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# A BILL FOR AN ACT

RELATING TO HEALTH.

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

1           SECTION 1. The legislature finds that states are not doing  
2 enough to prevent and address tooth decay, unnecessarily driving  
3 up health care costs for families and taxpayers. The  
4 legislature further finds that the State has continually failed  
5 to support proper oral health amongst its population. Hawaii  
6 residents on neighbor islands and those with lower incomes face  
7 greater barriers to accessing preventive dental care and  
8 treatment. According to the Hawaii Smiles 2015 report, seventy-  
9 one per cent of third-grade children in Hawaii experience tooth  
10 decay, with those on neighbor islands and those with lower  
11 incomes having higher risk due to barriers in access to care.  
12 The report recommended expansion of dental services that target  
13 high-risk populations. Recent studies have shown that lower-  
14 income and neighbor island residents disproportionately use  
15 hospital emergency departments to treat preventable dental  
16 conditions.



1           The legislature also finds that in 2013, Hawaii was one of  
2 only five states to receive a grade of "F" by the PEW Charitable  
3 Trusts (PEW), an indication that Hawaii lagged behind other  
4 states' oral health prevention efforts. In a 2015 follow-up  
5 report, some states made improvements to their oral health  
6 programs, yet Hawaii remained one of three states to still  
7 receive a grade of "F". In 2022, PEW reported that racial and  
8 ethnic inequities in children's oral health persist throughout  
9 the country, with the prevalence of treated and untreated tooth  
10 decay considerably higher among certain groups, including Native  
11 Hawaiians.

12           The legislature additionally finds that the American Dental  
13 Association and the American Academy of Pediatric Dentistry cite  
14 interim therapeutic restoration as an effective strategy in  
15 addressing tooth decay when dental restoration in a traditional  
16 setting is not feasible. This procedure effectively addresses  
17 cavities in individuals without the need for drills and helps  
18 improve the capacity of the dental team while expanding their  
19 reach in the community.

20           The legislature further finds that research shows that  
21 allowing dental hygienists to perform interim therapeutic



1 restoration in public health settings under the general  
2 supervision of a dentist is a cost-effective way to reach at-  
3 risk children and adults, address tooth decay in its early  
4 stages, and prevent worsening dental conditions and their  
5 associated costs. As of January 2026, at least nine states  
6 allow dental hygienists to perform interim therapeutic  
7 restoration. Removing unnecessary restrictions on dental  
8 hygienists is an effective way to mitigate expensive and  
9 unnecessary barriers to serving the communities in Hawaii that  
10 are at greatest risk for untreated dental conditions.

11 The legislature therefore finds that the State must take  
12 proactive steps to implement measures to strengthen community-  
13 based oral health programs, which will support the prevention of  
14 advanced tooth decay, as well as its associated physical and  
15 financial burdens, among Hawaii residents.

16 Accordingly, the purpose of this Act is to permit licensed  
17 dental hygienists to place interim therapeutic restorations  
18 under the general supervision of a licensed dentist in public  
19 health settings.

20 SECTION 2. Section 447-3, Hawaii Revised Statutes, is  
21 amended to read as follows:



1           **"§447-3 Employment of and practice by dental hygienists.**

2       (a) Any licensed dentist, legally incorporated eleemosynary  
3       dental dispensary or infirmary, private school, welfare center,  
4       hospital, nursing home, adult day care center or assisted living  
5       facility, mental institution, nonprofit health clinic, or the  
6       State or any county, may employ licensed dental hygienists.

7           (b) Clinical dental hygiene may be practiced by a licensed  
8       dental hygienist. The practice of clinical dental hygiene is  
9       defined as the removal of hard and soft deposits and stains from  
10      the portion of the crown and root surfaces to the depth of the  
11      gingival sulcus, polishing natural and restored surfaces of  
12      teeth, the application of preventive chemical agents to the  
13      coronal surfaces of teeth, which chemical agents have been  
14      approved by the board of dentistry, and the use of mouth washes  
15      approved by the board, but shall not include the performing of  
16      any repair work or the preparation thereof, or any other  
17      operation on the teeth or tissues of the mouth; provided that  
18      nothing in this subsection shall prohibit a dental hygienist  
19      from using or applying topically any chemical agent that has  
20      been approved in writing by the department of health for any of  
21      the purposes set forth in part V of chapter 321, and other



1 procedures delegated by a dentist in accordance with the rules  
2 of the board of dentistry.

3 In addition, a licensed dental hygienist may administer  
4 intra-oral infiltration local anesthesia and intra-oral block  
5 anesthesia under the supervision of a licensed dentist as  
6 provided in section 447-1(f) after being certified by the board,  
7 and for those categories of intra-oral infiltration local  
8 anesthesia and intra-oral block anesthesia for which the  
9 licensed dental hygienist has been certified through a course of  
10 study meeting the requirements of this chapter.

11 (c) A licensed dental hygienist may operate in the office  
12 of any licensed dentist, or legally incorporated eleemosynary  
13 dental dispensary or infirmary, private school, welfare center,  
14 hospital, nursing home, adult day care center or assisted living  
15 facility, mental institution, nonprofit health clinic, or in any  
16 building owned or occupied by the State or any county, but only  
17 under the aforesaid employment and under the direct or general  
18 supervision of a licensed dentist as provided in section 447-  
19 1(f). No dental hygienist may establish or operate any separate  
20 care facility that exclusively renders dental hygiene services.



1 (d) Notwithstanding section 447-1(f), a licensed dental  
2 hygienist may operate under the supervision of any licensed  
3 dentist providing dental services in a public health setting.  
4 General supervision is permitted in a public health setting;  
5 provided that the supervising licensed dentist is available for  
6 consultation; provided further that a licensed dental hygienist  
7 shall not perform any irreversible procedure or administer any  
8 intra-oral block anesthesia under general supervision. In a  
9 public health setting, the supervising licensed dentist shall be  
10 responsible for all delegated acts and procedures performed by a  
11 licensed dental hygienist. Notwithstanding section 447-1(f), a  
12 licensed dental hygienist under the general supervision of a  
13 licensed dentist employed in a public health setting may perform  
14 dental education, dental screenings, teeth cleanings, intra-oral  
15 or extra-oral photographs, x-rays if indicated, and fluoride  
16 applications on individuals who are not yet patients of record,  
17 have not yet been examined by a licensed dentist, or do not have  
18 a treatment plan. Other permissible duties shall be pre-  
19 screened and authorized by a supervising licensed dentist,  
20 subject to the dentist's determination that the equipment and  
21 facilities are appropriate and satisfactory to carry out the



1 recommended treatment plan. A licensed dental hygienist shall  
2 refer individuals not currently under the care of a dentist and  
3 who are seen in a public health setting to a dental facility for  
4 further dental care. No direct reimbursements shall be provided  
5 to licensed dental hygienists.

6 ~~[As used in this subsection, "public health setting"~~  
7 ~~includes but is not limited to dental services in a legally~~  
8 ~~incorporated eleemosynary dental dispensary or infirmary,~~  
9 ~~private or public school, welfare center, community center,~~  
10 ~~public housing, hospital, nursing home, adult day care center or~~  
11 ~~assisted living facility, mental institution, nonprofit health~~  
12 ~~clinic or facility, or the State or any county.]~~

13 (e) Notwithstanding section 447-1(f), a licensed dental  
14 hygienist may perform preventive dental sealant screenings and  
15 apply preventive dental sealants on individuals who may or may  
16 not yet be patients of record, have not been previously examined  
17 by a licensed dentist, or do not have a treatment plan  
18 prescribed by a licensed dentist, when under the general  
19 supervision of a licensed dentist in a school-based oral health  
20 program.



1        (f) A licensed dental hygienist may place an interim  
2 therapeutic restoration in a public health setting under the  
3 general supervision of a licensed dentist, when the treatment is  
4 planned and prescribed by a licensed dentist, and upon meeting  
5 the following requirements:

6        (1) The licensed dental hygienist has completed and  
7 received didactic, laboratory, and clinical training  
8 in the clinical applications and placement of interim  
9 therapeutic restorations provided by a dental or  
10 dental hygiene school program accredited by the  
11 Commission on Dental Accreditation, or through a  
12 dental continuing education program offered by a  
13 provider recognized by the Academy of General  
14 Dentistry's Program Approval for Continuing Education,  
15 American Dental Association's Continuing Education  
16 Recognition Program, or American Academy of Dental  
17 Hygiene, Inc.;

18        (2) For dental continuing education programs, the programs  
19 shall have a minimum duration of ten hours in total,  
20 including:



- 1           (A) Didactic training: Four hours covering the  
2           scientific basis for interim therapeutic  
3           restorations, materials selection, and placement  
4           techniques;
- 5           (B) Laboratory training: Two hours in a laboratory  
6           or simulated environment for hands-on placement  
7           of interim therapeutic restorations; and
- 8           (C) Clinical training: Four hours including  
9           placement of at least three interim therapeutic  
10           restorations on patients; and
- 11       (3) The supervising licensed dentist shall provide  
12       additional hands-on training on the placement of an  
13       interim therapeutic restoration, including the  
14       properties and handling of dental materials being used  
15       and calibration of clinical applications and placement  
16       techniques on an annual basis.
- 17       (g) For purposes of this section:
- 18       "Interim therapeutic restoration" means a provisional  
19       caries-control technique involving the removal of soft material  
20       from the tooth with hand instruments and placement of an



1 adhesive restorative material, primarily for disease control and  
2 tooth preservation.

3 "Licensed dentist" means a dentist licensed under chapter  
4 448.

5 "Public health setting" includes but is not limited to  
6 dental services in a legally incorporated eleemosynary dental  
7 dispensary or infirmary, private or public school, welfare  
8 center, community center, public housing, hospital, nursing  
9 home, adult day care center or assisted living facility, mental  
10 institution, nonprofit health clinic or facility, or the State  
11 or any county."

12 SECTION 3. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14 SECTION 4. This Act shall take effect on July 1, 3000.



**Report Title:**

Dental Hygienists; Interim Therapeutic Restorations; Public Health Settings; Dentists; General Supervision

**Description:**

Allows a licensed dental hygienist to place interim therapeutic restorations in public health settings under the general supervision of licensed dentist. 7/1/3000. (HD1)

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

