
SENATE BILL 5833

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By Senators Van De Wege and Schoesler

Read first time 02/06/19. Referred to Committee on Health & Long Term Care.

1 AN ACT Relating to dental assistants, expanded function dental
2 auxiliaries, and dental hygienists; and amending RCW 18.260.010,
3 18.260.040, 18.260.070, and 18.29.190.

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

5 **Sec. 1.** RCW 18.260.010 and 2007 c 269 s 1 are each amended to
6 read as follows:

7 The definitions in this section apply throughout this chapter
8 unless the context clearly requires otherwise.

9 (1) "Close supervision" means that a supervising dentist whose
10 patient is being treated has personally diagnosed the condition to be
11 treated and has personally authorized the procedures to be performed.
12 The supervising dentist is continuously on-site and physically
13 present in the treatment facility while the procedures are performed
14 by the assistive personnel and capable of responding immediately in
15 the event of an emergency. The term does not require a supervising
16 dentist to be physically present in the operatory.

17 (2) "Commission" means the Washington state dental quality
18 assurance commission created in chapter 18.32 RCW.

19 (3) "Dental assistant" means a person who is registered by the
20 commission to provide supportive services to a licensed dentist to

1 the extent provided in this chapter and under the (~~close~~) specified
2 supervision of a dentist.

3 (4) "Dentist" means an individual who holds a license to practice
4 dentistry under chapter 18.32 RCW.

5 (5) "Department" means the department of health.

6 (6) "Expanded function dental auxiliary" means a person who is
7 licensed by the commission to provide supportive services to a
8 licensed dentist to the extent provided in this chapter and under the
9 specified level of supervision of a dentist.

10 (7) "General supervision" means that a supervising dentist has
11 examined and diagnosed the patient and provided subsequent
12 instructions to be performed by the assistive personnel, but does not
13 require that the dentist be physically present in the treatment
14 facility.

15 (8) "Secretary" means the secretary of health.

16 (9) "Supervising dentist" means a dentist licensed under chapter
17 18.32 RCW that is responsible for providing the appropriate level of
18 supervision for dental assistants and expanded function dental
19 auxiliaries.

20 **Sec. 2.** RCW 18.260.040 and 2015 c 120 s 3 are each amended to
21 read as follows:

22 (1)(a) The commission shall adopt rules relating to the scope of
23 dental assisting services related to patient care and laboratory
24 duties that may be performed by dental assistants.

25 (b) In addition to the services and duties authorized by the
26 rules adopted under (a) of this subsection, a dental assistant may:

27 (i) Apply topical anesthetic agents;

28 (ii) Perform dental prophylaxis with supragingival scaling;

29 (iii) Perform periodontal probing; and

30 (iv) Perform gross debridement with an ultrasonic device.

31 (c) All dental services performed by dental assistants under (a)
32 or (b) of this subsection must be performed under the close
33 supervision of a supervising dentist as the dentist may allow. In
34 order to provide the services and duties in (b) of this subsection, a
35 dental assistant must complete a one-time training approved by the
36 commission.

37 (2) In addition to the dental assisting services and duties
38 allowed under subsection (1) of this section, a dental assistant may

1 perform the following services and duties under the general
2 supervision of a supervising dentist as the dentist may allow:

3 (a) Disinfect operatories; and

4 (b) Sterilize equipment.

5 (3) In addition to any other limitations established by the
6 commission, dental assistants may not perform the following
7 procedures:

8 ~~(a) ((Any scaling procedure;~~

9 ~~(b) Any oral prophylaxis, except coronal polishing;~~

10 ~~(c))~~ Administration of any general or local anesthetic,
11 including intravenous sedation;

12 ~~((d))~~ (b) Any removal of or addition to the hard or soft tissue
13 of the oral cavity;

14 ~~((e))~~ (c) Any diagnosis of or prescription for treatment of
15 disease, pain, deformity, deficiency, injury, or physical condition
16 of the human teeth, jaw, or adjacent structures; and

17 ~~((f))~~ (d) The taking of any impressions of the teeth or jaw or
18 the relationships of the teeth or jaws, for the purpose of
19 fabricating any intra-oral restoration, appliance, or prosthesis,
20 other than impressions allowed as a delegated duty for dental
21 assistants pursuant to rules adopted by the commission.

22 ~~((3))~~ (4) A dentist may not assign a dental assistant to
23 perform duties until the dental assistant has demonstrated skills
24 necessary to perform competently all assigned duties and
25 responsibilities.

26 **Sec. 3.** RCW 18.260.070 and 2007 c 269 s 6 are each amended to
27 read as follows:

28 (1) The commission shall adopt rules relating to the scope of
29 expanded function dental auxiliary services related to patient care
30 and laboratory duties that may be performed by expanded function
31 dental auxiliaries.

32 (2) The scope of expanded function dental auxiliary services that
33 the commission identifies in subsection (1) of this section includes:

34 (a) In addition to the dental assisting services that a dental
35 assistant may perform under the close supervision of a supervising
36 dentist, the performance of the following services under the general
37 supervision of a supervising dentist as the dentist may allow:

38 (i) Performing coronal polishing;

39 (ii) Giving fluoride treatments;

- 1 (iii) Applying sealants;
- 2 (iv) Placing dental x-ray film and exposing and developing the
3 films;
- 4 (v) Disinfect operatories;
- 5 (vi) Sterilize equipment;
- 6 (vii) Giving patient oral health instruction; and
- 7 (b) Notwithstanding any prohibitions in RCW 18.260.040, the
8 performance of the following services under the close supervision of
9 a supervising dentist as the dentist may allow:
- 10 (i) Placing and carving direct restorations; and
- 11 (ii) Taking final impressions.
- 12 (3) A dentist may not assign an expanded function dental
13 auxiliary to perform services until the expanded function dental
14 auxiliary has demonstrated skills necessary to perform competently
15 all assigned duties and responsibilities.

16 **Sec. 4.** RCW 18.29.190 and 2015 c 120 s 2 are each amended to
17 read as follows:

18 (1) The department shall issue an initial limited license without
19 the examination required by this chapter to any applicant who, as
20 determined by the secretary:

21 (a) Holds a valid license in another state or Canadian province
22 that allows a substantively equivalent scope of practice in
23 subsection (3) (a) through (j) of this section;

24 (b) ~~((Is currently engaged in active practice in another state or
25 Canadian province. For the purposes of this section, "active
26 practice" means five hundred sixty hours of practice in the preceding
27 twenty-four months;~~

28 ~~(e))~~ Files with the secretary documentation certifying that the
29 applicant:

30 (i) Has graduated from an accredited dental hygiene school
31 approved by the secretary;

32 (ii) Has successfully completed the dental hygiene national board
33 examination; and

34 (iii) Is licensed to practice in another state or Canadian
35 province;

36 ~~((d))~~ (c) Provides information as the secretary deems necessary
37 pertaining to the conditions and criteria of the uniform disciplinary
38 act, chapter 18.130 RCW;

1 ~~((e))~~ (d) Demonstrates to the secretary a knowledge of
2 Washington state law pertaining to the practice of dental hygiene,
3 including the administration of legend drugs;

4 ~~((f))~~ (e) Pays any required fees; and

5 ~~((g))~~ (f) Meets requirements for AIDS education.

6 (2) The term of the initial limited license issued under this
7 section is eighteen months and it is renewable, as either a renewed
8 anesthetic limited license or a renewed hygiene only limited license
9 upon:

10 (a) For a renewed anesthetic limited license:

11 (i) Demonstration of successful passage of a substantively
12 equivalent dental hygiene patient evaluation/prophylaxis examination;

13 ~~((b))~~ (ii) Demonstration of successful passage of a
14 substantively equivalent local anesthesia examination; ~~(and~~

15 ~~(e))~~ (iii) Demonstration of didactic and clinical competency in
16 the administration of nitrous oxide analgesia; or

17 (b) For a renewed hygiene only limited license: Demonstration of
18 successful passage of a substantively equivalent dental hygiene
19 patient evaluation and/or prophylaxis examination.

20 (3) A person practicing with an initial limited license granted
21 under this section has the authority to perform hygiene procedures
22 that are limited to:

23 (a) Oral inspection and measuring of periodontal pockets;

24 (b) Patient education in oral hygiene;

25 (c) Taking intra-oral and extra-oral radiographs;

26 (d) Applying topical preventive or prophylactic agents;

27 (e) Polishing and smoothing restorations;

28 (f) Oral prophylaxis and removal of deposits and stains from the
29 surface of the teeth;

30 (g) Recording health histories;

31 (h) Taking and recording blood pressure and vital signs;

32 (i) Performing subgingival and supragingival scaling; and

33 (j) Performing root planing.

34 (4) (a) A person practicing with an initial limited license
35 granted under this section may not perform the following dental
36 hygiene procedures unless authorized in (b) or (c) of this
37 subsection:

38 (i) Give injections of local anesthetic;

1 (ii) Place restorations into the cavity prepared by a licensed
2 dentist and afterwards carve, contour, and adjust contacts and
3 occlusion of the restoration;

4 (iii) Soft tissue curettage; or

5 (iv) Administer nitrous oxide/oxygen analgesia.

6 (b) A person licensed in another state or Canadian province who
7 can demonstrate substantively equivalent licensing standards in the
8 administration of local anesthetic may receive a temporary
9 endorsement to administer local anesthesia. For purposes of the
10 renewed limited license, this endorsement demonstrates the successful
11 passage of the local anesthesia examination.

12 (c) A person licensed in another state or Canadian province who
13 can demonstrate substantively equivalent licensing standards in
14 restorative procedures may receive a temporary endorsement for
15 restorative procedures.

16 (5) (a) A person practicing with a renewed anesthetic limited
17 license granted under this section may:

18 (i) Perform hygiene procedures as provided under subsection (3)
19 of this section;

20 (ii) Give injections of local anesthetic;

21 (iii) Perform soft tissue curettage; and

22 (iv) Administer nitrous oxide/oxygen analgesia.

23 (b) A person practicing with a renewed anesthetic limited license
24 granted under this section may not place restorations into the cavity
25 prepared by a licensed dentist and afterwards carve, contour, and
26 adjust contacts and occlusion of the restoration.

27 (6) (a) A person practicing with a renewed hygiene only limited
28 license granted under this section may perform hygiene procedures as
29 provided under subsection (3) of this section.

30 (b) A person practicing with a renewed hygiene only limited
31 license granted under this section may not:

32 (i) Place restorations into the cavity prepared by a licensed
33 dentist and afterwards carve, contour, or adjust contacts and
34 occlusion of the restoration;

35 (ii) Give injections of local anesthetic;

36 (iii) Perform soft tissue curettage; or

37 (iv) Administer nitrous oxide and/or oxygen analgesia.

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