

## ACT 44

H.B. NO. 2301

A Bill for an Act Relating to Dentistry.

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

SECTION 1. Chapter 448, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§448- Prohibition on ownership and interference.** (a) No dentist licensed pursuant to this chapter who engages in the practice of dentistry shall permit a person or entity, other than a dentist licensed pursuant to this chapter, to directly or indirectly own, direct, control, or interfere with the licensee’s practice of dentistry; provided that this section shall not apply to the State or any county, any legally incorporated eleemosynary dispensary or infirmary, private school, or welfare center.

(b) A licensed dentist shall not permit a non-dentist to:

- (1) Direct or interfere with the licensee’s clinical judgment and competent practice of dentistry;
- (2) Select a course of treatment for a patient, the procedures or materials to be used as part of the course of treatment, and the manner in which such course of treatment is carried out by the licensee;
- (3) Exercise control of the patient’s records; or
- (4) Prohibit or limit access to the dental office, facilities, and equipment necessary to provide service to the licensee’s patients.”

SECTION 2. New statutory material is underscored.<sup>1</sup>

SECTION 3. This Act shall take effect upon approval.

(Approved April 29, 2008.)

**Note**

1. Edited pursuant to HRS §23G-16.5.