

WSR 21-21-052

EMERGENCY RULES

DEPARTMENT OF HEALTH

(Dental Quality Assurance Commission)

[Filed October 15, 2021, 8:13 a.m., effective October 15, 2021, 8:13 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: WAC 246-817-581 Novel coronavirus disease 2019 vaccination. The dental quality assurance commission (commission) is extending the emergency rule that allows dentists to delegate administration of novel coronavirus disease 2019 (COVID-19) vaccination to licensed dental hygienists with close supervision and demonstration of competency. This emergency rule will extend WSR 21-13-091 filed on June 18, 2021. The rule was originally filed on February 19, 2021 (WSR 21-06-012).

Citation of Rules Affected by this Order: New WAC 246-817-581.

Statutory Authority for Adoption: RCW 18.29.050 and 18.32.0365.

Other Authority: RCW 18.32.002.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: In response to the COVID-19 pandemic, dentists are among the essential health care providers who can safely administer vaccinations and help address this public health emergency. Mass vaccination across the state has taken cooperation and coordination across the entire health system. Dentists and delegated dental hygienists are able to increase capacity for priority populations who may not otherwise be connected to traditional health care system[s] during the pandemic. Increased capacity and opportunity to administer the COVID-19 vaccine will help Washington end this pandemic. Allowing delegation of COVID-19 vaccination to dental hygienists assists dentists by reducing their workload to effectively continue dental care to patients while increasing the number of health care professionals who can administer the vaccine.

Standard rule making takes approximately nine to 12 months. The CR-101 (WSR 21-07-020) was filed on February 19, 2021. The CR-102 (WSR 21-18-005) was filed on August 18, 2021, and the rules hearing is scheduled for October 22, 2021.

The immediate continuance of this emergency rule is necessary for the preservation of public health, safety, and general welfare. Observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to protecting immediate public interests.

Allowing dentists to delegate COVID-19 vaccinations to dental hygienists under close supervision increases the number of health care workers permitted to administer the vaccine and provides safer access to dental care for more patients.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 0, Repealed 0.

Date Adopted: October 15, 2021.

David L. Carsten, DDS, Chairperson
Dental Quality Assurance Commission

OTS-2845.3

NEW SECTION

WAC 246-817-581 Novel coronavirus disease 2019 vaccination. (1)

A supervising dentist may delegate the administration of a vaccination of novel coronavirus disease 2019 to a licensed dental hygienist under the dentist's close supervision, provided the licensed dental hygienist has demonstrated skills necessary to perform the task competently.

(2) For the purpose of administering vaccination for the novel coronavirus disease 2019, a dentist's approval of the vaccination protocol and screening meets the dentist's requirement to diagnose the condition to be treated and personal authorization of the procedure as required by close supervision under WAC 246-817-510(1).

[]