

JAN 17 2025

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# A BILL FOR AN ACT

RELATING TO COMMUNITY SERVICE LICENSES.

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

1           SECTION 1. The legislature finds that access to  
2 comprehensive dental care in the State is critically limited for  
3 adults and children who are uninsured, under insured, or of  
4 Native Hawaiian or Pacific Islander ancestry, including Compact  
5 of Free Association migrants.

6           The legislature further finds that on April 3, 2024,  
7 Dr. Diane Paloma, the chief executive officer of the Hawaii  
8 Dental Service, a Hawaii nonprofit corporation providing dental  
9 insurance in the State, testified before the house of  
10 representatives standing committee on finance that only fifty  
11 per cent of the State's med-QUEST eligible children received  
12 dental care in 2023, even though the majority of pediatric  
13 dental practices in the State accept med-QUEST patients.  
14 Dr. Paloma further testified that only eleven per cent of the  
15 State's med-QUEST eligible adults received dental care in 2023.  
16 The majority of med-QUEST eligible adult dental patients are  
17 treated at the fourteen federally qualified health centers



1 located throughout the State. From 2009 to 2022, the State  
2 offered limited emergency adult dental med-QUEST benefits,  
3 resulting in the accumulated, untreated dental infections and  
4 diseases during this time period exceeding all currently  
5 available dental service capacity for the next several years.

6 The legislature also finds that the State has made progress  
7 in addressing this need. In 2022, the State introduced measures  
8 to re-instate most adult dental med-QUEST benefits and to  
9 appropriate funds for dental care. In 2023, Act 100, Session  
10 Laws of Hawaii 2023, added community health centers, rural  
11 health clinics, and mobile dental outreach programs to the list  
12 of eligible organizations at which persons with community  
13 service licenses may practice. However, due to the high cost of  
14 living in the State, the med-QUEST dental benefit reimbursement  
15 is lower than the cost for private practice dental providers to  
16 provide care to med-QUEST patients.

17 The legislature additionally finds that one way to improve  
18 access to dental care for eligible med-QUEST dental patients is  
19 to increase the number of dental providers with a community  
20 service license (CSL). According to the State's board of  
21 dentistry, there has been one hundred and six CSLs issued since



1 2004, with only fifteen verified as "Current, Valid & In Good  
2 Standing."

3 The legislature finds that section 448-9.6, Hawaii Revised  
4 Statutes, contributes to this shortage of CSL availability as it  
5 limits the board of dentistry's authority to issue CSL to  
6 graduates of dental schools accredited by the American Dental  
7 Association Commission on Dental Accreditation (ADA CODA). This  
8 provision restricts the board of dentistry's fiduciary  
9 responsibility to provide access to comprehensive dental care  
10 for all med-QUEST beneficiaries. This restriction also prevents  
11 Hawaii Dental Service and other dental insurance companies from  
12 fulfilling their statutory obligations under section 431:26-103,  
13 Hawaii Revised Statutes, relating to network adequacy.

14 The legislature believes that by repealing certain  
15 restrictions and requirements for the issuance of CSLs in the  
16 State, the board of dentistry can license Canadian dental school  
17 graduates, as was allowed in 2005 pursuant to Act 121, Session  
18 Laws of Hawaii 2005. According to the ADA CODA, Canadian dental  
19 schools are equivalent to those in the United States and no  
20 further education is required for eligibility for licensure in  
21 the United States. In addition, the United States Department of



1 Education grants authority to ADA CODA to approve or accredit  
2 United States dental school programs. However, because Canada  
3 does not fall under the jurisdiction of the United States  
4 Department of Education, neither ADA CODA nor the United States  
5 Department of Education can accredit Canadian dental programs.

6 The legislature finds that allowing Canadian dental school  
7 graduates to apply for a CSL in the State without examination  
8 increases the potential pool of applicants. As an incentive to  
9 attract candidates, the CSL should automatically convert to an  
10 unrestricted general dental license after the provider has  
11 served five thousand hours in patient care to the med-QUEST  
12 population. As proof of concept, the five current CSL providers  
13 with five thousand hours of community service to the State's  
14 dental patients should have their CSLs converted to a general  
15 dental license.

16 The legislature additionally finds that existing law  
17 requires dental license applicants to pass the American Board of  
18 Dental Examiners (ADEX) as proof of minimum competency for  
19 licensure. Interestingly, the ADEX clinical restorative  
20 examination is a simulated examination, which does not test on a  
21 live patient but rather, a mannequin. Current dental providers



1 in the State with a CSL have graduated from an ADA CODA-  
2 accredited dental school years ago. Those with five thousand  
3 hours of patient care, at an average of one patient per hour,  
4 have treated about five thousand patients. Treating live  
5 patients is a much better standard for proof of competency than  
6 testing on a mannequin and, therefore, those dental providers  
7 with a CSL and over five thousand hours of patient care have  
8 proven their competency beyond a doubt and, therefore, should be  
9 automatically granted an unrestricted general dental license in  
10 the State.

11 Accordingly, the purpose of this Act is to increase the  
12 number of dental service providers in the State by:

- 13 (1) Allowing a dental graduate from a dental college  
14 accredited by the Commission on Dental Accreditation  
15 of Canada to be an eligible candidate for CSL;
- 16 (2) Repealing the requirement that the licensing  
17 examinations be completed within five years of a  
18 request for a CSL;
- 19 (3) Repealing the requirement that a CSL applicant provide  
20 a copy of an active, unrestricted dental practice  
21 license from another state;



- 1 (4) Repealing the prohibition against a person who failed  
2 the license examination from obtaining a CSL; and  
3 (5) Requiring a CSL to be eligible for conversion to a  
4 general unrestricted dental license when a dental  
5 provider holding a CSL completes at least five  
6 thousand hours of community service to patients in the  
7 State.

8 SECTION 2. Section 448-9.6, Hawaii Revised Statutes, is  
9 amended to read as follows:

10 **"§448-9.6 Community service license.** (a) The board may  
11 issue, without examination, a community service license to  
12 practice dentistry in the employment of the department of  
13 health, a federally qualified health center, Native Hawaiian  
14 health center, community health center, rural health clinic,  
15 mobile dental outreach program, or post-secondary dental  
16 auxiliary training program accredited by the American Dental  
17 Association Commission on Dental Accreditation. Community  
18 service licensees under this section shall abide by the  
19 requirements and conditions placed upon those fully licensed  
20 under this chapter.

21 Eligible candidates shall:



- 1 (1) Provide copies of documentation and credentials that  
2 include but are not limited to:
- 3 (A) A diploma or certificate of graduation from a  
4 dental college accredited by ~~[or that has a~~  
5 ~~reciprocal agreement with]~~ the American Dental  
6 Association Commission on Dental Accreditation,  
7 or the Commission on Dental Accreditation of  
8 Canada, recognized and approved by the board; and
- 9 (B) Either of the following:
- 10 (i) A certificate or other evidence satisfactory  
11 to the board of having passed part II of the  
12 National Board Dental Examination or the  
13 Integrated National Board Dental Examination  
14 ~~[within five years of the date of request];~~  
15 or
- 16 (ii) Evidence of active practice of clinical  
17 dentistry of not less than one thousand  
18 hours per year for the three years  
19 immediately prior to the date of request;
- 20 ~~[(2) Provide a copy of an active, unrestricted dental~~  
21 ~~practice license from another state;~~



1       ~~(3)~~ (2) Disclose to the board all previous and pending  
2            legal or regulatory action relating to claims of  
3            malpractice, or personal or professional misconduct;  
4            and

5       ~~(4)~~ (3) Pay applicable registration fees, which shall be  
6            one half of the prevailing biennial registration fee  
7            for dentists.

8       ~~[No person who, after July 2, 2004, has failed to pass the~~  
9       ~~license examination administered under this chapter shall have~~  
10       ~~the benefit of a community service license.]~~

11       (b) Community service licensees shall actively participate  
12       in a formal and ongoing program of clinical quality assurance.

13       (c) A license may be renewed biennially, pending review  
14       and reauthorization of the board of dentistry.

15       (d) A community service license authorizes the licensee to  
16       practice dentistry only within the employment of an eligible  
17       organization and shall be in force until the earliest of the  
18       following occurs:

19       (1) The date the person leaves the employment authorized  
20       under the community service license;



1           (2) The date on which the results of the license  
2           examination taken by the person under this chapter are  
3           posted by the board;

4           (3) The date the community service license expires; or

5           (4) The date on which the board revokes the community  
6           service license; provided that the board may revoke  
7           the community service license at any time for cause.

8           (e) Commissioned officers of the United States Army, the  
9           United States Navy, the United States Air Force, the United  
10          States Public Health Service, or the United States Department of  
11          Veterans Affairs practicing in the department of health, a  
12          federally qualified health center, or Native Hawaiian health  
13          systems center shall qualify for a community service license to  
14          practice dentistry, which may be issued for the term of the  
15          officer's federal duty assignment. Officers shall provide to  
16          the board of dentistry:

17          (1) A copy of an active, unrestricted dental practice  
18          license from another state; and

19          (2) A copy of documentation reflecting official duty  
20          assignment to a qualifying community service dental  
21          license site.



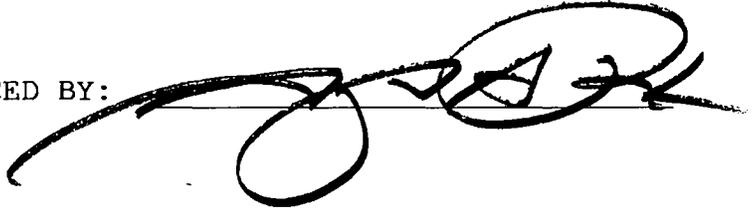
1        (f) Notwithstanding any other law to the contrary, a  
2 dental provider holding a community service license who  
3 completes or has completed at least five thousand hours of  
4 community service to patients in the State, shall be eligible  
5 for automatic conversion of the provider's community service  
6 license to an unrestricted dental practice license."

7        SECTION 3. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

9        SECTION 4. This Act shall take effect upon its approval.

10

INTRODUCED BY:

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is highly cursive and difficult to decipher, but appears to consist of several loops and flourishes.

# S.B. NO. 481

**Report Title:**

Board of Dentistry; Community Service License; Accreditation; Unrestricted Dental Practice License; Commission on Dental Accreditation of Canada

**Description:**

Allows a dental graduate from a dental college accredited by the Commission on Dental Accreditation of Canada to be an eligible candidate for a community service license (CSL). Repeals the requirement that the licensing examinations be completed within five years of a request for a CSL. Repeals the requirement that a CSL applicant provide a copy of an active, unrestricted dental practice license form another state. Repeals the prohibition against a person who failed the license examination from obtaining a CSL. Requires a CSL to be eligible for conversion to an unrestricted dental practice license when a dental provider who holds a CSL completes at least five thousand hours of community service to patients in the State.

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

