
HOUSE BILL 2761

State of Washington 52nd Legislature 1992 Regular Session

By Representatives Forner, Moyer, Braddock and Paris

Read first time 01/27/92. Referred to Committee on Health Care.

1 AN ACT Relating to dental laboratories and technicians; amending
2 RCW 18.130.040; and adding a new chapter to Title 18 RCW.

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

4 NEW SECTION. **Sec. 1.** After considering the information
5 provided pursuant to RCW 18.120.030, the legislature finds that there
6 is an overwhelming need to protect the health, safety, and welfare of
7 the residents of Washington by requiring the licensing of dental
8 laboratories and the certification of dental technicians. The
9 legislature further finds that:

10 (1) Unregulated dental laboratories and technicians present clear
11 and easily recognizable harm and endangerment to the public's health,
12 safety, and welfare;

13 (2) The public requires and will benefit from an assurance of
14 initial and continuing professional ability;

1 (3) There is no effective or more cost-efficient method to meet
2 this need; and

3 (4) The protection offered by this chapter is the least restrictive
4 alternative method of regulation.

5 NEW SECTION. **Sec. 2.** Unless the context clearly requires
6 otherwise, the definitions in this section apply throughout this
7 chapter.

8 (1) "Dental laboratory" means a corporation, partnership, or sole
9 proprietorship that has met and passed the certified dental laboratory
10 requirements and is engaged in the fabrication or repair of dental
11 prosthetic appliances on the prescription of and for a licensed dentist
12 or the work authorization of another properly authorized dental
13 laboratory.

14 (2) "Dental technician" means any person who offers or undertakes
15 to perform or accomplish dental technology.

16 (3) "Certified dental technician" means a dental technician who has
17 been certified under this chapter.

18 (4) "Committee" means the advisory committee created by section 7
19 of this act.

20 (5) "Licensed dentist" mean any person duly licensed to practice
21 dentistry under chapter 18.51 RCW, or dentists licensed in other
22 states.

23 (6) "Prescription" means a written instrument executed by a
24 licensed dentist and directed to a licensed dental laboratory
25 authorizing the fabrication or repair of a dental prosthetic appliance
26 for such licensed dentist.

27 (7) "Work authorization" means a written instrument executed by a
28 licensed dental laboratory authorized by prescription by which the
29 dental laboratory subcontracts all or part of the fabrication or repair

1 of a dental prosthetic appliance authorized by prescription to another
2 licensed dental laboratory.

3 (8) "Department" means the department of health.

4 (9) "Secretary" means the secretary of health.

5 NEW SECTION. **Sec. 3.** (1) After the effective date of this
6 act, all dental laboratories operating, doing business, or intending to
7 operate or do business within Washington shall be licensed under this
8 chapter. To be licensed under this chapter, a dental laboratory shall:

9 (a) Be supervised by one or more certified dental technicians; and

10 (b) Practice infectious disease control utilizing standards
11 prescribed by the secretary by rule. The secretary shall adopt disease
12 control standards based on nationally recognized standards.

13 (2) A dental laboratory, wherever located, is considered to be
14 operating or doing business in Washington if its work product is
15 prepared pursuant to a written prescription or work authorization
16 originating within the state of Washington.

17 (3) No licensed dentist engaged in the practice of dentistry shall
18 own, operate, or be a shareholder, officer, director, or partner in a
19 dental laboratory licensed under this chapter.

20 NEW SECTION. **Sec. 4.** No person may represent oneself to the
21 public as a dental technician unless that person is certified by the
22 department as a dental technician. The department shall certify a
23 person as a dental technician when the person meets the credentialing
24 requirements of RCW 18.122.080.

25 NEW SECTION. **Sec. 5.** This chapter does not apply to a person
26 who falls within one or more of the exemptions outlined in RCW
27 18.122.040.

1 NEW SECTION. **Sec. 6.** The secretary shall have the authority
2 necessary to accomplish the purposes of this chapter including those
3 powers outlined in RCW 18.122.050, 18.122.090, 18.122.100, 18.122.110,
4 18.122.120, 18.122.130, and 18.122.140. The secretary shall keep an
5 official record of all proceedings including a register of applicants
6 under this chapter and the results of each application as required by
7 RCW 18.122.060.

8 NEW SECTION. **Sec. 7.** The secretary shall appoint an advisory
9 committee of dental laboratory practitioners according to, and which
10 shall be governed by, RCW 18.122.070. For the first year after the
11 effective date of this act, the certified dental technician positions
12 on the committee may be filled by any dental technician. At the first
13 meeting, the committee shall elect a chair and secretary to serve for
14 one year and until their successors are elected. The committee shall
15 advise the department in fulfilling the responsibilities and purposes
16 of this chapter.

17 NEW SECTION. **Sec. 8.** The uniform disciplinary act, chapter
18 18.130 RCW, shall govern the issuance and denial of credentials,
19 unauthorized practice, and the discipline of persons credentialed under
20 this chapter. The secretary shall be the disciplining authority under
21 this chapter.

22 **Sec. 9.** RCW 18.130.040 and 1990 c 3 s 810 are each amended to read
23 as follows:

24 (1) This chapter applies only to the secretary and the boards
25 having jurisdiction in relation to the professions licensed under the
26 chapters specified in this section. This chapter does not apply to any

1 business or profession not licensed under the chapters specified in
2 this section.

3 (2)(a) The secretary has authority under this chapter in relation
4 to the following professions:

5 (i) Dispensing opticians licensed under chapter 18.34 RCW;

6 (ii) Naturopaths licensed under chapter 18.36A RCW;

7 (iii) Midwives licensed under chapter 18.50 RCW;

8 (iv) Ocularists licensed under chapter 18.55 RCW;

9 (v) Massage operators and businesses licensed under chapter 18.108
10 RCW;

11 (vi) Dental hygienists licensed under chapter 18.29 RCW;

12 (vii) Acupuncturists certified under chapter 18.06 RCW;

13 (viii) Radiologic technologists certified under chapter 18.84 RCW;

14 (ix) Respiratory care practitioners certified under chapter 18.89
15 RCW;

16 (x) Persons registered or certified under chapter 18.19 RCW;

17 (xi) Persons registered as nursing pool operators;

18 (xii) Nursing assistants_registered (~~(or certified)~~) under chapter
19 (~~(18.52B)~~) 18.88A RCW;

20 (xiii) Dietitians and nutritionists certified under chapter 18.138
21 RCW; (~~and~~)

22 (xiv) Dental laboratories and technicians licensed and certified,
23 respectively, under sections 1 through 8 of this act; and

24 (xv) Sex offender treatment providers certified under chapter
25 18.155 RCW.

26 (b) The boards having authority under this chapter are as follows:

27 (i) The (~~(podiatry)~~) podiatric medical board as established in
28 chapter 18.22 RCW;

29 (ii) The chiropractic disciplinary board as established in chapter
30 18.26 RCW governing licenses issued under chapter 18.25 RCW;

- 1 (iii) The dental disciplinary board as established in chapter 18.32
2 RCW;
- 3 (iv) The council on hearing aids as established in chapter 18.35
4 RCW;
- 5 (v) The board of funeral directors and embalmers as established in
6 chapter 18.39 RCW;
- 7 (vi) The board of examiners for nursing home administrators as
8 established in chapter 18.52 RCW;
- 9 (vii) The optometry board as established in chapter 18.54 RCW
10 governing licenses issued under chapter 18.53 RCW;
- 11 (viii) The board of osteopathic medicine and surgery as established
12 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and
13 18.57A RCW;
- 14 (ix) The medical disciplinary board as established in chapter 18.72
15 RCW governing licenses and registrations issued under chapters 18.71
16 and 18.71A RCW;
- 17 (x) The board of physical therapy as established in chapter 18.74
18 RCW;
- 19 (xi) The board of occupational therapy practice as established in
20 chapter 18.59 RCW;
- 21 (xii) The board of practical nursing as established in chapter
22 18.78 RCW;
- 23 (xiii) The examining board of psychology and its disciplinary
24 committee as established in chapter 18.83 RCW;
- 25 (xiv) The board of nursing as established in chapter 18.88 RCW; and
26 (xv) The veterinary board of governors as established in chapter
27 18.92 RCW.

28 (3) In addition to the authority to discipline license holders, the
29 disciplining authority has the authority to grant or deny licenses
30 based on the conditions and criteria established in this chapter and

1 the chapters specified in subsection (2) of this section. However, the
2 board of chiropractic examiners has authority over issuance and denial
3 of licenses provided for in chapter 18.25 RCW, the board of dental
4 examiners has authority over issuance and denial of licenses provided
5 for in RCW 18.32.040, and the board of medical examiners has authority
6 over issuance and denial of licenses and registrations provided for in
7 chapters 18.71 and 18.71A RCW. This chapter also governs any
8 investigation, hearing, or proceeding relating to denial of licensure
9 or issuance of a license conditioned on the applicant's compliance with
10 an order entered pursuant to RCW 18.130.160 by the disciplining
11 authority.

12 NEW SECTION. **Sec. 10.** Sections 1 through 8 of this act shall
13 constitute a new chapter in Title 18 RCW.