

S.B. NO. 2799

JAN 24 2018

A BILL FOR AN ACT

RELATING TO THE SUPERVISION OF LICENSED DENTAL HYGIENISTS IN A
PUBLIC HEALTH SETTING.

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

SECTION 1. Section 447-3, Hawaii Revised Statutes, is
amended by amending subsection (d) to read as follows:

"(d) A licensed dental hygienist may operate under the
supervision as provided in section 447-1(f) of any licensed
dentist providing dental services in a public health setting.
General supervision is permitted in a public health setting as
long as the supervising licensed dentist is available for
consultation, provided that a licensed dental hygienist shall
not perform any irreversible procedure or administer any intra-
oral block anesthesia under general supervision. In a public
health setting, the supervising licensed dentist shall be
responsible for all delegated acts and procedures performed by a
licensed dental hygienist. As used in this subsection, "public
health setting" includes but is not limited to dental services
in a legally incorporated eleemosynary dental dispensary or
infirmary, private or public school, welfare center, community
center, public housing, hospital, nursing home, adult day care

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1 center or assisted living facility, mental institution,
2 nonprofit health clinic or facility, or the State or any
3 county. [A] Notwithstanding section 447-1(f), a licensed dental
4 hygienist under the general supervision of a licensed dentist
5 employed in a public health setting may perform dental
6 education, dental screenings, teeth cleanings, x-rays, intra-
7 oral or extra-oral photographs, and fluoride applications [-] on
8 individuals who are not yet patients of record, have not yet
9 been examined by a licensed dentist, or do not have a treatment
10 plan. Other permissible duties shall be pre-screened and
11 authorized by a supervising licensed dentist, subject to the
12 dentist's determination that the equipment and facilities are
13 appropriate and satisfactory to carry out the recommended
14 treatment plan. A licensed dental hygienist shall take feasible
15 actions to refer individuals that are seen in a public health
16 setting to a dental home. No direct reimbursements shall be
17 provided to licensed dental hygienists."

18 SECTION 2. Statutory material to be repealed is
19 bracketed and stricken. New statutory material is underscored.

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1 SECTION 3. This Act, upon its approval, shall take effect
2 on July 1, 2018.

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INTRODUCED BY:



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BY REQUEST

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Report Title: Licensed Dental Hygienist; Public Health Setting

Description: Allows licensed dental hygienists to practice under the general or direct supervision of any licensed dentist providing dental services in a public health setting.

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

JUSTIFICATION SHEET

DEPARTMENT: Health

TITLE: A BILL FOR AN ACT RELATING TO DENTAL HYGIENE.

PURPOSE: To permit licensed dental hygienists in the State to operate in a cost effective manner in a public health setting generally, and in a telehealth setting particularly.

MEANS: Amend section 447-3(d), Hawaii Revised Statutes.

JUSTIFICATION: Act 803 passed by the 2017 Legislature allows dental hygienists to practice under general supervision (vs. direct supervision) of a licensed dentist. This brings Hawaii into alignment with 45 other states in the U.S. However, Act 803 requires patients to have an existing treatment plan as a patient of record who have had an examination by a licensed dentist.

Dental hygienists in a public health setting are often called upon to perform certain preliminary procedures, such as teeth cleaning and x-rays, before being seen by a licensed dentist. In the telehealth setting specifically, the dental hygienist should be allowed to perform these procedures. Thus, the bill provides that dental hygienists practicing under general supervision in a public health setting may perform dental education, dental screenings, teeth cleanings, and x-rays before the patient is a patient of record, has been examined by a licensed dentist, or had a treatment plan prescribed.

Impact on the public: Supports expanded access to dental services for underserved and vulnerable populations in community settings through programs like the virtual dental home (teledentistry).

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Impact on the department and other agencies:
DOH may continue to support teledentistry and other dental services cost effectively in a public health setting using licensed dental hygienists under general supervision of a licensed dentist.

May need to coordinate with Department of Commerce and Consumer Affairs to review and possibly revise administrative rules.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: HTH 560

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: Upon approval.