

Report of the Government Relations AR – 2016

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6 On January 14, 2016 the 10th Annual Legislative Breakfast was held in at the Pacific
7 Club. Many Senators and Representatives came to meet and greet our members and share the
8 aloha with some good food. Most of the HDA leadership and HDA Legislative program were
9 present to help President Dr. Steve Wilhite host the room discussing upcoming legislative issues.

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11 The 2016 Hawaii State Legislature completed its session in May 2016. During this
12 session the HDA was successful on defeating a number of bills which came up during the course
13 of the legislature. The members of the HDA Legislative program and the officers of the HDA
14 made numerous appearances at House and Senate hearings. As the legislature moved from
15 January to February, the HDA's legislative efforts seemed to be paying off as questionable
16 legislation began to stall due to legislators who began to look at the reasoned arguments raised in
17 opposition to the poorly drafted and misguided legislation. These legislators saw the proponents
18 of these questionable bills to be uninformed and unaware of the reality of how a dental practice
19 functioned or the basic activities of the Board of Dental Examiners. By the end of February,
20 more than half of the questionable bills were dead.

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22 Though the Legislature has not seen fit to support the two HDA bills, again, the efforts of
23 the Legislative committee were successful in defeating bills which would have significant
24 detrimental impact on the practice of dentistry in Hawaii. Some of the bills were so bad, they
25 would have put at risk even the access to care to Medicaid and Medicare patients and hampered
26 the efforts of community health centers in serving those on the neighbor islands and rural Oahu.

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28 Great effort was made to defeat a bill that would have essentially tied the hands of both
29 private dentists and community health centers in utilizing dental assistants resulting in significant
30 cost impact for the entire dental health industry in Hawaii. SB 3085 though disguised as a
31 necessary statutory requirement relating to anesthesia and other "updates", this bill in fact served
32 as a dental hygienist employment protection bill. It would have prevented dental assistants work
33 from evolving with the current state of dental practice. The Board of Dental Examiners(BODE)
34 would also have been prevented from updating the dental practice rules for both dental hygienists
35 and dental assistants. All rule making activities for them would have been transferred to the
36 Legislature.

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38 Those supporting SB 3085 sought to sneak it on an early agenda and prevent the HDA
39 from mounting effective opposition to the bill. However, the Legislative committee, the
40 Executive Council and the Board of Trustees were able to rally the HDA members to oppose this
41 bill with over 50 testimonies opposing the bill. At the hearing, the BODE also opposed this bill
42 and with the questions directed to President Steve Wilhite, HDA Legislative Representative
43 Russel Yamashita, and BODE representative Dr. Mark Chun, the committee was satisfied that
44 there was no need for this legislation.

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46 Another measure sought to create a separate licensing board for dental hygienists.
47 However, the legislature deemed there was no need for separate board and both the House and

48 Senate versions of this legislation were stopped in committee. Opposition from both the HDA
49 and BODE led to the defeat of this legislation. Key efforts by Windward dentists contacting
50 their legislators played a substantial role in the defeat of this bad legislation.

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52 A bill that remained from the last legislative session relating to the use of latex gloves
53 survived this year, but was substantially modified to meet the objections of the medical and
54 dental professions. The protocols of the bill would allow the use of latex gloves by doctors and
55 dentists if they were able to ask the patients if they were allergic to latex and answered in the
56 negative. However, a ban was placed on EMS personnel and all food establishments from using
57 latex gloves in the last version of this legislation. This bill, SB 911, was passed and signed by
58 the Governor.

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60 Due to pressure from adverse newspaper series on doctors licensed in Hawaii who are
61 under suspension or revocation orders in another state, legislation was introduced to address this
62 “problem” with HB 2430 and SB 2675. DCCA’s Professional and Vocational Licensing (PVL)
63 Division and RICO were embarrassed by the news stories which ran in the Honolulu Star
64 Advertiser November 1, 2 and 3, 2015. The bill only requires the dental, medical, nursing and
65 pharmacists boards to take action against those who are under sanction in another state. It also
66 authorizes those boards to suspend those licensees to summarily suspend the activities of the
67 licensees until the a hearing is held. These bills were supported by the HDA, the Hawaii
68 Medical Association, the Hawaii Medical Board and commented on by the DCCA. SB 2675 was
69 passed and signed in to law by the Governor.

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71 Of interest to the HDA are other bills and issues which affect the HDA’s members and
72 our patients. There is an effort to address the issue of providing dental services to adult
73 Medicaid patients. Critical funding has been unavailable since 2008, Governor Ige has included
74 an appropriation of \$4.8 million for this program. The HDA is in agreement and will support his
75 efforts in the legislature to get it passed. The bills for adult dental Medicaid benefits are HB
76 1772 and SB 2058. Unfortunately, neither bill passed this year.

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78 Finally, there is a bill amending the telemedicine/telehealth statute which was recently
79 enacted, but has encountered implementation problems. Both HB 1944 and SB 2395 were
80 introduced to address the concerns of the hospitals, Medicaid providers, and HMSA on how the
81 law should provide for payments. Only SB 2395 is progressing through this session and the
82 HDA is examining the issues relating to teledentistry and the recent American Dental
83 Association’s position on this issue as well.

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85 The 2016 legislative session for the HDA Legislative program and officers was tremendous in its
86 effort to protect the citizens of Hawaii.

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88 The HDA was represented at all Board of Dental Examiners meetings by Dr. Christopher Lee
89 and Mr. Loren Liebling, HDA Executive Director. The Board proposed changes to the
90 anesthesia rules which were signed into effect in May of this year. There Board then proposed
91 another set changes to the rules which are awaiting final signature by the governor.

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93 The President-Elect wishes to thank all volunteer members and HDA staff who worked
94 diligently and tirelessly on behalf of organized dentistry.

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96 Respectfully submitted,

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100 Christopher Lee, DDS

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102 **Recommendation of the HOD Reference task force on the Report of the Government Relations**
103 **AR:**

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105 The HOD Reference task force recommends that the report be accepted.

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107 **Action taken by the House:**

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111 **Resolution #2016-04**

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113 **Background:** In 2017 the Government Relations AR plans to exercise sound fiscal management
114 and requires appropriate funding to perform its program and task force responsibilities and
115 recommend adoption of the following resolution:

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117 **Resolved,** that the House of Delegates budget the sum of \$0 (income) and \$47,500 (expense) for
118 conduct of the Government Relations AR activities in 2016.

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121 **Recommendation of the HOD Reference task force on the Government Relations AR**
122 **Resolution #2016-04:**

123

124 The HOD Reference task force recommends that the resolution be adopted.

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127 **Action taken by the House**