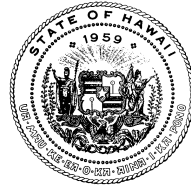


SB 933



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

Senate Committee on Health

SB933, Relating to Temporary Licensure of Dentists

**Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health**

February 02, 2009

1 **Department's Position:** The Department strongly supports this Administration-sponsored measure.

2 **Fiscal Implications:** None.

3 **Purpose and Justification:** The purpose of this proposal is to amend the dental practice statute, Section
4 448-12(b), Hawaii Revised Statute, to allow for the temporary licensure of dentists who are employed
5 by or under contract with the Department of Health. The Department shares the concerns of the
6 Legislature and the community over limited access to basic dental care among persons with disabilities,
7 persons with mental illnesses, and our aging population. For instance, we find that care needed by
8 persons with severe disabilities, is most effectively and efficiently provided by dentists with a particular
9 interest in working with disabled populations. Nationwide, there is a small cadre of dentists willing to
10 take on such responsibilities. As we look to the future, the Department anticipates that we may be able
11 to recruit additional professional support from dental providers who do not maintain a license to practice
12 in the State of Hawaii. Given the opportunity to recruit among dentists licensed in other states to help
13 the Department assure access to needed basic dental care, we strongly support this amendment to the
14 current temporary dental licensing statute. We anticipate this amendment will enhance our opportunity
15 to help address the outstanding dental needs among our most vulnerable populations.

16 Thank you the opportunity to testify on this measure.

Hawaii State Legislature

State Senate

Committee on Health

Committee on Commerce and Consumer Protection

Senator David Ige, Chair

Senator Josh Green, MD, Vice-Chair

Committee on Commerce and Consumer Protection

Senator Rosalyn Baker, Chair

Senator David Ige, Vice-Chair

Committee on Health

Monday February 2, 2009 2:50 pm Room 016

Honorable Chair David Ige, Vice-chair Josh Green and members of the Committee on Health,

My name is Glenn Okihiro and I practicing dentist in Hawaii. I am against Senate Bill 933 as it may be counterproductive to increasing dental care for patients in areas of need. The Hawaii Islands Oral Health Task Force, Primary Care Association, Hawaii Dental Association and others have worked hard to increase access to dental care in areas of need. The neighbor islands and rural areas have had the greatest difficulty accessing care. Federally Qualified Community Health Care Centers are located in designated areas of need and the Temporary Licenses are designed to encourage dentists to work in these areas and facilities. A General Practice Residency Program was instituted to provide a teaching environment for dentists working under this program. It serves several major purposes. It provides a monitoring and safety component for the patients and increases the clinical skills of the dentists in training.

SB 933 doesn't address these goals as there is no training program and the only state facilities are currently on Oahu. I respectfully ask you keep Temporary Licensure in the FQCHC facilities where the access issues and monitoring programs are serving the dental health of patients located in rural areas and neighbor islands.

Sincerely,

Glenn Okihiro, DDS

**PRESENTATION OF THE
BOARD OF DENTAL EXAMINERS**

TO THE SENATE COMMITTEE ON HEALTH

TWENTY-FIFTH LEGISLATURE
Regular Session of 2009

Monday, February 2, 2009
2:50 p.m.

**TESTIMONY ON SENATE BILL NO. 933, RELATING TO TEMPORARY LICENSURE OF
DENTISTS.**

TO THE HONORABLE DAVID Y. IGE, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Jeffrey Miyazawa, D.D.S., Chair of the Board of Dental Examiners ("Board"). The Board supports the intent of S.B. No. 933 to provide for a means of licensure to practice dentistry while in the employment of or under contract with the Department of Health.

The purpose of S.B. No. 933 is to provide a temporary license to practice dentistry to dentists who are employed by or under contract with the Department of Health. The Board understands that there is a need for dental care services for residents in underserved communities or populations statewide, particularly to persons with disabilities, persons with mental illness, and the aging population. Given ongoing, unmet oral health needs in many communities or populations, the Department of Health would be able to increase its dental services and ensure access to basic dental care.

While the Board supports the intent of the bill, the Board suggests it may be more appropriate to license the dentists employed or contracted by the Department of Health, under the community service license provisions of the statute. This would merely require adding the Department of Health as a qualifying agency for the community service license.

Thank you for the opportunity to testify on S.B. No. 933.

DOH/AMHD FAQ's and CONTACT INFORMATION
November 2008

What is the projected State budget deficit?

- Based on the latest Council on Revenue projections, the State of Hawaii is projecting a \$1.1 billion shortfall by Fiscal-Year 2011, if actions are not taken to address this situation.

How is this impacting the Department of Health (DOH)?

- The Department of Health, like all departments, has been asked to submit budgetary recommendations to address the portion of this shortfall that is allocated to DOH. Those recommendations are being finalized at this time.

What is the immediate budget challenge for the Adult Mental Health Division (AMHD)?

- The AMHD is projecting a budgetary deficit for POS provider contracts of as much as \$25 million for the current fiscal year. Immediate actions are underway to address this and public notification is seen as the first step in gaining cooperation in this important team effort.

Doesn't the legislature have the authority to allocate more money to the Adult Mental Health Division through an Emergency Appropriation (EA)?

- Yes, the legislature can do that, but due to the State's overall fiscal situation, DOH will not be asking for any EA's this year. It is believed other strategies are capable of addressing the current shortfall in AMHD.

What are those strategies?

- Impose a 14 unit "cap" on the number of case management services that can be billed monthly per consumer. Case management services represent the lion's share of payments made to Purchase Of Service (POS) providers annually, approximately \$30 million in fiscal year 2007-2008. That amount has continued to rise even though a daily "cap" was initiated in April 2008. The 14 unit "cap" represents 3.5 hours of case management per consumer per month and is anticipated to result in an annual savings of over \$20 million. The State-operated Community Mental Health Center's (CMHC) provide fewer hours than the "cap" amount for consumers who have like-acuity. There is no evidence of any increased negative outcomes compared to POS providers.

- Transition AMHD consumers with commercial insurance to their health plan for care. Currently there are over 500 consumers receiving AMHD services much of which is paid for with 100 percent State dollars. This will open up case loads at the CMHC's so consumers at POS providers can be transitioned back to the CMHC's for care, thus reducing payout to contracted POS agencies. It is estimated this will result in savings of over \$5 million.
- Reduction and/or elimination of current contracted services. AMHD is evaluating all contracted services to ensure they are part of the essential services needed to maintain the quality of care for some of Hawaii's most vulnerable population. AMHD's current array of services must be reviewed and tailored to ensure the sustainability of the system.

What if a person is in a mental health crisis and needs professional mental health support and services?

- ACCESS is a 24-7 crisis line for immediate mental health services.
- ACCESS will remain in service.
- On Oahu – (808)-832-3100; Neighbor Islands 1-800-753-6879

If there are further questions, please refer the person to the appropriate point of contact:

For Consumers: **Office of Consumer Affairs**
Mr. Bill Lennox
586-4688

For Providers: **Provider Relations**
Ms. Dawn Mendiola
586-4689

For Legislators/Staff: **Legislative Liaison**
Mrs. Malia Espinda
586-4770

From: [Russel Yamashita](#)
To: [HTHTestimony](#)
Subject: HDA Testimony on SB 993
Date: Sunday, February 01, 2009 3:55:47 PM
Attachments: [Test.SB933.DOH.temp.lic.2.1.09.doc](#)

Hawaii State Legislature
State Senate
Committee on Health

Senator David Y. Ige, Chair
Senator Josh Green, M.D., Vice Chair

Monday, February 2, 2009, 2:50 p.m. Room 016

Senate Bill 933 Relating to Temporary Licensing of Dentists

Honorable Chair David Y. Ige, Vice-chair Josh Green and
members of the Senate Committee on Health,

My name is Dr. Gary Umeda and I am the President of the Hawaii Dental Association and I appreciate the opportunity to testify in OPPOSITION to SB 933 relating to Temporary Licensing of Dentists. It is the understanding of the HDA that this bill was introduced on behalf of the Department of Health.

For over five years, the Hawaii Dental Association has been participating with the Hawaii Islands Oral Health Task Force which is made up of most of the governmental, non-profit and public service organizations who provide dental health service to all the various communities and groups throughout the state. Each year the HIOHTF meets to address and discuss the issues facing the dental health providers and their constituencies. In the last Task Force meeting held on December 11, 2008, all the participants, including representatives of the Department of Health, discussed possible amendments to the Hawaii Revised Statutes in relation to dental health issues. The Department of Health did not disclose that any proposed legislation that the State Administration would be introducing. Nor did the Department of Health state that there was a need for such legislation as no issue was raised as to the Department's interest in additional hires for any expanded services or new facilities which would require staffing.

In the past, the HDA has supported changes to the regulatory structure for dental licensees when the need was shown that amendments to the law are necessary to address the needs of the community. Examples include the HDA's support for Community Service Licenses and the support of SB 426 which was introduced this session of the legislature to provide for temporary licenses for residency program participants. Both these provisions are targeted to address the issue of getting dentists to under served communities through Federally Qualified Health Centers (FQHC).

As far as can be determined, the Department of Health has no dental facilities other than Lanikila in Honolulu to serve this segment of the population. If it is the intent of this legislation to put more dentists in FQHCs, both the Community Service License and the proposed Temporary Residency Program License will apply to any dentist serving there. Also, the State has had no funds for a number of years to expand any dental services or facilities so the HDA is at a loss as to see why SB 933 is being proposed.

However, the Department of Health has failed to disclose to the HDA, the other dental health provider organizations, and dental health constituent groups, any need or

justification for this legislation. The Department of Health cannot claim that there was no time to discuss this bill with any of the HIOHTF members, since administration bills are required to be prepared well in advance of the legislative session and the DOH is a participant of the HIOHTF.

In addition to raising the issue of whether or not there is a need for such legislation, nothing, except the state budget, prevents the DOH from hiring additional licensed dentists as employees of the DOH. The rush by the DOH to hire unlicensed dentists without a formal training or monitoring program in place jeopardizes the intent and safety features of the original bill. To the HDA, this is irresponsible on a professional basis and also exposes the State unnecessarily to potential liability for any problems resulting from the hiring of such unlicensed dentists.

The HDA believes that the needs of the under served communities in Hawaii can be met with the coordinated efforts of the professional organizations, dental health service organizations, non-profit and governmental agencies working in unison to address the needs and concerns of the people of Hawaii.

The HDA and its members respectfully request that SB 933 be held by this committee.