
SENATE BILL 5949

State of Washington

67th Legislature

2022 Regular Session

By Senators Van De Wege and King

1 AN ACT Relating to currently credentialed dental auxiliaries;
2 amending RCW 18.29.190, 18.260.010, 18.260.040, and 18.260.090;
3 adding new sections to chapter 18.29 RCW; adding new sections to
4 chapter 18.260 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.29
7 RCW to read as follows:

8 Beginning January 1, 2024, the department shall issue an expanded
9 function endorsement to any applicant who, as determined by the
10 secretary:

11 (1) Holds a current license as a dental hygienist in this state;

12 (2) Completes clinical training approved by the secretary,
13 including coursework encompassing the subject areas within the scope
14 of the expanded function endorsement;

15 (3) Performs satisfactorily on an examination, if required by the
16 committee; and

17 (4) Completes an application form and pays all application fees
18 required by the dental hygiene examining committee.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 18.29
20 RCW to read as follows:

1 (1) The department shall adopt requirements that qualify a
2 licensed dental hygienist to be issued the following endorsements:

3 (a) A restorative expanded function endorsement; and

4 (b) An anesthesia expanded function endorsement.

5 (2) A person licensed as a dental hygienist in this state can
6 apply for, and the department may issue to such applicant, an
7 expanded function endorsement under subsection (1)(a) or (b) of this
8 section, or both.

9 NEW SECTION. **Sec. 3.** A person who holds a current and active
10 license as a dental hygienist on January 1, 2024, shall automatically
11 be issued all endorsements listed in section 2(1) of this act.

12 **Sec. 4.** RCW 18.29.190 and 2019 c 111 s 3 are each amended to
13 read as follows:

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

17 (a) Holds a valid license in another state or Canadian province
18 that allows a substantively equivalent scope of practice in
19 subsection (3)(a) through ~~((j))~~ (k) of this section;

20 (b) Is currently engaged in active practice in another state or
21 Canadian province. For the purposes of this section, "active
22 practice" means ~~((five hundred sixty))~~ 560 hours of practice in the
23 preceding ~~((twenty-four))~~ 24 months;

24 (c) Files with the secretary documentation certifying that the
25 applicant:

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

28 (ii) Has successfully completed the dental hygiene national board
29 examination; and

30 (iii) Is licensed to practice in another state or Canadian
31 province;

32 (d) Provides information as the secretary deems necessary
33 pertaining to the conditions and criteria of the uniform disciplinary
34 act, chapter 18.130 RCW;

35 (e) Demonstrates to the secretary a knowledge of Washington state
36 law pertaining to the practice of dental hygiene, including the
37 administration of legend drugs;

38 (f) Pays any required fees; and

1 (g) Meets requirements for AIDS education.

2 (2) The term of the initial limited license issued under this
3 section is (~~eighteen~~) 18 months and it is renewable upon:

4 (a) Demonstration of successful passage of a substantively
5 equivalent dental hygiene patient evaluation/prophylaxis examination;
6 and

7 (b) Demonstration of successful passage of a substantively
8 equivalent local anesthesia examination(~~(~~

9 ~~(c) Demonstration of didactic and clinical competency in the
10 administration of nitrous oxide analgesia; and~~

11 ~~(d) Demonstration of successful passage of an educational program
12 on the administration of local anesthesia and nitrous oxide
13 analgesia)).~~

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

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

18 (b) Patient education in oral hygiene;

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

20 (d) Applying topical preventive or prophylactic agents;

21 (e) Polishing and smoothing restorations;

22 (f) Oral prophylaxis and removal of deposits and stains from the
23 surface of the teeth;

24 (g) Recording health histories;

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

26 (i) Performing subgingival and supragingival scaling; (~~and~~)

27 (j) Performing root planing; and

28 (k) Soft tissue curettage.

29 (~~(4) (a) A person practicing with an initial limited license
30 granted under this section may not perform the following dental
31 hygiene procedures unless authorized in (b) or (c) of this
32 subsection:~~

33 ~~(i) Give injections of local anesthetic;~~

34 ~~(ii) Place restorations into the cavity prepared by a licensed
35 dentist and afterwards carve, contour, and adjust contacts and
36 occlusion of the restoration;~~

37 ~~(iii) Soft tissue curettage; or~~

38 ~~(iv) Administer nitrous oxide/oxygen analgesia.~~

39 ~~(b) A person licensed in another state or Canadian province who
40 can demonstrate substantively equivalent licensing standards in the~~

1 ~~administration of local anesthetic may receive a temporary~~
2 ~~endorsement to administer local anesthesia. For purposes of the~~
3 ~~renewed limited license, this endorsement demonstrates the successful~~
4 ~~passage of the local anesthesia examination.~~

5 ~~(c) A person licensed in another state or Canadian province who~~
6 ~~can demonstrate substantively equivalent licensing standards in~~
7 ~~restorative procedures may receive a temporary endorsement for~~
8 ~~restorative procedures.~~

9 ~~(d) A person licensed in another state or Canadian province who~~
10 ~~can demonstrate substantively equivalent licensing standards in~~
11 ~~administering nitrous oxide analgesia may receive a temporary~~
12 ~~endorsement to administer nitrous oxide analgesia.~~

13 ~~(5) (a) A person practicing with a renewed limited license granted~~
14 ~~under this section may:~~

15 ~~(i) Perform hygiene procedures as provided under subsection (3)~~
16 ~~of this section;~~

17 ~~(ii) Give injections of local anesthetic;~~

18 ~~(iii) Perform soft tissue curettage; and~~

19 ~~(iv) Administer nitrous oxide/oxygen analgesia.~~

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

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

26 The definitions in this section apply throughout this chapter
27 unless the context clearly requires otherwise.

28 (1) "Close supervision" means that a supervising dentist whose
29 patient is being treated has personally diagnosed the condition to be
30 treated and has personally authorized the procedures to be performed.
31 The supervising dentist is continuously on-site and physically
32 present in the treatment facility while the procedures are performed
33 by the assistive personnel and capable of responding immediately in
34 the event of an emergency. The term does not require a supervising
35 dentist to be physically present in the operatory.

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

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

1 the extent provided in this chapter and under the (~~close~~) specified
2 level of 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. 6.** 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 apply topical anesthetic agents.

28 (c) All dental services performed by dental assistants under (a)
29 or (b) of this subsection must be performed under the close or
30 general supervision of a supervising dentist as the dentist may
31 allow.

32 (2) In addition to any other limitations established by the
33 commission, dental assistants may not perform the following
34 procedures:

35 (a) Any scaling procedure;

36 (b) Any oral prophylaxis, except coronal polishing;

37 (c) Administration of any general or local anesthetic, including
38 intravenous sedation;

1 (d) Any removal of or addition to the hard or soft tissue of the
2 oral cavity;

3 (e) Any diagnosis of or prescription for treatment of disease,
4 pain, deformity, deficiency, injury, or physical condition of the
5 human teeth, jaw, or adjacent structures; and

6 (f) The taking of any impressions of the teeth or jaw or the
7 relationships of the teeth or jaws, for the purpose of fabricating
8 any intra-oral restoration, appliance, or prosthesis, other than
9 impressions allowed as a delegated duty for dental assistants
10 pursuant to rules adopted by the commission.

11 (3) A dentist may not assign a dental assistant to perform duties
12 until the dental assistant has demonstrated skills necessary to
13 perform competently all assigned duties and responsibilities.

14 NEW SECTION. **Sec. 7.** A new section is added to chapter 18.260
15 RCW to read as follows:

16 The commission shall issue a license to practice as a preventive
17 dental assistant to any applicant who:

18 (1) Pays any applicable fees as established by the secretary in
19 accordance with RCW 43.70.110 and 43.70.250;

20 (2) Submits, on forms provided by the secretary, the applicant's
21 name, address, and other applicable information as determined by the
22 secretary; and

23 (3) Demonstrates competency as a preventive dental assistant as
24 determined by the commission.

25 NEW SECTION. **Sec. 8.** A new section is added to chapter 18.260
26 RCW to read as follows:

27 (1) The commission shall adopt rules relating to the scope of
28 preventive dental assistant services that may be performed by
29 preventive dental assistants under the supervision of a licensed
30 dentist.

31 (2) The rules adopted by the commission in subsection (1) of this
32 section shall be limited to:

33 (a) Services that a dental assistant may perform under the close
34 or general supervision of a supervising dentist;

35 (b) Dental prophylaxis for patients in a healthy oral state with
36 periodontitis of no greater than stage II as defined by the American
37 academy of periodontology;

38 (c) Periodontal probing; and

1 (d) Gross debridement of visible calculus with a noninvasive
2 ultrasonic device.

3 (3) A dentist may not assign a preventive dental assistant to
4 perform services until the preventive dental assistant has
5 demonstrated skills necessary to perform competently all assigned
6 duties and responsibilities.

7 **Sec. 9.** RCW 18.260.090 and 2007 c 269 s 8 are each amended to
8 read as follows:

9 (1) The commission shall issue an initial credential or renewal
10 credential to an applicant who has met the requirements for a
11 credential or deny an initial credential or renewal credential based
12 upon failure to meet the requirements for a credential or
13 unprofessional conduct or impairment governed by chapter 18.130 RCW.

14 (2) The commission may adopt rules for renewal requirements for a
15 credential, including continuing education requirements, for
16 preventive dental assistants and expanded function dental auxiliary
17 licenses.

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