committee:

I feel that Senate Bill 1437 and 1438 are important for how I'm able to practice Dentistry in Hawai'i.

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February 12, 2011

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From:

myamadadds@yahoo.com

Sent:

Friday, February 11, 2011 8:18 PM

To:

**HTHTestimony** 

Subject:

Please Help your Hawaii Dental Association Legislative Program

Melvin Yamada 3148 Manoa Road Honolulu, HI 96822-1227

February 12, 2011

HI Senate Health Committee

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From:

mokuluanui@yahoo.com

Sent:

Friday, February 11, 2011 8:43 PM

To:

**HTHTestimony** 

Subject:

\*\*\*\*\*\*SPAM\*\*\*\*\* Please Help your Hawaii Dental Association Legislative Program

Kevin Ching 1441 Kapiolani Blvd. Suite 408 Honolulu, HI 96814-4400

February 12, 2011

HI Senate Health Committee

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From:

mscorpuz@aol.com

Sent:

Friday, February 11, 2011 8:08 PM

To:

HTHTestimony

Subject:

Please Help your Hawaii Dental Association Legislative Program

M. Corpuz 94 239 Waipahu Depot St. #212 Waipahu, HI 96797

February 12, 2011

HI Senate Health Committee

Dear HI Senate Health Committee:

I feel that Senate Bill 1437 and 1438 are important for how I'm able to practice Dentistry in Hawai'i.

The Senate Committee on Health Wednesday February 16, 2011; 3:30 p.m.; Conference Room 229

Testimony in support of

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To:

**HTHTestimony** 

Subject:

Please Help your Hawaii Dental Association Legislative Program

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February 12, 2011

HI Senate Health Committee

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From:

marcus hannah@hotmail.com

Sent:

Saturday, February 12, 2011 5:37 PM

To:

**HTHTestimony** 

Subject:

Please Help your Hawaii Dental Association Legislative Program

Marcus Hannah 970 N. Kalaheo Ave. A305 Kailua, HI 96734-1870

February 12, 2011

HI Senate Health Committee

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From:

caritonshiraki@hawaii.rr.com

Sent:

Saturday, February 12, 2011 5:40 PM

To:

**HTHTestimony** 

Subject:

Please Help your Hawaii Dental Association Legislative Program

Carlton Shiraki 98-1122 Kahapili Street Aiea, HI 96701-2810

February 12, 2011

HI Senate Health Committee

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From:

chovddsm001@hawaii.rr.com

Sent:

Saturday, February 12, 2011 5:36 PM

To:

**HTHTestimony** 

Subject:

Please Help your Hawaii Dental Association Legislative Program

Melvin M.H. Choy,DDS 50 S. Beretania, Suite C-201 Honolulu, HI 96813-2222

February 12, 2011

HI Senate Health Committee

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From:

drmiyasaki@hotmail.com

Sent:

Saturday, February 12, 2011 5:28 PM

To:

**HTHTestimony** 

Subject:

Please Help your Hawaii Dental Association Legislative Program

Wilfred Miyasaki 1139 Bethel St Honolulu, HI 96813-2207

February 12, 2011

HI Senate Health Committee

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The Senate Committee on Health Wednesday February 16, 2011; 3:30 p.m.; Conference Room 229

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Wilfred Miyasaki 533-0000

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [d4138IUH]

From:

mauismile@hawaii.rr.com

Sent:

Saturday, February 12, 2011 5:32 PM

To:

**HTHTestimony** 

Subject:

Please Help your Hawaii Dental Association Legislative Program

James Merrett 140 Hoohana St. #301 Kahului, HI 96732-2467

February 12, 2011

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From:

wshleong@aol.com

Sent:

Saturday, February 12, 2011 5:35 PM

To:

**HTHTestimony** 

Subject:

Please Help your Hawaii Dental Association Legislative Program

Wayne S H Leong DDS 82 Puuhonu Place Suite 201 Hilo, HI 96720-2010

February 12, 2011

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Dear HI Senate Health Committee:

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The Senate Committee on Health Wednesday February 16, 2011; 3:30 p.m.; Conference Room 229

Testimony in support of

SB 1437 RELATING TO THE UNIFORM INFORMATION PRACTICES ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT. Clarifies circumstances under which complaints submitted to departments and agencies shall be made available to the public.

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Hawaii is essentially the only state that discloses complaints against its licensed professionals which have not been adjudicated.

From:

dtdds@aol.com

Sent:

Saturday, February 12, 2011 5:36 PM

To:

HTHTestimony

Subject:

Please Help your Hawaii Dental Association Legislative Program

Duane Tamashiro 1010 S. King Street, Suite 204 Honolulu, HI 96814-1703

February 12, 2011

HI Senate Health Committee

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From:

drptanaka@aol.com

Sent:

Saturday, February 12, 2011 5:28 PM

To:

**HTHTestimony** 

Subject:

Please Help your Hawaii Dental Association Legislative Program

PAUL K TANAKA 4747 Kilauea Ave., Suite 113 Honolulu, HI 96816-5308

February 12, 2011

HI Senate Health Committee

Dear HI Senate Health Committee:

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From:

nakamuram011@hawaii.rr.com

Sent:

Saturday, February 12, 2011 5:26 PM

To:

HTHTestimony

Subject:

Please Help your Hawaii Dental Association Legislative Program

Marc Nakamura 2233 Halakau St. Honolulu, HI 96821-2633

February 12, 2011

HI Senate Health Committee

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From:

kometania001@hawaii.rr.com

Sent:

Saturday, February 12, 2011 5:24 PM

To:

HTHTestimony

Subject:

Please Help your Hawaii Dental Association Legislative Program

Franklin Kometani 2104 S. King St. Honolulu, HI 96826-2232

February 12, 2011

HI Senate Health Committee

Dear HI Senate Health Committee:

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From:

docgore@msn.com

Sent:

Saturday, February 12, 2011 5:24 PM

To:

**HTHTestimony** 

Subject:

Please Help your Hawaii Dental Association Legislative Program

Richard L Gore DDS 5306 Kumole Street Kapaa, HI 96746-2240

February 12, 2011

HI Senate Health Committee

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From:

mauimec@gmail.com

Sent:

Saturday, February 12, 2011 5:22 PM

To:

**HTHTestimony** 

Subject:

Please Help your Hawaii Dental Association Legislative Program

Michael Clarke DDS 24 N. Church St. Suite 206 Wailuku, HI 96793-1606

February 12, 2011

HI Senate Health Committee

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From:

cmasondds@aol.com

Sent:

Saturday, February 12, 2011 5:22 PM

To:

HTHTestimony

Subject:

Please Help your Hawaii Dental Association Legislative Program

Craig Mason 277 AikahiPlace Kailua, HI 96734-1648

February 12, 2011

HI Senate Health Committee

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From:

pchayashi@hawaii.rr.com

Sent:

Saturday, February 12, 2011 5:22 PM

To:

HTHTestimony

Subject:

Please Help your Hawaii Dental Association Legislative Program

Patrick Hayashi 1144 12th Ave Honolulu, HI 96816-3712

February 12, 2011

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From:

cshimizu@hawaiiantel.net

Sent:

Saturday, February 12, 2011 5:21 PM

To:

**HTHTestimony** 

Subject:

Please Help your Hawaii Dental Association Legislative Program

Curt S. Shimizu DDS 1441 Kapiolani Blvd. Suite 412 Honolulu, HI 96814-4400

February 12, 2011

HI Senate Health Committee

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From:

cknaka@aoi.com

Sent:

Saturday, February 12, 2011 3:53 AM

To:

HTHTestimony

Subject:

Please Help your Hawaii Dental Association Legislative Program

Chester Naka 1060 Young Street, Suite 225 Honolulu, HI 96814-1609

February 12, 2011

HI Senate Health Committee

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From:

mwmkim@yahoo.com

Sent:

Saturday, February 12, 2011 1:13 AM

To:

HTHTestimony

Subject:

\*\*\*\*\*SPAM\*\*\*\*\* Please Help your Hawaii Dental Association Legislative Program

Mary Kim 1441 Kapiolani Blvd., #1515 Honolulu, HI 96814-4407

February 12, 2011

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From:

derektom@hotmail.com

Sent:

Saturday, February 12, 2011 12:28 AM

To:

HTHTestimony

Subject:

Please Help your Hawaii Dental Association Legislative Program

Derek Tom 98-150 Kaonohi St. C#207 Aiea, HI 96701-5022

February 12, 2011

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From:

btsukano@aol.com

Sent:

Saturday, February 12, 2011 12:08 AM

To:

HTHTestimony

Subject:

Please Help your Hawaii Dental Association Legislative Program

Byron Tsukano DDS 1371 Lower Main Street, Unit 5 Wailuku, HI 96793-1961

February 12, 2011

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From:

kknzw@aol.com

Sent:

Friday, February 11, 2011 11:43 PM

To:

HTHTestimony

Subject:

Please Help your Hawaii Dental Association Legislative Program

Peter Kanazawa 1010 South King ST., STE. 603 Honolulu, HI 96814-1707

February 12, 2011

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From:

cytenn@msn.com

Sent:

Friday, February 11, 2011 10:53 PM

To:

HTHTestimony

Subject:

Please Help your Hawaii Dental Association Legislative Program

Cy Tenn 1523 Kalakaua Ave., #103 Honolulu`, HI 96826-2446

February 12, 2011

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From:

ericsonng@hotmail.com

Sent:

Friday, February 11, 2011 10:18 PM

To:

HTHTestimony

Subject:

Please Help your Hawaii Dental Association Legislative Program

ericson ng 750 20th ave honolulu, HI 96816-4527

February 12, 2011

HI Senate Health Committee

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From:

mashimop001@hawaii.rr.com

Sent:

Friday, February 11, 2011 10:03 PM

To: Subject: HTHTestimony SB 1437 and 1438

Peter T Mashimo 46-252 Kapea Place KANEOHE, HI 96744-3613

February 12, 2011

HI Senate Health Committee

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The Senate Committee on Health Wednesday February 16, 2011; 3:30 p.m.; Conference Room 229

Testimony in support of

SB 1437 RELATING TO THE UNIFORM INFORMATION PRACTICES ACT RELATING TO THE UNIFORM INFORMATION PRACTICES ACT. Clarifies circumstances under which complaints submitted to departments and agencies shall be made available to the public.

SB 1438. RELATING TO DENTAL SERVICES. Prohibits dental service organizations, mutual benefit societies, and health maintenance organizations from requiring a dentist who provides services to its subscribers to accept a fee set by the plan for any services except covered services. Clarifies circumstances under which complaints submitted to departments and agencies shall be made available to the public.

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It would be greatly appreciated if you could facilitate the passage of SB1437. At present there is no substantive review or vetting of a frivolous or malicious complaints before its posting. It appears that the DCCA posts all complaints on their web site without any substantiation of the complaint's validity.

My concerns as a licensed, practicing dentist are as follows: With regards to SB 1437,

1. Hawaii is the only state in the country that posts completely unsubstantiated claims on a public web site. Only 2 states post unresolved complaints, but they actually have stringent safeguards to protect the integrity of the system against frivolous complaints before posting.

Hawaii is essentially the only state that discloses complaints against its licensed professionals which have not been adjudicated.

From:

gkimdds@yahoo.com

Sent:

Friday, February 11, 2011 9:53 PM

To:

HTHTestimony

Subject:

Please Help your Hawaii Dental Association Legislative Program

Gerald Kim 1441 Kapiolani Blvd, #1515 honolulu, HI 96814-4407

February 12, 2011

HI Senate Health Committee

Dear HI Senate Health Committee:

I feel that Senate Bill 1437 and 1438 are important for how I'm able to practice Dentistry in Hawai'i.

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From:

matsuuraw@hotmail.com

Sent:

Friday, February 11, 2011 9:38 PM

To:

**HTHTestimony** 

Subject:

Please Help your Hawaii Dental Association Legislative Program

wayne matsuura 95-674 holani st mililani, HI 96789-2932

February 12, 2011

HI Senate Health Committee

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From:

rtamaru@hawaiiantel.net

Sent:

Friday, February 11, 2011 9:28 PM

To:

HTHTestimony

Subject:

Please Help your Hawaii Dental Association Legislative Program

Richard Tamaru 615 Piikoi St., Ste. 804 HONOLULU, HI 96814-3140

February 12, 2011

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From:

teruyal004@hawaii.rr.com

Sent:

Friday, February 11, 2011 9:23 PM

To:

HTHTestimony

Subject:

Please Help your Hawaii Dental Association Legislative Program

Luke Teruya 4211 Waialae Ave. #405 Honolulu, HI 96816-5317

February 12, 2011

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From:

valderueda@aol.com

Sent:

Friday, February 11, 2011 9:08 PM

To:

HTHTestimony

Subject:

Please Help your Hawaii Dental Association Legislative Program

Lisa Valderueda 94-229 Waipahu Depot Rd.,#500 Waipahu, HI 96797-3035

February 12, 2011

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From:

ishihara4@hawaiiantel.net

Sent:

Friday, February 11, 2011 9:03 PM

To:

**HTHTestimony** 

Subject:

Please Help your Hawaii Dental Association Legislative Program

Kerry S. Ishihara DDS 810 Kilani Ave Wahiawa, HI 96786-2044

February 12, 2011

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From:

steveertel@aol.com

Sent:

Friday, February 11, 2011 8:58 PM

To:

HTHTestimony

Subject:

Please Help your Hawaii Dental Association Legislative Program

Lynn Fujimoto 850 Kam Hwy Suite 215 Pearl City, HI 96782-2603

February 12, 2011

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