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**SENATE BILL 5669**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Senators Cleveland, Walsh, and Mullet

AN ACT Relating to dental laboratories; adding new sections to chapter 18.32 RCW; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 18.32 RCW to read as follows:

For the purposes of this act:

(1) "Certified dental technician" means a person certified by the national board for certification in dental laboratory technology.

(2) "Dental laboratory" means a facility that engages in the making, repairing, altering, or supplying of artificial restorations, substitutions, appliances, or materials for the correction of disease, loss, deformity, malposition, dislocation, fracture, injury to the jaws, teeth, lips, gums, cheeks, palate, or associated tissues or parts.

(3) "Material content disclosure" means a notice that contains the name, physical address, and registration number of the laboratory that received the dentist's work order and the city, state, and country of origin where the technological work was performed in whole or in part or laboratories that manufactured or repaired the dental prosthesis, either directly or indirectly, and the complete material content information of all patient contact materials used in a dental prosthetic appliance, including whether United States food and drug administration compliant materials were used. The notice must be provided in a manner that can be easily entered into a patient record.

(4) "Work authorization" means a written instrument by which a dental laboratory subcontracts to another dental laboratory all or part of the manufacture or repair of a dental prosthetic appliance authorized by a work order from a licensed dentist.

(5) "Work order" means a written instrument prescribed by a licensed dentist directing a dental laboratory to manufacture or repair a dental prosthetic appliance for an individual patient.

NEW SECTION. **Sec.**  A new section is added to chapter 18.32 RCW to read as follows:

(1) Each dental laboratory operating, doing business, or intending to operate or do business in this state shall register with the commission and pay the fee established pursuant to sections 3 and 6 of this act.

(2) A dental laboratory is considered operating or doing business within this state if its work product is prepared pursuant to a written authorization originating within this state.

(3) This section does not apply to a dental laboratory operating in-office under the direct supervision of a practicing dentist licensed under this chapter, or in an educational institution as part of the institution's educational program provided that the laboratory does not also perform work pursuant to prescriptions or work orders originating from outside of the educational institution or supervising dentist's office. In order that such laboratory may receive any health or safety advisories, it must provide the commission with the name of the supervising dentist and other relevant contact information in the same manner required of registered dental laboratories.

NEW SECTION. **Sec.**  A new section is added to chapter 18.32 RCW to read as follows:

(1) Each dental laboratory operating, doing business, or intending to operate or do business within this state must submit an application for registration of dental laboratory or renewal of registration of dental laboratory to the commission on a form provided by the commission accompanied with the registration or renewal fee required. The application must include:

(a) The name, mailing address, phone number, and email address of the laboratory;

(b) The physical address of the laboratory if different from the mailing address;

(c) The name, mailing address, phone number, and email address of the responsible person or the name and license number of the supervising dentist who is licensed under this chapter;

(d) A statement that the laboratory meets the infectious control requirements under the occupational safety and health administration and the centers for disease control and prevention of the United States public health service;

(e) An acknowledgment by the responsible person or the supervising dentist that the laboratory will provide material disclosure to the prescribing dentist that contains the manufacturer and brand name or United States food and drug administration registration number of all patient contact materials contained in the prescribed restoration in order that the dentist may include those numbers in the patient's record; and

(f) An acknowledgment by the responsible person or the supervising dentist who is licensed in this state that he or she will disclose to the prescribing dentist the point of origin of the manufacture of the prescribed restoration. If the restoration was partially or entirely manufactured by a third-party provider, the point of origin disclosure must identify the portion manufactured by a third-party provider and the city, state, and country of the provider.

(2) Each dental laboratory shall pay a registration fee annually as determined by the secretary as provided in RCW 43.70.250. The registration fee shall not exceed two hundred fifty dollars annually.

NEW SECTION. **Sec.**  A new section is added to chapter 18.32 RCW to read as follows:

(1) Upon the granting of a registration, the commission shall assign to that laboratory a dental registration number. The laboratory registration number must appear on all invoices or other correspondence of the laboratory.

(2) A dentist shall include the registration number of the dental laboratory on the dentist's work order.

NEW SECTION. **Sec.**  A new section is added to chapter 18.32 RCW to read as follows:

(1) Effective January 31, 2018, to be eligible for dental laboratory registration the applicant must document that the applicant or one of the applicant's employees who works at least thirty hours per week in the applicant's dental laboratory, has either: (a) Successfully completed at least twelve hours of continuing education in dental laboratory technology approved by the national board for certification in dental laboratory technology during the twelve months immediately preceding their application for registration; or (b) is certified by the national board for certification in dental laboratory technology as a certified dental technician in good standing.

(2)(a) Effective January 31, 2023, the commission may not issue a registration to a dental laboratory unless the applying dental laboratory documents that it employs a certified dental technician in good standing with the national board for certification in dental laboratory technology who works at least thirty hours per week in the applying dental laboratory or that it is operated under the supervision of a dentist licensed under this chapter.

(b) (a) of this subsection does not apply to a dental laboratory that provides the commission with documentation that the dental laboratory has been continuously owned and operated by the same individual since January 1, 1996.

NEW SECTION. **Sec.**  A new section is added to chapter 18.32 RCW to read as follows:

Each dental laboratory registered with the commission must renew its registration before July 31st each year by completing and submitting a renewal of registration of dental laboratory form and paying a fee determined by the secretary as provided in RCW 43.70.280

NEW SECTION. **Sec.**  A new section is added to chapter 18.32 RCW to read as follows:

If a dental laboratory violates any provision of this act, it is subject to disciplinary action pursuant to this chapter.

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