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**SENATE BILL 5674**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators Rivers and Cleveland

1 AN ACT Relating to creating the dental laboratory registry within  
2 the department of health and establishing minimum standards for  
3 dental laboratories serving dentists in Washington state; and adding  
4 a new chapter to Title 70 RCW.

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

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

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

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

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

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

18 (5) "Material content disclosure" means a notice that contains  
19 the name, physical address, and registration number of the laboratory  
20 that received the dentist's work order and the city, state, and  
21 country of origin where the technological work was performed in whole

1 or in part or laboratories that manufactured or repaired the dental  
2 prosthesis, either directly or indirectly, and the complete material  
3 content information of all patient contact materials used in a dental  
4 prosthetic appliance, including whether the United States food and  
5 drug administration compliant materials were used. The notice must be  
6 provided in a manner that can be easily entered into a patient  
7 record.

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

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

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

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

22 (3) This chapter does not apply to a dental laboratory operating  
23 under the supervision of a practicing dentist licensed under chapter  
24 18.32 RCW in a dental office or as a part of a dental practice,  
25 provided that the laboratory does not perform work pursuant to  
26 prescriptions or work orders originating from outside of the dental  
27 practice or supervising dentist's office, or in an educational  
28 institution as part of the institution's educational program provided  
29 that the laboratory does not routinely perform work pursuant to  
30 prescriptions or work orders originating from outside of the  
31 educational institution.

32 NEW SECTION. **Sec. 3.** (1) Each dental laboratory operating,  
33 doing business, or intending to operate or do business within this  
34 state must submit an application for registration of dental  
35 laboratory or renewal of registration of dental laboratory to the  
36 department on a form provided by the department accompanied with the  
37 registration or renewal fee required. The application must include:

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

3 (b) The physical address of the dental laboratory if different  
4 from the mailing address;

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

8 (d) A statement that the dental laboratory meets the infectious  
9 control requirements under the occupational safety and health  
10 administration and the centers for disease control and prevention of  
11 the United States public health service;

12 (e) An acknowledgment by the responsible person or the  
13 supervising dentist that the laboratory will provide material  
14 disclosure to the prescribing dentist that contains the manufacturer  
15 and brand name or the United States food and drug administration  
16 registration number of all patient contact materials contained in the  
17 prescribed restoration in order that the dentist may include those  
18 numbers in the patient's record; and

19 (f) An acknowledgment by the responsible person or the  
20 supervising dentist who is licensed in this state that he or she will  
21 disclose to the prescribing dentist the point of origin of the  
22 manufacture of the prescribed restoration. If the restoration was  
23 partially or entirely manufactured by a third-party provider, the  
24 point of origin disclosure must identify the portion manufactured by  
25 a third-party provider and the city, state, and country of the  
26 provider.

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

29 NEW SECTION. **Sec. 4.** (1) Upon granting a registration for a  
30 dental laboratory, the department shall assign the dental laboratory  
31 a dental registration number. The dental laboratory registration  
32 number must appear on all invoices or other correspondence of the  
33 dental laboratory.

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

36 NEW SECTION. **Sec. 5.** (1) Effective January 31, 2021, to be  
37 eligible for dental laboratory registration the applicant must  
38 document that the applicant or one of the applicant's employees who

1 works at least thirty hours per week in the applicant's dental  
2 laboratory:

3 (a) Has successfully completed at least twelve hours of  
4 continuing education in dental laboratory technology approved by the  
5 national board for certification in dental laboratory technology  
6 during the twelve months immediately preceding their application for  
7 registration; or

8 (b) Is certified by the national board for certification in  
9 dental laboratory technology as a certified dental technician in good  
10 standing.

11 (2) (a) Effective January 31, 2025, the department may not issue a  
12 registration to a dental laboratory unless the applying dental  
13 laboratory documents that it employs a certified dental technician in  
14 good standing with the national board for certification in dental  
15 laboratory technology who works at least thirty hours per week in the  
16 applying dental laboratory or that the dental laboratory is operated  
17 under the supervision of a dentist licensed under chapter 18.32 RCW.

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

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

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

29 NEW SECTION. **Sec. 7.** If a dental laboratory violates any  
30 provision of this chapter, the department may, in the manner provided  
31 by law and upon the advice of the attorney general who shall  
32 represent the department in the proceedings, maintain an action in  
33 the name of the state for an injunction or other process against any  
34 dental laboratory to restrain or prevent the operation of the  
35 establishment without a registration issued under this chapter.

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

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

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