

ACT 37

S.B. NO. 426

A Bill for an Act Relating to Dentistry.

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

SECTION 1. The purpose of this Act is to modify dental licensing laws to ensure that dentists participating in an accredited multi-year dental residency program can obtain temporary licensure for the duration of their training.

SECTION 2. Section 448-12, Hawaii Revised Statutes, is amended to read as follows:

“§448-12 Temporary license. (a) The board of dental examiners may issue without examination to any resident or nonresident otherwise qualified to be examined a temporary license to practice dentistry in the employment of the State or any county, or any legally incorporated eleemosynary dispensary or infirmary, private school, or welfare center. The temporary license shall authorize the person to whom the license is issued to practice dentistry exclusively while engaged in that employment and shall be in force until the earliest of the following occurs:

- (1) The date the person leaves the employment authorized under the temporary license;

- (2) The three hundred ninety-sixth calendar day following the date of issuance of the temporary license;
- (3) The date on which the results of the licensure examination taken by the person under this chapter are posted by the board; or
- (4) The date on which the board revokes the temporary license;

provided that the board may revoke the temporary license at any time for cause.

No person who has failed an examination shall have the benefit of any temporary license.

(b) The board of dental examiners may issue without examination to any resident or nonresident licensed in another state and otherwise qualified to be examined a temporary license to practice dentistry while in the employment of the department of health to provide dental services to Hansen's disease sufferers. The temporary license shall be valid for a period of three years or until the first board examination after the conclusion of the three-year period and only while the person to whom the temporary license is issued is in the employment of the department of health and works under the general direction and supervision of a duly licensed dentist. The temporary license shall not be renewed and shall be reviewed annually by the board of dental examiners for continuance and shall be subject to revocation and suspension as provided in section 448-17. The temporary licensee shall not be eligible for examination by the board of dental examiners while the temporary license is in effect.

(c) The board of dental examiners may issue a temporary license without examination to any person otherwise qualified to be examined, who is enrolled in a post-doctoral residency program that is accredited and recognized by the American Dental Association Commission on Dental Accreditation. The temporary license shall authorize the person to whom the license is issued to practice dentistry exclusively under the auspices of the dental residency program and shall be in force until the earliest of the following occurs:

- (1) The date the person completes or leaves the residency program; or
- (2) The date on which the board revokes the temporary license;

provided that the board may revoke the temporary license at any time for cause.

(d) Post-doctoral dental residents who are granted temporary licenses under this section shall:

- (1) Be assigned to affiliated training sites that are restricted to eleemosynary health care organizations, training site hospitals, or university-affiliated training programs, and that shall be visited and accredited by the Commission on Dental Accreditation of the American Dental Association, consistent with the policies of the Commission on Dental Accreditation of the American Dental Association; and
- (2) Act under the direct supervision of the dental residency faculty licensed in Hawaii."

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved April 30, 2009.)