

JAN 23 2026

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

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

19 The legislature further finds that research shows that
20 allowing dental hygienists to perform interim therapeutic
21 restoration in public health settings under the general



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

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

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

19 SECTION 2. Section 447-3, Hawaii Revised Statutes, is
20 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 For purposes of this subsection, "interim therapeutic
18 restoration" means a provisional caries-control technique
19 involving the removal of soft material from the tooth with hand
20 instruments and placement of an adhesive restorative material,
21 primarily for disease control and tooth preservation.



1 (g) For purposes of this section:

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

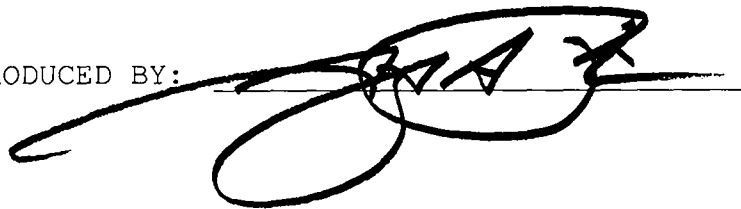
4 "Public health setting" includes but is not limited to
5 dental services in a legally incorporated eleemosynary dental
6 dispensary or infirmary, private or public school, welfare
7 center, community center, public housing, hospital, nursing
8 home, adult day care center or assisted living facility,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

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

13 SECTION 4. This Act shall take effect on July 1, 2026.

14

INTRODUCED BY: _____

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is highly cursive and appears to be the name 'J. A. ...'.

S.B. NO. 2854

Report Title:

Dental Hygienists; Interim Therapeutic Restoration; Public Health Settings; General Supervision

Description:

Allows a licensed dental hygienist to place interim therapeutic restorations in public health settings under the general supervision of licensed dentist.

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

