

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1309**

Chapter 321, Laws of 2009

61st Legislature  
2009 Regular Session

DENTAL HYGIENE

EFFECTIVE DATE: 07/01/09

Passed by the House April 18, 2009  
Yeas 97 Nays 0

FRANK CHOPP

\_\_\_\_\_  
**Speaker of the House of Representatives**

Passed by the Senate April 13, 2009  
Yeas 45 Nays 0

BRAD OWEN

\_\_\_\_\_  
**President of the Senate**

Approved May 4, 2009, 4:39 p.m.

CHRISTINE GREGOIRE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1309** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

\_\_\_\_\_  
**Chief Clerk**

FILED

May 5, 2009

**Secretary of State  
State of Washington**

---

**SUBSTITUTE HOUSE BILL 1309**

---

AS AMENDED BY THE SENATE

Passed Legislature - 2009 Regular Session

**State of Washington                      61st Legislature                      2009 Regular Session**

**By** House Health Care & Wellness (originally sponsored by Representatives Green, Ericksen, Appleton, Hinkle, Morrell, Rolfes, Cody, Moeller, Chase, Conway, Kenney, Goodman, Nelson, and Roberts)

READ FIRST TIME 02/17/09.

1            AN ACT Relating to dental hygiene; amending RCW 18.29.056 and  
2 18.29.220; creating a new section; providing an effective date; and  
3 declaring an emergency.

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

5            **Sec. 1.** RCW 18.29.056 and 2007 c 270 s 1 are each amended to read  
6 as follows:

7            (1)(a) Subject to RCW 18.29.230 and ~~((e))~~ (e) of this subsection,  
8 dental hygienists licensed under this chapter with two years' practical  
9 clinical experience with a licensed dentist within the preceding five  
10 years may be employed ~~((e))~~, retained, or contracted by health care  
11 facilities and senior centers to perform authorized dental hygiene  
12 operations and services without dental supervision~~((7))~~.

13            (b) Subject to RCW 18.29.230 and (e) of this subsection, dental  
14 hygienists licensed under this chapter with two years' practical  
15 clinical experience with a licensed dentist within the preceding five  
16 years may perform authorized dental hygiene operations and services  
17 without dental supervision under a lease agreement with a health care  
18 facility or senior center.

1        (c) Dental hygienists performing operations and services under (a)  
2 or (b) of this subsection are limited to removal of deposits and stains  
3 from the surfaces of the teeth, application of topical preventive or  
4 prophylactic agents, polishing and smoothing restorations, and  
5 performance of root planing and soft-tissue curettage, but shall not  
6 perform injections of anesthetic agents, administration of nitrous  
7 oxide, or diagnosis for dental treatment.

8        ~~((b))~~ (d) The performance of dental hygiene operations and  
9 services in health care facilities shall be limited to patients,  
10 students, and residents of the facilities.

11        ~~((c))~~ (e) A dental hygienist employed ~~((or))~~, retained, or  
12 contracted to perform services under this section or otherwise  
13 performing services under a lease agreement under this section in a  
14 senior center must, before providing services:

15        (i) Enter into a written practice arrangement plan, approved by the  
16 department, with a dentist licensed in this state, under which the  
17 dentist will provide off-site supervision of the dental services  
18 provided. This agreement does not create an obligation for the dentist  
19 to accept referrals of patients receiving services under the program;

20        (ii) Collect data on the patients treated by dental hygienists  
21 under the program, including age, treatments rendered, insurance  
22 coverage, if any, and patient referral to dentists. This data must be  
23 submitted to the department of health at the end of each annual  
24 quarter, ~~((commencing))~~ during the period of time between October 1,  
25 2007, and October 1, 2013; and

26        (iii) Obtain information from the patient's primary health care  
27 provider about any health conditions of the patient that would be  
28 relevant to the provision of preventive dental care. The information  
29 may be obtained by the dental hygienist's direct contact with the  
30 provider or through a written document from the provider that the  
31 patient presents to the dental hygienist.

32        ~~((d))~~ (f) For dental planning and dental treatment, dental  
33 hygienists shall refer patients to licensed dentists.

34        (2) For the purposes of this section:

35        (a) "Health care facilities" are limited to hospitals; nursing  
36 homes; home health agencies; group homes serving the elderly,  
37 individuals with disabilities, and juveniles; state-operated  
38 institutions under the jurisdiction of the department of social and

1 health services or the department of corrections; and federal, state,  
2 and local public health facilities, state or federally funded community  
3 and migrant health centers, and tribal clinics. ((~~Until July 1, 2009,~~  
4 ~~"health care facilities" also include senior centers.~~))

5 (b) "Senior center" means a multipurpose community facility  
6 operated and maintained by a nonprofit organization or local government  
7 for the organization and provision of a ((~~broad-spectrum-of~~))  
8 combination of some of the following: Health, social, nutritional,  
9 ((~~and~~)) educational services, and recreational activities for persons  
10 sixty years of age or older.

11 **Sec. 2.** RCW 18.29.220 and 2007 c 270 s 2 are each amended to read  
12 as follows:

13 For low-income, rural, and other at-risk populations and in  
14 coordination with local public health jurisdictions and local oral  
15 health coalitions, a dental hygienist licensed in this state may assess  
16 for and apply sealants and apply fluoride varnishes, and may remove  
17 deposits and stains from the surfaces of teeth ((~~until July 1, 2009,~~))  
18 in community-based sealant programs carried out in schools:

19 (1) Without attending the department's school sealant endorsement  
20 program if the dental hygienist was licensed as of April 19, 2001; or

21 (2) If the dental hygienist is school sealant endorsed under RCW  
22 43.70.650.

23 A hygienist providing services under this section must collect data  
24 on patients treated, including age, treatment rendered, methods of  
25 reimbursement for treatment, evidence of coordination with local public  
26 health jurisdictions and local oral health coalitions, and patient  
27 referrals to dentists. ((~~These [This]~~)) This data must be submitted to  
28 the department of health at the end of each annual quarter,  
29 ((~~commencing~~)) during the period of time between October 1, 2007, and  
30 October 1, 2013.

31 NEW SECTION. **Sec. 3.** The secretary of health, in consultation  
32 with representatives of dental hygienists and dentists, shall provide  
33 a report to the appropriate committees of the legislature by December  
34 1, 2013, that provides a summary of the information about patients  
35 receiving dental hygiene services in senior centers that is collected

1 under RCW 18.29.056(1)(e)(ii), and in community-based sealant programs  
2 carried out in schools under RCW 18.29.220. This report must also  
3 include the following:

4 (1) For patients receiving scaling and root planning in senior  
5 center practices, an evaluation of the patient's need for pain control;

6 (2) For community-based sealant programs in schools, the number of  
7 sealants applied; the teeth cleaning method selected for the patient;  
8 whether the patient was reevaluated at a recall appointment; and the  
9 need for reapplication of the sealant at the recall appointment; and

10 (3) For patients receiving treatment in either the senior center  
11 practices or the community-based sealant programs in schools, the  
12 number of referred patients that are seen by a dentist; the lessons  
13 learned from these practices; and any unintended consequences or  
14 outcomes.

15 NEW SECTION. **Sec. 4.** This act is necessary for the immediate  
16 preservation of the public peace, health, or safety, or support of the  
17 state government and its existing public institutions, and takes effect  
18 July 1, 2009.

Passed by the House April 18, 2009.

Passed by the Senate April 13, 2009.

Approved by the Governor May 4, 2009.

Filed in Office of Secretary of State May 5, 2009.