

**RCW 18.32.675 Practice or solicitation by corporations**

**prohibited—Penalty.** (1) No corporation shall practice dentistry or shall solicit through itself, or its agent, officers, employees, directors or trustees, dental patronage for any dentists or dental surgeon employed by any corporation: PROVIDED, That nothing contained in this chapter shall prohibit a corporation from employing a dentist or dentists to render dental services to its employees: PROVIDED, FURTHER, That such dental services shall be rendered at no cost or charge to the employees; nor shall it apply to corporations or associations in which the dental services were originated and are being conducted upon a purely charitable basis for the worthy poor.

(2) Nothing in this chapter precludes a person or entity not licensed by the commission from:

(a) Ownership or leasehold of any assets used by a dental practice, including real property, furnishings, equipment, instruments, materials, supplies, and inventory, excluding dental records of patients;

(b) (i) Employing or contracting for the services of personnel other than licensed dentists, licensed dental hygienists, licensed expanded function dental auxiliaries, certified dental anesthesia assistants, and registered dental assistants;

(ii) Contracting for the services of a licensed dentist or employing or contracting for the services of licensed dental hygienists, licensed expanded function dental auxiliaries, certified dental anesthesia assistants, and registered dental assistants if the entity is a health service contractor that is licensed under chapter 48.44 RCW and is organized as a nonprofit integrated care delivery system, if all of the following conditions are met:

(A) The arrangement between the parties meets the personal services and management contracts safe harbor requirements as provided by 42 C.F.R. Sec. 1001.952(d); and

(B) The arrangement between the parties meets either of the following safe harbors:

(I) The managed care organization safe harbor requirements as provided by 42 C.F.R. Sec. 1001.952(t); or

(II) The space rental safe harbor requirements as provided by 42 C.F.R. Sec. 1001.952(b) and the equipment rental safe harbor requirements as provided by 42 C.F.R. Sec. 1001.952(c);

(c) Providing business support and management services to a dental practice, including as a sole provider of such services; and

(d) Receiving fees for the services in (a) through (c) of this subsection provided to a dental practice calculated as agreed to by the dental practice owner or owners.

(3) Nothing in this chapter shall prohibit a health carrier as defined in RCW 48.43.005, while acting in its capacity as a health carrier and in no other capacity, from entering into provider contracts or provider compensation agreements, as defined in RCW 48.43.730, with a dentist or dental practice.

(4) Any corporation violating this section is guilty of a gross misdemeanor, and each day that this chapter is violated shall be considered a separate offense. [2018 c 210 s 1; 2017 c 320 s 2; 2003 c 53 s 124; 1935 c 112 s 19; RRS s 10031-19. Formerly RCW 18.32.310.]

**Finding—Intent—2017 c 320:** See note following RCW 18.32.677.

~~Intent—Effective date—2003 c 53:~~ See notes following RCW 2.48.180.