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HOUSE BILL 2595

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State of Washington

55th Legislature

1998 Regular Session

By Representatives Dyer and Murray

Read first time 01/15/98. Referred to Committee on Health Care.

1 AN ACT Relating to dental assistants; amending RCW 18.32.010,  
2 18.32.030, and 18.32.039; adding a new section to chapter 18.32 RCW;  
3 and creating a new section.

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

5 NEW SECTION. **Sec. 1.** Currently, dental assistants perform certain  
6 duties under the supervision of a dentist and are regulated through the  
7 dentist's license. The legislature finds that technology, infection  
8 control, and dental procedures used by dentists has evolved in recent  
9 years, and patients properly expect safe and cost-effective delegation  
10 of some of the dentist's duties. The public could be better served,  
11 and its access to dental care enhanced, by permitting dental assistants  
12 to have training in and perform certain advanced procedures.

13 **Sec. 2.** RCW 18.32.010 and 1994 sp.s. c 9 s 202 are each amended to  
14 read as follows:

15 Words used in the singular in this chapter may also be applied to  
16 the plural of the persons and things; words importing the plural may be  
17 applied to the singular; words importing the masculine gender may be  
18 extended to females also; the term "commission" used in this chapter

1 shall mean the Washington state dental quality assurance commission;  
2 the term "dental assistant" means a person not licensed as a dentist or  
3 dental hygienist who performs certain duties under the supervision of  
4 a dentist; and the term "secretary" shall mean the secretary of health  
5 of the state of Washington.

6       **Sec. 3.** RCW 18.32.030 and 1994 sp.s. c 9 s 203 are each amended to  
7 read as follows:

8       The following practices, acts, and operations are excepted from the  
9 operation of the provisions of this chapter:

10       (1) The rendering of dental relief in emergency cases in the  
11 practice of his or her profession by a physician or surgeon, licensed  
12 as such and registered under the laws of this state, unless the  
13 physician or surgeon undertakes to or does reproduce lost parts of the  
14 human teeth in the mouth or to restore or to replace in the human mouth  
15 lost or missing teeth;

16       (2) The practice of dentistry in the discharge of official duties  
17 by dentists in the United States federal services on federal  
18 reservations, including but not limited to the armed services, coast  
19 guard, public health service, veterans' bureau, or bureau of Indian  
20 affairs;

21       (3) Dental schools or colleges approved under RCW 18.32.040, and  
22 the practice of dentistry by students in Washington state dental  
23 schools or colleges approved by the commission, when acting under the  
24 direction and supervision of Washington state-licensed dental school  
25 faculty;

26       (4) The practice of dentistry by licensed dentists of other states  
27 or countries while appearing as clinicians at meetings of the  
28 Washington state dental association, or component parts thereof, or at  
29 meetings sanctioned by them, or other groups approved by the  
30 commission;

31       (5) The use of roentgen and other rays for making radiographs or  
32 similar records of dental or oral tissues, under the supervision of a  
33 licensed dentist or physician;

34       (6) The making, repairing, altering, or supplying of artificial  
35 restorations, substitutions, appliances, or materials for the  
36 correction of disease, loss, deformity, malposition, dislocation,  
37 fracture, injury to the jaws, teeth, lips, gums, cheeks, palate, or  
38 associated tissues or parts; providing the same are made, repaired,

1 altered, or supplied pursuant to the written instructions and order of  
2 a licensed dentist which may be accompanied by casts, models, or  
3 impressions furnished by the dentist, and the prescriptions shall be  
4 retained and filed for a period of not less than three years and shall  
5 be available to and subject to the examination of the secretary or the  
6 secretary's authorized representatives;

7 (7) The removal of deposits and stains from the surfaces of the  
8 teeth, the application of topical preventative or prophylactic agents,  
9 and the polishing and smoothing of restorations, when performed or  
10 prescribed by a dental hygienist licensed under the laws of this state;

11 (8) A qualified and licensed physician and surgeon or osteopathic  
12 physician and surgeon extracting teeth or performing oral surgery  
13 pursuant to the scope of practice under chapter 18.71 or 18.57 RCW;

14 (9) Tooth scaling and polishing on patients with either  
15 periodontally healthy mouths or localized plaque induced gingivitis and  
16 exhibiting no significant complicating systemic medical disease or  
17 disorder, under the supervision of a dentist, when performed by a  
18 dental assistant certified for advanced practice;

19 (10) The performing of dental operations or services by (~~persons~~  
20 ~~not licensed under this chapter~~) a dental assistant when performed  
21 under the supervision of a licensed dentist(~~(: PROVIDED HOWEVER, That~~  
22 ~~such nonlicensed person)~~). However, the dental assistant shall in no  
23 event perform the following dental operations or services unless  
24 permitted to be performed (~~by the person~~) under this chapter or  
25 chapters 18.29, 18.57, 18.71, and 18.79 RCW as it applies to registered  
26 nurses and advanced registered nurse practitioners:

27 (a) Any removal of or addition to the hard or soft tissue of the  
28 oral cavity;

29 (b) Any diagnosis of or prescription for treatment of disease,  
30 pain, deformity, deficiency, injury, or physical condition of the human  
31 teeth or jaws, or adjacent structure;

32 (c) Any administration of general or injected local anaesthetic of  
33 any nature in connection with a dental operation, including intravenous  
34 sedation;

35 (d) Any oral prophylaxis;

36 (e) The taking of any impressions of the teeth or jaw or the  
37 relationships of the teeth or jaws, for the purpose of fabricating any  
38 intra-oral restoration, appliance, or prosthesis.

1        NEW SECTION.    **Sec. 4.**    A new section is added to chapter 18.32 RCW  
2 to read as follows:

3        (1) The commission may authorize dentists to delegate to dental  
4 assistants additional duties as authorized under chapter . . . , Laws of  
5 1998 (this act). However, these duties may only be delegated by a  
6 dentist if the assistant has demonstrated to the commission successful  
7 completion of an accredited postsecondary education program  
8 specifically designed for those duties. The commission shall require  
9 that applicants to the postsecondary education programs must be  
10 certified by a national dental assisting credentialing organization  
11 approved by the commission prior to admission to the program.

12        (2) The commission shall issue a certificate to a dental assistant  
13 for advanced practice who demonstrates to the commission's satisfaction  
14 that the following requirements have been met:

15        (a) Graduation from an educational program approved by the  
16 commission; and

17        (b) Successful completion of any experience requirement established  
18 by the commission.

19        (3) The commission shall establish by rule what constitutes  
20 adequate proof of meeting the criteria.

21        (4) Applicants are subject to the grounds for denial of a  
22 certificate or issuance of a conditional certificate under chapter  
23 18.130 RCW.

24        (5) Applications for certification for advanced practice shall be  
25 on forms provided by the secretary. The commission may require any  
26 information and documentation that reasonably relates with the need to  
27 determine whether the applicant meets the criteria for certification  
28 provided in this section and chapter 18.130 RCW. Each applicant shall  
29 pay a fee determined by the secretary under RCW 43.70.250, and the fee  
30 shall accompany the application.

31        (6) The secretary shall establish by rule the procedural  
32 requirements and fees for renewal of a certificate. Failure to renew  
33 invalidates the certificate and all privileges granted by the  
34 certificate.

35        **Sec. 5.**    RCW 18.32.039 and 1987 c 150 s 17 are each amended to read  
36 as follows:

37        The uniform disciplinary act, chapter 18.130 RCW, governs  
38 unlicensed or unauthorized practice, the issuance and denial of

1 licenses and certificates, and the discipline of licensees and dental  
2 assistants certified for advanced practice under this chapter. The  
3 commission is the disciplining authority under this chapter.

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