
SUBSTITUTE HOUSE BILL 2229

State of Washington 65th Legislature 2018 Regular Session

By House Health Care & Wellness (originally sponsored by Representative Macri)

READ FIRST TIME 02/02/18.

1 AN ACT Relating to the applicability of dental practice laws to
2 integrated care delivery systems; and amending RCW 18.32.675.

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

4 **Sec. 1.** RCW 18.32.675 and 2017 c 320 s 2 are each amended to
5 read as follows:

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

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

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

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

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

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

10 (3) This section does not apply to arrangements for care delivery
11 between a health service contractor that is licensed under chapter
12 48.44 RCW and is organized as a nonprofit integrated care delivery
13 system and a health care provider, if all of the following conditions
14 are met:

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

18 (b) The arrangement between the parties meets either of the
19 following safe harbors:

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

22 (ii) The space rental safe harbor requirements as provided by 42
23 C.F.R. 1001.952(b) and the equipment rental safe harbor requirements
24 as provided by 42 C.F.R. 1001.952(c).

25 (4) Any corporation violating this section is guilty of a gross
26 misdemeanor, and each day that this chapter is violated shall be
27 considered a separate offense.

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