#### **Testimony of the Board of Dentistry**

# Before the House Committee on Consumer Protection & Commerce Tuesday, March 28, 2023 2:00 p.m. Conference Room 329 and Videoconference

## On the following measure: S.B. 162, S.D. 2, H.D. 1, RELATING TO DENTISTRY LICENSES

Chair Nakashima and Members of the Committee:

My name is Sheena Choy, and I am the Executive Officer for the Board of Dentistry (Board). The Board appreciates the intent and offers comments on this bill.

The purposes of this bill are to: (1) add community health centers, rural health centers, and mobile dental outreach programs to the list of eligible organizations at which those with a community service license may practice; (2) allow dental hygiene and dental college graduates who have graduated from educational programs that have a reciprocal agreement with the American Dental Association Commission on Dental Accreditation (CODA) to apply for temporary or community service licenses; (3) expand eligibility for a community service license to practice dentistry to those candidates who have passed the Integrated National Board Dental Examination within five years of the date of request; and (4) allow an applicant for a licensure to practice dentistry to submit evidence to the board of dentistry that the applicant passed the Integrated National Board Dental Examination.

The Board supports: (1) the addition of the term "community health center" to authorized entities that may employ dentists and/or dental hygienists with a community service license; and (2) updating the reference to the dental exam to include the "Integrated National Board Dental Examination," which has replaced the National Board Dental Examination Part I and Part II.

However, while the language of this bill is limited to applicants for the community service license or temporary license, several Board members expressed their concern that this limited acceptance for a dental hygiene college or dental college that has a reciprocal agreement with the CODA will set a precedent that may eventually be applied to dentists and dental hygienists applying for a permanent license.

Thank you for the opportunity to testify on this bill.

JOSH GREEN, M.D.
GOVERNOR OF HAWAI'I
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAI'I



## STATE OF HAWAII DEPARTMENT OF HEALTH KA 'OIHANA OLAKINO

P. O. Box 3378 Honolulu, HI 96801-3378 doh.testimony@doh.hawaii.gov

## Testimony in SUPPORT of S.B. 162 S.D. 2 H.D. 1 RELATING TO DENTISTRY LICENSES

## REPRESENTATIVE MARK M. NAKASHIMA, CHAIR HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Hearing Date: 3/28/2023 Room Number: CR 329

- 1 Fiscal Implications: N/A
- 2 **Department Testimony:** The Department of Health supports this measure which allows dental and
- dental hygiene college graduates recognized by the American Dental Association Commission on
- 4 Dental Accreditation (ADA CODA) to apply for temporary and/or community service licenses. This
- 5 allows community service license holders to be employed or participate in post-doctorate dental
- 6 residency programs at community-based dental organizations such as the Department of Health,
- 7 Federally Qualified Health Centers (FQHC), and the Native Hawaiian Health Care Systems. It also
- 8 supports allowing a "community health center," "rural health clinic," and "mobile dental outreach
- 9 program" to employ dentists/dental hygienists that have a community service license. This bill helps
- address the workforce shortage of public oral health providers that serve the most underserved and
- vulnerable populations, including Medicaid recipients.
- 12 Currently, the ADA CODA only "recognizes" the Commission on Dental Accreditation of
- 13 Canada (CDAC) accredited dental educational programs. Through a formal reciprocal agreement
- between the ADA CODA and the CDAC, the Commissions agree that the educational programs
- accredited by the other agency are equivalent to their own and no further education is required for
- 16 eligibility for licensure.
- 17 Thank you for the opportunity to testify.
- 18 Offered Amendments: N/A

Testimony Presented Before the
House Committee on Consumer Protection & Commerce
Tuesday, March 28, 2023 at 2:00 p.m.
by
Clementina D. Ceria-Ulep, Interim Dean
Nancy Atmospera-Walch School of Nursing
and
Michael Bruno, Provost
University of Hawai'i at Mānoa

#### SB 162 SD2 HD1 – RELATING TO DENTISTRY LICENSES

Chair Nakashima, Vice Chair Sayama, and Members of the Committee:

Thank you for the opportunity to testify on SB 162 SD2 HD1 with comments.

This measure aims to do several things, including allowing the Board of Dentistry to issue without examination, a community service license to practice dental hygiene in the employment of a community health center and allows eligible candidates to submit as documentation and credentials, diplomas and certificates of graduation from a dental hygiene college or dental college that is recognized by the American Dental Association Commission on Dental Accreditation, recognized and approved by the Board.

Currently, the State of Hawai'i law requires that to be licensed as a dentist or a dental hygienist you must graduate from an "accredited" Commission on Dental Accreditation (CODA) School versus someone who is "recognized" by CODA.

After reviewing the changes this measure proposes, the outcome would not change how the Dental Hygiene Program at the University of Hawai'i at Mānoa Nancy Atmospera-Walch School of Nursing (NAWSON) would operate regarding curriculum. The NAWSON Dental Hygiene program is accredited by CODA. Our graduates, if licensed here in the State of Hawai'i, would be able to apply for a license.

Thank you for the opportunity to provide comments related to this measure.



March 28, 2023 2 p.m. Conference Room 329 VIA VIDEOCONFERENCE

To: House Committee on Consumer Protection & Commerce Rep. Mark M. Nakashima, Chair Rep. Jackson D. Sayama, Vice Chair

From: Grassroot Institute of Hawaii

Ted Kefalas, Director of Strategic Campaigns

RE: SB162 SD2 HD1 — RELATING TO DENTISTRY LICENSES

#### **Comments Only**

Dear Chair and Committee Members:

The Grassroot Institute of Hawaii would like to offer its comments on <u>SB162 SD2 HD1</u>, which would allow the state Board of Dentistry to issue community service licenses to practice dentistry and dental hygiene as well as temporary licenses to practice dentistry, provided the applicants meet certain specified criteria.

If enacted, this bill would be a positive step toward addressing Hawaii's shortage of medical professionals, which has led to significant barriers to healthcare access, especially on the neighbor islands.

It is well established that Hawaii is suffering from a shortage of vital healthcare workers, including dentists. The Hawaii Department of Health has designated both Maui and Hawaii Counties — as well as a segment of the City and County of Honolulu — as Dental Health Professional Shortage Areas.<sup>1</sup>

Fixing the shortage in healthcare workers in Hawaii requires a multipronged strategy that will address everything from the state's high cost of living to its regulatory scheme for healthcare

<sup>&</sup>lt;sup>1</sup> "Hawaii Health Professional Shortage Areas," Hawaii Department of Health, August 2020.

facilities. Perhaps most important is the need to reform licensing regulations for healthcare professionals.

One-fourth of all licensed workers in the U.S. work in healthcare.<sup>2</sup> Their licenses can be difficult to obtain, are expensive and carry geographic or "scope of practice" limitations.

As discussed in the Grassroot Institute of Hawaii's new policy brief on medical licensing, <u>"How changing Hawaii's licensing laws could improve healthcare access,"</u> the state's shortage of healthcare professionals makes its restrictions on healthcare workers who already hold licenses in other U.S. states seem redundant and self-defeating.<sup>3</sup>

As the Federal Trade Commission noted in a report on occupational licensing portability:

There is little justification for the burdensome, costly, and redundant licensing processes that many states impose on qualified, licensed, out-of-state applicants. Such requirements likely inhibit multistate practice and delay or even prevent licensees from working in their occupations upon relocation to a new state. Indeed, for occupations that have not implemented any form of license portability, the harm to competition from suppressed mobility may far outweigh any plausible consumer protection benefit from the failure to provide for license portability.<sup>4</sup>

In other words, though medical licensing is intended to protect the public, there is a point at which the level of regulation reduces the number of people in practice without an appreciable public benefit.

One study of licensing among medical professionals found that "licensing is associated with restricted labor supply, an increased wage of the licensed occupation, rents, increased output prices, and no measurable effect on output quality."<sup>5</sup>

This is where we can benefit from the lessons learned during the coronavirus situation. The governor's emergency modification to state licensing laws demonstrated a need to embrace

<sup>&</sup>lt;sup>2</sup> Ryann Nunn, <u>"Improving Health Care Through Occupational Licensing Reform,"</u> RealClear Markets, Aug. 28, 2018

<sup>&</sup>lt;sup>3</sup> Malia Hill, <u>"How changing Hawaii's licensing laws could improve healthcare access,"</u> Grassroot Institute of Hawaii, February 2023, pp. 5-7.

<sup>&</sup>lt;sup>4</sup> Karen Goldman, <u>"Options to Enhance Occupational License Portability."</u> U.S. Federal Trade Commission, September 2018, p. 25.

<sup>&</sup>lt;sup>5</sup> Sean Nicholson and Carol Propper, <u>"Chapter Fourteen — Medical Workforce,"</u> in "Handbook of Health Economics, Vol. 2," Elsevier, B.V., 2012, p. 885, cited also in the previously mentioned <u>FTC study</u>, footnote #9, p3.

license portability, making it a simple matter for a medical professional licensed in another state to practice in Hawaii.

The expanded permissions to issue temporary and community service licenses for dentistry and dental hygiene outlined in this bill are a partial answer to the need to attract more dentists to Hawaii.

Over the long term, lawmakers should consider other ways to enhance license portability, to help end health professional shortages and improve healthcare access for all.

Thank you for the opportunity to submit our comments.

Sincerely,

Ted Kefalas

Director of Strategic Campaigns,

Grassroot Institute of Hawaii



Date: March 27, 2023

To: The Honorable Representative Mark M. Nakashima, Chair The Honorable Representative Jackson D. Sayama, Vice Chair Members of the Committee on Consumer Protection & Commerce

Re: Support for SB162 SD2 HD1, Relating to Dentistry Licenses

Hrg: March 28, 2023, at 2:00 pm - Conference Room 329 & via Videoconference

The Hawai'i Oral Health Coalition, a program of the Hawai'i Public Health Institute, is in **strong support of SB162 SD2 HD1**, which revises the Hawai'i Dental Practice Act to allow community health centers to recruit eligible candidates for temporary and community service licenses, allow graduates of ADA-Commission on Dental Accreditation (CODA) recognized institutions eligibility for temporary and community service licenses and includes the Integrated National Dental Board Examination as an acceptable examination requirement.

The mission of the Hawai'i Oral Health Coalition (HOHC) is to improve the overall health and well-being of all Hawai'i residents by increasing access to and equity in oral health care through collaborative partnerships, advocacy, and education. HOHC is a community-driven organization comprised of members representing organizations and individuals from diverse sectors across Hawai'i. The HOHC operates under the auspice of the Hawai'i Public Health Institute.

Oral health is essential to the overall physical, psychological, social, and economic well-being of Hawai'i's residents. Yet, our residents suffer from poor oral health:

- Hawai'i has among the highest prevalence of dental decay in children and adults compared to other states.
- Low-income families, intellectually and developmentally disabled residents, kūpuna, Native Hawaiian and Pacific Islander populations, and neighbor island residents are disproportionately impacted by poor oral health.
- Our state's 14 Federally Qualified Health Centers (FQHCs) cared for approximately 40,000 dental patients in 2021. FQHCs have long wait lists due to the limited facility and staffing capacity.
- Only 240 FQHC and general practice dentists are active in Medicaid in Hawai'i. However, it is unclear how many currently accept new patients.
- Lack of an in-state dental school, geographic isolation, lack of community water fluoridation, and societal inequities are significant contributors to our poor oral health status.

SB162 SD2 HD1 will help to increase the number of dentists available to Medicaid patients. This measure will help adult Medicaid beneficiaries to gain access to the Medicaid adult dental benefits that the legislature generously approved in 2022.

The Hawai'i Dental Practice Act requires that eligible candidates for temporary and community service licensure must have graduated from an ADA – Commission on Dental Accreditation (CODA) accredited institution. However, it does not reflect the reciprocal agreement between CODA and the Commission on Dental Accreditation of Canada (CDAC). The reciprocal agreement recognizes that the "educational programs accredited by the other agency are equivalent to their own and no further education is required for eligibility for licensure."

SB162 SD2 HD1, as proposed, applies exclusively to community service, hygiene, and temporary dental licenses. The community service and temporary licenses for post-doctoral dental residency programs continue to require clinical oversight of these licenses by the employing entity or residency program. Only authorized entities that are community-based or focused may hire individuals with a community service license.

Illinois, Indiana, Florida, Kansas, Minnesota, North Dakota, Tennessee, and Wyoming are states that currently accept qualified Canadian candidates to meet the high demand for community service providers.

This bill will help increase access to care while maintaining the quality of care our residents deserve by strengthening our public dental sector, which many residents, especially those living in rural and neighbor island communities, rely on.

For these reasons, we respectfully ask you to pass SB162 SD2 HD1. Thank you for the opportunity to testify.

Mahalo,

Patrick Donnelly

Statewide Oral Health Coalition Manager

Hawai'i Public Health Institute

i https://data.hrsa.gov/tools/data-reporting/program-data?grantNum=H80CS06640

ii Commission on Dental Accreditation, Evaluation & Operational Policies & Procedures. August 2022.



To: House Committee on Consumer Protection & Commerce

Time/Date: 2 p.m., March 28, 2023

Location: State Capitol via Video Conference

Re: SB 162, SD2, HD1 Relating to Dentistry Licenses

Aloha Chair Nakashima, Vice-Chair Sayama, and members of the Committee:

The Hawaii Dental Association (HDA) provides comments on SB 162, SD2, HD1 Relating to Dentistry Licenses. This bill amends the qualifications for dentist community service licenses and dentists' temporary licenses, and for dental hygienist community service licenses by requiring the acceptance of candidates who are graduates of a dental college or dental hygiene college with reciprocal agreements with the American Dental Association Commission on Dental Accreditation (CODA). We support the inclusion of dentists from schools with CODA reciprocal agreements for purposes of determining the qualifications of community service licenses.

HDA is committed to ensuring patient safety and promoting oral health for our community. Please note that national surveys indicate that Hawaii is among the top five states of dentists per capita.

Oral health is essential for overall health and wellness. One cannot be healthy without a healthy mouth. It can show signs of nutritional deficiencies or general infection. Systemic diseases, those that affect the entire body, may first become apparent because of mouth lesions or other oral problems. This bill seeks to increase access to sufficient dental care, especially those in native Hawaiian and Pacific Islander communities. The high rate of tooth decay among Hawaii's children, which can lead to pain that interferes with daily activities, is of the highest degree of importance to the Hawaii Dental Association and its members. Untreated cavities also increase the risk of more serious infection in the mouth and body. We welcome an opportunity to engage in dialog on this measure and to serve as a resource to policy makers on oral health.

HDA is a statewide membership organization representing 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 provide comments on SB 162.



To: The Honorable Mark M. Nakashima, Chair

The Honorable Jackson D. Sayama, Vice Chair Committee on Consumer Protection & Commerce

From: Paula Arcena, External Affairs Vice President

Mike Nguyen, Public Policy Manager

Hearing: Tuesday, March 28, 2023, 2:00 PM, Conference Room 329

RE: SB162 SD2 HD1 Relating to Dentistry Licenses

AlohaCare appreciates the opportunity to provide testimony in **support of SB162 SD2 HD1**. This measure will revise the Hawai'i Dental Practice Act to allow community health centers, rural health clinics, and mobile dental outreach programs to recruit eligible candidates for temporary and community service licenses, to allow graduates of institutions with a reciprocal agreement with the American Dental Association Commission on Dental Accreditation (CODA) eligibility for temporary and community service licenses, and to include the Integrated National Dental Board Examination as an acceptable examination requirement.

Founded in 1994 by Hawai`i's community health centers, AlohaCare is a community-rooted, non-profit health plan serving over 80,000 Medicaid and dual-eligible health plan members on all islands. Approximately half of our membership are keiki. We are Hawai`i's only health plan exclusively dedicated to serving Medicaid and Medicaid-Medicare dually-eligible beneficiaries. Our mission is to serve individuals and communities in the true spirit of aloha by ensuring and advocating for access to quality health care for all. We believe that health is about supporting whole-person health needs.

Our firm belief in ensuring access to quality, whole-person care is the reason we advocated so strongly year after year for the reinstatement of adult dental benefits in the Medicaid program. And we are so grateful to the 2022 Hawai`i State Legislature for reinstituting dental care coverage (\$25.9M) for Medicaid members. Now we turn our focus to implementing this benefit. This bill will help to expand the dental workforce statewide to serve the 250,000+ Medicaid adult recipients now seeking dental care.

According to the Hawai'i Oral Health Coalition, of which we are a member:

- Only 240 private Hawai`i dentists accept adults with Medicaid health insurance.
- Our State's 14 Federally Qualified Health Centers (FQHCs) cared for approximately 40,000 dental patients in 2021. FQHCs have long patient wait lists due to limited facility and staffing capacity.

This measure will increase the number of dental providers and strengthen our public dental sector on which many residents—especially those who live in rural and neighbor islands communities—while maintaining quality of care.

Mahalo for this opportunity to testify in support of SB162 SD2 HD1.

Hawai'i Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.

To: Representative Nakashima, Chair

Representative Sayama, Vice Chair

House Consumer Protection & Commerce

Re: SB162 SD2 HD1, relating to dentistry licenses

2:00 p.m., Mar. 27, 2023

Aloha Chair Nakashima, Vice Chair Sayama and committee members:

On behalf of Hawai'i Children's Action Network (HCAN) Speaks!, mahalo for the opportunity to testify in <u>STRONG SUPPORT</u> of Senate Bill 162 SD2 HD1, relating to dentistry licenses.

Oral health is critical to a person's overall health and well-being. But oral health takes access to dentists and dental hygienists. This is an exceptionally important time for access as more individuals have dental coverage after the legislature reinstated dental benefits for adults insured through Medicaid. Given this expanded benefit, we must support access where we know Medicaid patients can and do get their health services: community and rural health centers.

SB162 makes important revisions to the Hawai'i Dental Practice Act that will allow community health centers to recruit eligible candidates for temporary and community service licenses, allow graduates of ADA-Commission on Dental Accreditation (CODA)-recognized institutions eligibility for temporary and community service licenses, and include the Integrated National Dental Board Examination as an acceptable examination requirement.

This bill can increase the supply of public oral health professionals at an important time: the reinstatement of dental benefits for adults insured through Medicaid. This is a no-cost solution that can make an impact quickly.

We urge you to support SB162 SD2 hd1.

Mahalo,

Keʻōpū Reelitz Director of Early Learning and Health Policy To: House Committee on Consumer Protection & Commerce

Hearing Date/Time: March 28, 2023 at 2:00PM; Conference Room 329 & Videoconference

Re: Support for SB162, SD2, Relating to Dentistry Licenses

Aloha Chair Nakashima, Vice Chair Sayama and committee members,

Thank you for the opportunity to testify in **strong support** of SB162 SD2.

I am a dentist who works with underserved and Indigenous populations across Canada. I recently completed my Master of Public Health which included conducting research with Hawai'i Oral Health Coalition. I was surprised to observe the poor access to care that many vulnerable people in Hawai'i face. The resulting poor oral health translates into poor overall health. This inequality further results in a huge expense to the health care system.

I have passed my INBDE and ADEX exams, in the hopes of obtaining licensure in Hawai'i to work with underserved populations. Unlike the vast majority of states in America, I was informed that even though I passed my INBDE, ADEX, and my dental school in Canada meets the accreditation standards that are recognized by the ADA's CODA-CDAC mutual reciprocal agreement, I am ineligible for licensure.

If Hawai'i recognizes the reciprocal agreement between CODA and CDAC, this will allow qualified, board certified dentists, who have passed the INBDE, to provide preventative and restorative care to vulnerable populations in underserved areas. This can drastically improve the health of these communities and decrease the overall financial burden on the state. No-cost approaches to improving access to care are an effective means of protecting the State's investment in ensuring the health and quality of life that everyone in Hawai'i deserves, especially those receiving the recently reinstated Medicaid dental benefits.

I humbly ask you to **support** these proposed revisions to the Hawai'i Dental Practice Act and pass SB162 SD2.

Mahalo for the opportunity to testify.

Dr. Andrew Davidson BSc, DMD, MPH

### SB-162-HD-1

Submitted on: 3/24/2023 11:13:49 PM

Testimony for CPC on 3/28/2023 2:00:00 PM

<b>Submitted By</b>	Organization	<b>Testifier Position</b>	Testify
James Nelson	Individual	Support	Written Testimony Only

#### Comments:

Aloha Chair and Vice Chair and members of the committee

Thank you for hearing this measure. I am a patient at a federally qualified health center, and I am assured by my dentist there that this measure would very much help ours and similar health cernters working with rural and underserved populations. The House revisions seem further inclusive and thus desirable.

Please revise the effective date to "upon approval" or possibly January 1, 2024, with the hope that the Senate Committee on Health and Human Services might possibly agree to all of the House changes. Mahalo!

#### J. Nelson

<u>SB-162-HD-1</u> Submitted on: 3/25/2023 11:43:20 PM

Testimony for CPC on 3/28/2023 2:00:00 PM

<b>Submitted By</b>	Organization	<b>Testifier Position</b>	Testify
Cards Pintor	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support this bill.

Mahalo nui,

**Cards Pintor** 

#### **Committee on Consumer Protection and Commerce**

To: Chair Mark Nakashima, Vice Chair Jackson Sayama and distinguished committee members

Re: SB 162, SD2, HD1 Relating to Dentistry and Dental Hygiene Licenses

Hearing: March 28, 2023 at 2:00 PM

Testifier: Dr. Don B. Sand, DDS

Mahalos to each of you for your time and attention to study this critical measure.

I am a dentist who has provided frontline dental care to the underserved in Hawaii for eight years. For seven years, I have been a leader in our safety-net sector, a practice management consultant in our FQHC system and in private practice offices. Although I am currently in leadership serving in 4 dental organizations: 2 national best practices and 2 local oral health coalitions, today I am testifying as an individual dentist.

I stand in strong support of bill SB 162, SD2, HD1

All of the referring committees have found that oral health is a critical component of overall health and wellness.

The referring committees have found that there is a critical shortage of oral health professionals in the State.

The referring committees agree that this measure can increase the number of available public health dentists and dental hygienists who primarily treat the State's *underserved* and *vulnerable populations* and this measure is crucial to address the noticeable shortage that contributes to the States oral health disparities. This "no-cost" measure is an effective means of improving the quality of life for over 280,00 Hawaii's residents who are now newly eligible for dental Medicaid.

This bill does not change in any way the original intent or scope of practice for the community service license but only aims to clarify the language by describing in detail the service entities that these charity-minded professionals can serve by adding the phrase <u>community health center</u>.

This legislative session is an opportunity not only to act on the immediate oral health crisis, but also to create a longer-term strategic plan. This is an opportunity to create *policy infrastructure* for significant strides to build and implement workforce capacity in a 2–5-year roadmap. Key language is needed to be able to apply community service licenses in both current programs for the underserved as well as for the proposed programs for more impactful long-term solutions.

By defining or describing these other essential venues in the new term <u>community health center</u>, it reduces the risk of misinterpreting the language to mean that only <u>federally qualified</u>

"community health centers" are allowed to recruit *community service license* professionals. Mahalo to the Committee on Health and Homelessness for the clear and inclusive language in the HD1 version of this measure for recognizing the rural health dental clinics and mobile dental outreach programs. The school-based preventive Keiki Sealant program is another impactful program struggling to find available dentists and hygienists due to our workforce shortage.

The second provision in this bill is intended to clarify that the CDAC <u>accredited</u> programs and the CODA accredited programs are <u>recognized</u> as "equivalent" in their high standard of education, training and licensure in their home state (USA) and the home country (Canada).

This bill will reduce the workforce shortage in the public dental sector, and in rural and neighbor islands to improve access to dental care and reduce oral health disparities.

As Hawai'i continues to document poor oral health outcomes among our vulnerable populations, we must continue to work together to enhance innovative, resourceful and proactive approaches to increase access to care while increasing the quality of care our residents deserve.

Mahalo for your consideration and strong support of SB.162, SD2. Much Mahalos for this opportunity to testify.

Dr. Don Sand, DDS