

ACT 217

H.B. NO. 2112-86

A Bill for an Act Relating to Dentistry.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 448-3, Hawaii Revised Statutes, is amended to read as follows:

“§448-3 Practice by unlicensed employee prohibited; penalty. (a) Except as provided in section 447-3, no person who manages or conducts as manager, proprietor, conductor, or otherwise a place where dental operations are performed, shall employ any person as operator in dental surgery or as a practitioner, or cause to permit any person to so act, who is not duly licensed to practice dentistry; provided that nothing in this chapter shall prohibit any unlicensed person from performing merely mechanical work upon inert matter in a dental laboratory.

(b) A duly licensed and registered dentist may employ auxiliary personnel, other than registered dental hygienists, to assist [him] the dentist in the practice of dentistry. [Such] These employees shall be known as dental assistants and shall perform all duties assigned to them under the [general] supervision, direction and responsibility of the dentist. Duties of the dental assistant and regulatory directives shall be delineated under rules [and regulations] which the board of dental examiners may from time to time adopt.

(c) Any person violating this section shall be fined not [more] less than \$100 nor more than \$1,000 for the first [offense, and for the second offense, in addition to the fine, shall forfeit his license to practice dentistry.] violation. Any person violating this section a second time shall be fined not less than \$500 nor more than \$2,000 and, in addition to the fine, the person's license shall be revoked.”

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved May 27, 1986.)