

ACT 97

S.B. NO. 779

A Bill for an Act Relating to Dental Hygienists.

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

SECTION 1. Chapter 447, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§447- Educational requirements for intra-oral block anesthesia. (a)

The applicant for certification to administer intra-oral block anesthesia shall show proof that the applicant successfully completed a course of study that shall include the following categories of intra-oral infiltration local anesthesia and intra-oral block anesthesia:

- (1) Maxillary mandibular infiltration anesthesia;
- (2) Long buccal nerve block anesthesia;
- (3) Mental nerve block;
- (4) Inferior alveolar/lingual nerve block;
- (5) Incisive nerve block;
- (6) Posterior superior alveolar nerve block;
- (7) Middle superior alveolar nerve block;
- (8) Anterior superior alveolar nerve block;
- (9) Nasopalatine (incisive canal) nerve block; and

(10) Greater (anterior) palatine nerve block.

(b) A course of study shall also include didactic studies and clinical experience, and for intra-oral block anesthesia categories in subsection (a)(1) to (10), at least thirty-nine hours, and a minimum of fifty successful injections of which ten shall be in intra-oral block in subsection (a)(4) and five in intra-oral block in subsection (a)(6).

(c) The curriculum of the course of study shall include as follows:

- (1) Cardiopulmonary resuscitation certification;
- (2) Medical history evaluation procedures;
- (3) Physical evaluation procedures;
- (4) Anatomy of head, neck, and oral cavity as it relates to administering local anesthetic agents;
- (5) Pharmacology of local anesthetics and vasoconstrictors;
- (6) Indications and contraindications for administration of local anesthetics;
- (7) Prevention, diagnosis, and management of medical emergency;
- (8) Recognition and management of post-injection complications and management of reactions to injections;
- (9) Medical and legal management complications;
- (10) Selection and preparation of the armamentaria and recordkeeping for administering various local anesthetics;
- (11) Methods of administering local anesthetics with emphasis on technique, which includes aspiration and slow injection, in addition to minimum effective dosage; and
- (12) Proper infection control techniques with regard to local anesthesia and the proper disposal of sharps.

(d) As part of the course of study, the applicant or licensed dental hygienist shall be required to pass an examination to determine if the applicant or licensed dental hygienist has acquired the necessary knowledge and clinical proficiency to administer intra-oral block anesthesia.

(e) The board of dental examiners may adopt rules pursuant to chapter 91, relating to the education and certification of dental hygienists to administer intra-oral block anesthesia."

SECTION 2. Chapter 448, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§448- Continuing education requirements. The board shall adopt a program of continuing education for dentists and a program of continuing education for dental hygienists. After January 1, 2002, at the time of reregistration of license as a dentist or dental hygienist, each licensee shall present to the board evidence of compliance with the program of continuing education applicable to their profession. Failure to reregister and present evidence of compliance shall constitute a forfeiture of license, which may be restored only upon written application therefor and payment to the board of a restoration fee."

SECTION 3. Section 447-1, Hawaii Revised Statutes, is amended to read as follows:

"§447-1 Who may become dental hygienists; fees. (a) Any person:

- (1) Eighteen years of age or over;
- (2) Holding and having a diploma or proper certificate of graduation from a dental hygiene school accredited by the American Dental Association

- (A.D.A.) Commission on Dental Accreditation requiring at least a two year course, recognized by the board of dental examiners; and
- (3) Having been officially certified in the administration of intra-oral infiltration local anesthesia and intra-oral block anesthesia by an accredited dental hygiene school or by a certification program previously approved by the board;

upon written application made to and filed with the board at least sixty days prior to the date selected by the board for the examination, may be examined by the board for qualification as a dental hygienist.

The application for examination shall be accompanied by the applicant's certificate of graduation from an accredited dental hygiene school together with documentary proof of the applicant's certification in the administration of intra-oral infiltration local anesthesia and intra-oral block anesthesia. At the time of filing the application, the applicant shall pay to the board application and examination fees, which fees, together with all other fees or charges in this chapter, shall be as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91, and shall be deposited to the credit of the compliance resolution fund established pursuant to section 26-9(o).

(b) Two examinations shall be held in each year at the time the board designates. The examinations shall cover subjects considered essential by the board for a dental hygienist and shall likewise include a practical examination on the removal of deposits or stains from the surfaces of the teeth. The board shall furnish a chair and engine, but the applicant shall supply all necessary instruments, materials, and patients for the examination.

(c) If the applicant successfully passes the examination, the applicant shall be [registered and receive a certificate of ability] licensed to practice as a dental hygienist in the State. Every [registered] licensed dental hygienist, before entering practice, shall pay the board a [registration] license fee. On or before December 31 of each odd-numbered year, every [registered] licensed dental hygienist desiring to begin or continue to practice in the State shall pay to the board a fee for the biennial [registration] licensure thereof. The failure, neglect, or refusal of any duly licensed dental hygienist to pay the biennial [registration] licensure fee shall constitute a forfeiture of the license, but the license may be restored upon written application therefor and payment to the board of a restoration fee.

(d) An applicant's or licensed dental hygienist's competence to administer intra-oral infiltration local anesthesia shall be demonstrated by certification in the administration of intra-oral infiltration local anesthesia by an accredited dental hygiene school or by a certification program previously approved by the board. In addition, an applicant's or licensed dental hygienist's competence to administer intra-oral block anesthesia shall be demonstrated by proof of successful completion of a course of study in accordance with standards provided for in this chapter, and the issuance of a certificate or other program documentation listing the intra-oral block anesthesia categories in which the applicant or licensed dental hygienist has acquired knowledge and proficiency.

The applicant or licensed dental hygienist shall also submit documentation of the course content when submitting the certificate. The board shall certify that the applicant or licensed dental hygienist has met the requirements of this chapter; provided that the licensed dental hygienist's administration of intra-oral block anesthesia shall be under the direct supervision of a licensed dentist and shall be for those categories of intra-oral block anesthesia listed on the course of study certificate submitted to the board.

[(d)] (e) No person shall practice dental hygiene, either gratuitously or for pay, or shall offer or attempt so to practice, or shall advertise or announce publicly or privately as being prepared or qualified so to practice, without having a license as in

this section provided, nor shall any licensed dental hygienist practice except under the supervision of a licensed dentist as in this chapter provided.”

SECTION 4. Section 447-3, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Clinical dental hygiene may be practiced by a licensed dental hygienist. The practice of clinical dental hygiene is defined as the removal of hard and soft deposits and stains from the portion of the crown and root surfaces to the depth of the gingival sulcus, polishing natural and restored surfaces of teeth, the application of preventive chemical agents to the coronal surfaces of teeth, which chemical agents have been approved by the board of dental examiners, and the use of mouth washes as are approved by the board, but shall not include the performing of any repair work or the preparation thereof, or any other operation on the teeth or tissues of the mouth; provided that nothing herein shall prohibit a dental hygienist from using or applying topically any chemical agent which has been approved in writing by the department of health for any of the purposes set forth in part V of chapter 321, and other procedures delegated by [the] a dentist in accordance with the rules of the board of dental examiners.

In addition, a licensed dental hygienist may administer intra-oral infiltration local anesthesia and intra-oral block anesthesia under the direct supervision of a dentist [upon providing documentary proof satisfactory to the board of certification in the administration of these procedures.] after being certified by the board, and for those categories of intra-oral infiltration local anesthesia and intra-oral block anesthesia for which the licensed dental hygienist has been certified through a course of study meeting the requirements of this chapter.”

SECTION 5. If any provision of this Act, or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 6. Statutory material to be repealed is bracketed. New statutory material is underscored.¹

SECTION 7. This Act shall take effect upon its approval.

(Approved June 24, 1999.)

Note

1. Edited pursuant to HRS §23G-16.5.