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.

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

CHRISTINE GREGOIRE
Governor of the State of Washington

SECRETARY OF STATE
State of Washington
AN ACT Relating to dental hygiene; amending RCW 18.29.056 and 18.29.220; creating a new section; providing an effective date; and declaring an emergency.

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

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

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

(b) Subject to RCW 18.29.230 and (e) of this subsection, dental hygienists licensed under this chapter with two years' practical clinical experience with a licensed dentist within the preceding five years may perform authorized dental hygiene operations and services without dental supervision under a lease agreement with a health care facility or senior center.
(c) Dental hygienists performing operations and services under (a) or (b) of this subsection are limited to removal of deposits and stains from the surfaces of the teeth, application of topical preventive or prophylactic agents, polishing and smoothing restorations, and performance of root planing and soft-tissue curettage, but shall not perform injections of anesthetic agents, administration of nitrous oxide, or diagnosis for dental treatment.

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

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

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

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

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

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

(2) For the purposes of this section:

(a) "Health care facilities" are limited to hospitals; nursing homes; home health agencies; group homes serving the elderly, individuals with disabilities, and juveniles; state-operated institutions under the jurisdiction of the department of social and
health services or the department of corrections; and federal, state, and local public health facilities, state or federally funded community and migrant health centers, and tribal clinics. (Until July 1, 2009, "health care facilities" also include senior centers.)

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

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

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

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

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

A hygienist providing services under this section must collect data on patients treated, including age, treatment rendered, methods of reimbursement for treatment, evidence of coordination with local public health jurisdictions and local oral health coalitions, and patient referrals to dentists. This data must be submitted to the department of health at the end of each annual quarter, during the period of time between October 1, 2007, and October 1, 2013.

NEW SECTION. Sec. 3. The secretary of health, in consultation with representatives of dental hygienists and dentists, shall provide a report to the appropriate committees of the legislature by December 1, 2013, that provides a summary of the information about patients receiving dental hygiene services in senior centers that is collected
under RCW 18.29.056(1)(e)(ii), and in community-based sealant programs
carried out in schools under RCW 18.29.220. This report must also
include the following:
(1) For patients receiving scaling and root planning in senior
center practices, an evaluation of the patient's need for pain control;
(2) For community-based sealant programs in schools, the number of
sealants applied; the teeth cleaning method selected for the patient;
whether the patient was reevaluated at a recall appointment; and the
need for reapplication of the sealant at the recall appointment; and
(3) For patients receiving treatment in either the senior center
practices or the community-based sealant programs in schools, the
number of referred patients that are seen by a dentist; the lessons
learned from these practices; and any unintended consequences or
outcomes.

NEW SECTION. Sec. 4. This act is necessary for the immediate
preservation of the public peace, health, or safety, or support of the
state government and its existing public institutions, and takes effect
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.