

SHB 1782 - S COMM AMD

By Committee on Health & Long Term Care

1 Strike everything after the enacting clause and insert the  
2 following:

3 NEW SECTION. **Sec. 1.** For the purposes of this chapter:

4 (1) "Certified dental technician" means a person certified by the  
5 national board for certification in dental laboratory technology.

6 (2) "Dental laboratory" means a facility that engages in the  
7 making, repairing, altering, or supplying of artificial restorations,  
8 substitutions, appliances, or materials for the correction of  
9 disease, loss, deformity, malposition, dislocation, fracture, injury  
10 to the jaws, teeth, lips, gums, cheeks, palate, or associated tissues  
11 or parts.

12 (3) "Dentist" means an individual licensed to practice dentistry  
13 pursuant to chapter 18.32 RCW.

14 (4) "Department" means the department of health.

15 (5) "Material content disclosure" means a notice that contains  
16 the name, physical address, and registration number of the laboratory  
17 that received the dentist's work order and the city, state, and  
18 country of origin where the technological work was performed in whole  
19 or in part or laboratories that manufactured or repaired the dental  
20 prosthesis, either directly or indirectly, and the complete material  
21 content information of all patient contact materials used in a dental  
22 prosthetic appliance, including whether the United States food and  
23 drug administration compliant materials were used. The notice must be  
24 provided in a manner that can be easily entered into a patient  
25 record.

26 (6) "Work authorization" means a written instrument by which a  
27 dental laboratory subcontracts to another dental laboratory all or  
28 part of the manufacture or repair of a dental prosthetic appliance  
29 authorized by a work order from a licensed dentist.

30 (7) "Work order" means a written instrument prescribed by a  
31 licensed dentist directing a dental laboratory to manufacture or  
32 repair a dental prosthetic appliance for an individual patient.

1        NEW SECTION.     **Sec. 2.**     (1) Each dental laboratory operating,  
2 doing business, or intending to operate or do business in this state  
3 must register with the department and pay the fee established  
4 pursuant to sections 3 and 6 of this act.

5        (2) A dental laboratory is considered operating or doing business  
6 within this state if its work product is prepared pursuant to a work  
7 order or work authorization originating within this state.

8        (3) This chapter does not apply to a dental laboratory operating  
9 in-office under the direct supervision of a practicing dentist  
10 licensed under chapter 18.32 RCW or in an educational institution as  
11 part of the institution's educational program provided that the  
12 laboratory does not routinely perform work pursuant to prescriptions  
13 or work orders originating from outside of the educational  
14 institution or supervising dentist's office.

15       NEW SECTION.     **Sec. 3.**     (1) Each dental laboratory operating,  
16 doing business, or intending to operate or do business within this  
17 state must submit an application for registration of dental  
18 laboratory or renewal of registration of dental laboratory to the  
19 department on a form provided by the department accompanied with the  
20 registration or renewal fee required. The application must include:

21        (a) The name, mailing address, phone number, and email address of  
22 the dental laboratory;

23        (b) The physical address of the dental laboratory if different  
24 from the mailing address;

25        (c) The name, mailing address, phone number, and email address of  
26 the responsible person or the name and license number of the  
27 supervising dentist who is licensed under chapter 18.32 RCW;

28        (d) A statement that the dental laboratory meets the infectious  
29 control requirements under the occupational safety and health  
30 administration and the centers for disease control and prevention of  
31 the United States public health service;

32        (e) An acknowledgment by the responsible person or the  
33 supervising dentist that the laboratory will provide material  
34 disclosure to the prescribing dentist that contains the manufacturer  
35 and brand name or the United States food and drug administration  
36 registration number of all patient contact materials contained in the  
37 prescribed restoration in order that the dentist may include those  
38 numbers in the patient's record; and

1 (f) An acknowledgment by the responsible person or the  
2 supervising dentist who is licensed in this state that he or she will  
3 disclose to the prescribing dentist the point of origin of the  
4 manufacture of the prescribed restoration. If the restoration was  
5 partially or entirely manufactured by a third-party provider, the  
6 point of origin disclosure must identify the portion manufactured by  
7 a third-party provider and the city, state, and country of the  
8 provider.

9 (2) Each dental laboratory shall pay a registration fee annually  
10 as determined by the secretary as provided in RCW 43.70.250.

11 NEW SECTION. **Sec. 4.** (1) Upon granting a registration for a  
12 dental laboratory, the department shall assign the dental laboratory  
13 a dental registration number. The dental laboratory registration  
14 number must appear on all invoices or other correspondence of the  
15 dental laboratory.

16 (2) A dentist shall include the registration number of the dental  
17 laboratory on the dentist's work order.

18 NEW SECTION. **Sec. 5.** (1) Effective January 31, 2019, to be  
19 eligible for dental laboratory registration the applicant must  
20 document that the applicant or one of the applicant's employees who  
21 works at least thirty hours per week in the applicant's dental  
22 laboratory:

23 (a) Has successfully completed at least twelve hours of  
24 continuing education in dental laboratory technology approved by the  
25 national board for certification in dental laboratory technology  
26 during the twelve months immediately preceding their application for  
27 registration; or

28 (b) Is certified by the national board for certification in  
29 dental laboratory technology as a certified dental technician in good  
30 standing.

31 (2)(a) Effective January 31, 2023, the department may not issue a  
32 registration to a dental laboratory unless the applying dental  
33 laboratory documents that it employs a certified dental technician in  
34 good standing with the national board for certification in dental  
35 laboratory technology who works at least thirty hours per week in the  
36 applying dental laboratory or that the dental laboratory is operated  
37 under the supervision of a dentist licensed under chapter 18.32 RCW.

1 (b) Subsection (2)(a) of this section does not apply to a dental  
2 laboratory that provides the department with documentation that the  
3 dental laboratory has been continuously owned and operated by the  
4 same individual since January 1, 1996.

5 (3) A dental laboratory must maintain a qualified owner or  
6 employee identified in subsections (1) and (2) of this section.

7 NEW SECTION. **Sec. 6.** Each dental laboratory registered with the  
8 department must renew its registration before July 31st each year by  
9 completing and submitting a renewal of registration of dental  
10 laboratory form and paying a fee determined by the secretary as  
11 provided in RCW 43.70.280.

12 NEW SECTION. **Sec. 7.** If a dental laboratory violates any  
13 provision of this chapter, the department may, in the manner provided  
14 by law and upon the advice of the attorney general who shall  
15 represent the department in the proceedings, maintain an action in  
16 the name of the state for an injunction or other process against any  
17 dental laboratory to restrain or prevent the operation of the  
18 establishment without a registration issued under this chapter.

19 NEW SECTION. **Sec. 8.** Sections 1 through 7 of this act do not  
20 apply to activities authorized under chapter 18.30 RCW.

21 NEW SECTION. **Sec. 9.** Sections 1 through 8 of this act  
22 constitute a new chapter in Title 70 RCW."

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23 On page 1, line 1 of the title, after "laboratories;" strike the  
24 remainder of the title and insert "and adding a new chapter to Title  
25 70 RCW."

EFFECT: Shifts regulatory authority for dental laboratories to  
the Department of Health and creates a new chapter in Title 70 RCW.

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