

# FINAL BILL REPORT

## SSB 5079

---

---

C 5 L 17  
Synopsis as Enacted

**Brief Description:** Concerning dental health services in tribal settings.

**Sponsors:** Senate Committee on Health Care (originally sponsored by Senators McCoy, Becker, Rivers, Cleveland, Keiser, Conway, Kuderer, Darneille, Saldaña, Wellman and Bailey).

### Senate Committee on Health Care

**Background:** Dentistry Practice in Washington. Dentists practicing in Washington State must be licensed by the Dental Quality Assurance Commission (Commission). The state also requires a license or certification for a variety of providers who assist licensed dentists, including dental hygienists, dental assistants, expanded function dental auxiliaries, and dental anesthesia assistants. Each practice has specific education and competency requirements, and is regulated by a professional commission or the Department of Health.

Community Health Aide Program. The Indian Health Service (IHS) is a federal agency responsible for providing federal health services to American Indians and Alaska Natives. IHS is authorized under the Indian Health Care Improvement Act (IHCA) to develop and operate a Community Health Aide Program (CHAP) in Alaska that serves rural native communities. CHAP establishes a certification process for community health aides who provide health care, health promotion, and disease prevention in rural Alaska Native communities.

Dental Health Aide Program. In 2001, IHS established the Dental Health Aide Program (DHAP) as part of CHAP. DHAP involves training and certification for Dental Health Aides (DHA) in four categories: primary DHA; expanded function DHA; DHA hygienists; and DHA therapists (DHATs). DHATs are certified through DHAP to practice without the direct supervision of a licensed dentist for procedures such as oral exams, preventative dental services, simple restorations, stainless steel crowns, and x-rays. DHAT certification requires a high school diploma, graduation from a two-year educational program, and a 400-hour clinical preceptorship under the supervision of a dentist.

DHAT and State Licensing. DHAP is a federal certification program, which authorizes DHATs to practice only within rural Native Alaska communities served through CHAP. IHS is authorized to establish a national CHAP. Such an expansion expressly excludes DHATs from undertaking services covered under a program unless DHAT services are authorized

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

under state law to provide such services in accordance with state law. Washington does not have a DHAT license and has not authorized the practice of DHATs.

Indian Health Program. Indian health programs are any health program administered directly by the federal IHS, any tribal health program, and any Indian tribe or tribal organization to which the Secretary of the Department of Health and Human Services provides funding.

**Summary:** DHAT services are authorized under the following conditions:

- the person providing services is a DHAT certified by a CHAP or a federally recognized Indian tribe that has adopted certification standards that meet or exceed those of a CHAP;
- services are rendered within the boundaries of a tribal reservation;
- services are operated by an Indian health program;
- services are provided within the scope of practice set by the CHAP or tribe and pursuant to any written orders from a supervising dentist; and
- when a person is working within the scope and direction of a certified DHAT training program.

DHAT services are exempted from licensing requirements for other dental professions.

The Health Care Authority is directed to coordinate with the centers for Medicare and Medicaid services to provide that DHAT services are eligible for federal funding of up to 100 percent.

**Votes on Final Passage:**

Senate	49	0
House	80	18

**Effective:** July 23, 2017