

Testimony of the Board of Dentistry

**Before the
House Committee on Health
and
House Committee on Intrastate Commerce
Thursday, March 12, 2020
8:30 a.m.
State Capitol, Capitol Auditorium**

**On the following measure:
S.B. 2584, S.D. 2, RELATING TO DENTAL ASSISTANTS**

Chair Mizuno, Chair Ohno, and Members of the Committees:

My name is Sandra Matsushima, and I am the Executive Officer of the Board of Dentistry (Board). The Board opposes this bill.

The purposes of this bill are to: (1) establish minimum requirements for dental assistants; and (2) clarify the allowable and prohibited practices by dental assistants. This measure also provides criteria for dental assistants employed for less than five years as of July 1, 2020, and/or an educational exemption requirement for dental assistants employed for at least five years, hired on or after July 1, 2020.

The Board notes that passage of this bill would severely impact the current workforce, given that there is only one dental assisting program accredited by the American Dental Association Commission on Dental Accreditation in Hawaii, which is offered at the Kapiolani Community College (KCC) on Oahu. The KCC program does not have the resources to enroll, train, and certify all currently employed dental assistants within the one-year period. The program is only able to accommodate up to 12 students per year. It is the Board's understanding that KCC intends to increase capacity to 18 students in fall 2020. However, even with this increase, the program is unable to enroll all of the currently employed dental assistants by July 1, 2021.

For the Committee's information, the Board's administrative rules currently require dental assistants to be trained in sterilization and disinfection procedures that meet Occupational Safety and Health Administration standards and Centers for Disease Control and Prevention and the American Dental Association guidelines, as well as training in ethics, patient record keeping, patient confidentiality, and cardiopulmonary

resuscitation, as found in Hawaii Administrative Rules (HAR) section 16-79-69.5. Training courses must be provided by approved sponsors pursuant to HAR section 16-79-142.

The Board's administrative rules also include the duties that dental assistants are prohibited from performing, which include work that is irreversible so as to cause change in the affected hard or soft tissues and is permanent or may require reconstructive or corrective procedures.

The Board also has serious concerns with the deletion of the following language on page 10, lines 11 to 13: "Duties of the dental assistant and regulatory directives shall be delineated under rules which the board of dentistry may from time to time adopt." This deletion will severely restrict and limit the Board's authority to adopt rules regarding the duties and regulatory directives of the dental assistant. With changes to the practice of dentistry and rapid improvements to technology and equipment, the Board would like to continue having the ability to implement changes through administrative rules.

The Board notes that H.B. 2100, Relating to Health, establishes the Dental Assistant Task Force within the Department of Commerce and Consumer Affairs. That measure resulted from a meeting on December 2, 2019, wherein Representative Mizuno, Representative Takumi's staff, and representatives from the Hawaii Dental Association, the Hawaii Dental Hygiene Association, KCC Dental Assisting Program, and the Board met and agreed to form a task force to address the regulation of dental assistants. Accordingly, the Board respectfully requests that the Legislature convene a task force to address this matter and hold this measure.

Thank you for the opportunity to testify on this bill.



Hawaii Dental Association

To: House Committee on Health and Committee on Intrastate Commerce
Time/Date: March 12, 2020
Location: State Capitol Auditorium
Re: Senate Bill 2584, SD1, Relating to Dental Assistants

Aloha Chair Mizuno, Chair Ohno, Vice Chair B. Kobayashi and Vice Chair D. Kobayashi and members of the committees:

The Hawaii Dental Association (HDA), a professional association comprised of approximately 950-member dentists, is respectfully opposed to SB 2584, SD2, relating to Dental Assistants. This bill establishes minimum requirements for dental assistants and clarifies the allowable and prohibited practices by dental assistants.

Regulation of dental assistants has been addressed in a state Legislative Auditor's report which encouraged a tiered regulatory approach. We support a tiered approach, while recognizing that there may be costs associated with the Department of Commerce and Consumer Affairs implementing it which are not provided for in this measure. We have worked collaboratively with educators, regulators, and representatives of other organizations to address regulating dental assistants and strongly prefer efforts to establish a *working group* comprised of these organizations and the Department of Health to ensure implementation and impacts can be considered prior to adoption of requirements.

We continue to support legislation aimed at enhancing and promoting oral health, utilizing the appropriate supervised integration of dental assistants in the dental team.

HDA represents dentists practicing in Hawaii and licensed by the State of Hawaii's Board of Dentistry. HDA members are committed to protecting the oral health and well-being of the people of Hawaii, from keiki to kupuna and everyone in between.

Mahalo for the opportunity to testify on SB 2584, SD2. Mahalo.

SB-2584-SD-2

Submitted on: 3/11/2020 9:11:33 AM

Testimony for HLT on 3/12/2020 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ellie Kelley-Miyashiro	Hawai Dental Hygienists' Association	Support	Yes

Comments:

Petition to Submit Testimony in Support of SB2584 SD2

Petition summary and background:	<p>As Registered Dental Hygienists in the state of Hawaii, we SUPPORT SB2584 SD2. In State Statute, Dental Assistants have clearly delineated allowable/prohibited duties, but no regulation or licensing of Dental Assistants is required in the state of Hawaii.</p> <p>The majority of Hawaii Dental Assistants are trained on the job by other Dental Assistants or their supervising Dentist.</p> <p>According to the State auditor, several duties routinely performed by Dental Assistants in Hawaii can and do pose a reasonable risk of injury to patients. Because of this risk, we believe all Dental Assistants should be uniformly trained and/ or certified via the Dental Assisting National Board or another means measurable by the State.</p> <p>Upon completion of uniformly trained and/ or certification, the State can then properly regulate this important profession.</p>
Action petitioned for:	<p>We, the undersigned, are concerned citizens who urge our leaders to act now to Support SB2584 SD2 requesting the Board of Dentistry (with input from HDA, HDHA and other dental-related entities) to adopt rules requiring uniformly trained and/ or certification of dental assistants by the Dental Assisting National Board or other State-approved certification for the public's safety.</p>

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Printed name	Signature	Address	Comment	Date

[illegible]

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Printed name	Signature	Address	Comment	Date

Sean Holliday, DDS, MS
Holliday Orthodontics
1245 Kuala St., Pearl City 96782

To: The Hawaii House Committee on Health and
The Committee on Intrastate Commerce
Date: March 12, 2020
Hearing: 8:30 a.m.
Location: State Capitol Auditorium
Bill Number: SB 2584

Ladies and gentlemen:

I am writing to respectfully oppose SB 2584, relating to dental assistants. This bill establishes minimum requirements for dental assistants and specifies the allowable and prohibited practices by dental assistants. These provisions should be established through a working group comprised of dentists, dental assistants, educators and regulators.

Please do not advance this bill.

Sean Holliday, DDS, MS

The Hawaii State Committees on Health and
Intrastate Commerce

Hearing date: March 12, 2020 (8:30 a.m.)

Re: SB 2584, SD2, Relating to Dental Assistants

I am writing to submit my testimony in opposition to
SB 2584, SD2, relating to dental assistants and to
express my strong preference for the provisions of HB
2100 which would establish a working group to ensure
adequate discussion of the provisions of these
regulations.

Wesley Sato, DDS
3221 Waialae Ave.
Honolulu, HI 96816

March 12, 2020

The Honorable John Mizuno, Chair

The Honorable Takashi Ohno, Chair

Members of the Committees on Health and

Intrastate Commerce

State Capitol Auditorium, 8:30 a.m.

Re: Senate Bill 2584, SD 2, Relating to Dental Assistants

Ladies and gentlemen:

My name is Dr. Steve Wilhite. Please defer SB 2584, SD2, relating to dental assistants. The existing Hawaii programs such as Kapiolani Community College may not have the capacity to ensure that dental assistants who are integral parts of the dental team will be able to comply with the requirements of this bill. I respectfully request that this bill not be advanced.

Thank you for the opportunity to testify.

Steve Wilhite, DDS

March 10, 2020

Hearing Date: March 12, 2020

From: Anthony S. Kim, DMD

I am in opposition to SB 2584, SD2, relating to dental assistants. This implementation of this bill has the potential to cause dental Assistants who may be unable to comply with the two-semester requirement to lose their jobs. Having a working group of oral health professionals, the state department of health and representatives from the Board of Dentistry would allow the details to be ironed out prior to adoption.

Mahalo for this opportunity to oppose SB 2584.

Dayton Lum, DDS
Pearl City | Kahala

Date: March 12, 2020
Time: 8:30 a.m.
Place: Capitol Auditorium
415 S. Beretania Street
Honolulu, Hawaii 96813
Bill: SB 2584, SD2, Relating to Dental Assistants

Chair Mizuno and Chair Ohno, Vice-Chairs B. Kobayashi and D. T. Kobayashi and members of the House committees on Health and Intrastate Commerce:

I am in opposition to SB 2584, SD2, Relating to Dental Assistants. This bill may have the unintended effect of barring current dental assistants from maintaining their jobs. We believe that a better approach is to work collaboratively with regulators, legislators, educators and members of the oral health profession to address appropriate provisions for regulating dental assistants.

Please do not advance this bill.

Hearing Date: March 12, 2020
Time: 8:30 a.m.
Place: Capitol Auditorium
415 S. Beretania Street
Honolulu, Hawaii 96813
Bill: SB 2584, SD2, Relating to Dental Assistants

Chairs Mizuno and Ohno, Vice-Chairs Bert Kobayashi and Dale Kobayashi and members of the House committees on Health and Intrastate Commerce:

Please do not advance SB 2584, SD2. In its current version, it requires two semesters of training for dental assistants but representatives of local educational institutions have presented information at the Board of Dentistry to indicate that fewer than 20 students per year can be trained, while Hawaii has an estimated 3,000 – 4,000 dental assistants. Dental assistants are important members of the dental team, facilitating access to care. Thank you for this opportunity to testify in opposition to this bill.

Sincerely,

Jaclyn Lum, DDS
1109 Young St. Ste 106
Honolulu, HI 96814

Hearing: 8:30 a.m., Thursday, March 12, 2020

Re: Senate Bill 2584, SD2, Relating to Dental Assistants

Please submit my opposition to SB 2584. I am in support of HB 2100. Thank you.

"Dr. Lili Horton" <hortonhawaii@gmail.com>

Lynn Fujimoto, DMD	SB 2584, SD2	Oppose
<p>Please do not pass SB 2584, SD2, in its current form. This bill establishes regulations pertaining to dental assistants. The allowable and prohibited duties of dental assistants should be considered by a working group of professionals and stakeholders including the state Dept. of Health, Kapiolani Community College or other educational institutions, dentists, dental hygiene representatives and dental assistants.</p> <p>Thank you for allowing me to testify in opposition to SB 2584, SD2</p>		

Dr. Neil Nunokawa	SB 2584, SD2, relating to dental assistants	Oppose
<p>Please do not pass SB 2584, SD2, relating to dental assistants. This bill establishes regulations pertaining to dental assistants. I am in support of HB 2100 which would establish a task force to address regulation of dental assistants.</p> <p>Thank you for allowing me to testify in opposition to SB 2584, SD2</p>		

Hearing: 8:30 a.m. 3/12/20

Bill: SB 2584, SD2, relating to dental assistants

Aloha Chair Mizuno and Chair Ohno, members of the committees!

Please accept my testimony in opposition to SB 2584, SD2. I am in strong support of HB 2100 which would instead create a task force to address regulations for dental assistants.

Thank you,

Wayne Leong, DDS

Hilo, Hawaii