

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1554

Chapter 111, Laws of 2019

66th Legislature
2019 Regular Session

DENTAL HYGIENISTS--VARIOUS PROVISIONS

EFFECTIVE DATE: July 28, 2019

Passed by the House March 4, 2019
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 12, 2019
Yeas 41 Nays 0

CYRUS HABIB

President of the Senate

Approved April 23, 2019 4:11 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1554** as passed by House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 24, 2019

**Secretary of State
State of Washington**

HOUSE BILL 1554

Passed Legislature - 2019 Regular Session

State of Washington

66th Legislature

2019 Regular Session

By Representatives Thai, Harris, Robinson, Stonier, Appleton, Gregerson, Jenkins, Slatter, and Macri

Read first time 01/24/19. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to dental hygienists; and amending RCW 18.29.056,
2 18.29.110, 18.29.190, and 18.29.220.

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

4 **Sec. 1.** RCW 18.29.056 and 2013 c 87 s 2 are each amended to read
5 as follows:

6 (1)(a) Subject to RCW 18.29.230 and (e) of this subsection,
7 dental hygienists licensed under this chapter with two years'
8 practical clinical experience with a licensed dentist within the
9 preceding five years may be employed, retained, or contracted by
10 health care facilities and senior centers to perform authorized
11 dental hygiene operations and services without dental supervision.

12 (b) Subject to RCW 18.29.230 and (e) of this subsection, dental
13 hygienists licensed under this chapter with two years' practical
14 clinical experience with a licensed dentist within the preceding five
15 years may perform authorized dental hygiene operations and services
16 without dental supervision under a lease agreement with a health care
17 facility or senior center.

18 (c) Dental hygienists performing operations and services under
19 (a) or (b) of this subsection are limited to removal of deposits and
20 stains from the surfaces of the teeth, application of topical
21 preventive or prophylactic agents, application of topical anesthetic

1 agents, polishing and smoothing restorations, and performance of root
2 planing and soft-tissue curettage, but shall not perform injections
3 of anesthetic agents, administration of nitrous oxide, or diagnosis
4 for dental treatment.

5 (d) The performance of dental hygiene operations and services in
6 health care facilities shall be limited to patients, students, and
7 residents of the facilities.

8 (e) A dental hygienist employed, retained, or contracted to
9 perform services under this section or otherwise performing services
10 under a lease agreement under this section in a senior center must,
11 before providing services:

12 (i) Enter into a written practice arrangement plan, approved by
13 the department, with a dentist licensed in this state, under which
14 the dentist will provide off-site supervision of the dental services
15 provided. This agreement does not create an obligation for the
16 dentist to accept referrals of patients receiving services under the
17 program; and

18 ~~(ii) ((Collect data on the patients treated by dental hygienists
19 under the program, including age, treatments rendered, insurance
20 coverage, if any, and patient referral to dentists. This data must be
21 submitted to the department of health at the end of each annual
22 quarter, during the period of time between October 1, 2007, and
23 October 1, 2013; and~~

24 ~~(iii))~~) Obtain information from the patient's primary health care
25 provider about any health conditions of the patient that would be
26 relevant to the provision of preventive dental care. The information
27 may be obtained by the dental hygienist's direct contact with the
28 provider or through a written document from the provider that the
29 patient presents to the dental hygienist.

30 (f) For dental planning and dental treatment, dental hygienists
31 shall refer patients to licensed dentists.

32 (2) For the purposes of this section:

33 (a) "Health care facilities" are limited to hospitals; nursing
34 homes; home health agencies; group homes serving the elderly,
35 individuals with disabilities, and juveniles; state-operated
36 institutions under the jurisdiction of the department of social and
37 health services or the department of corrections; and federal, state,
38 and local public health facilities, state or federally funded
39 community and migrant health centers, and tribal clinics.

1 (b) "Senior center" means a multipurpose community facility
2 operated and maintained by a nonprofit organization or local
3 government for the organization and provision of a combination of
4 some of the following: Health, social, nutritional, educational
5 services, and recreational activities for persons sixty years of age
6 or older.

7 **Sec. 2.** RCW 18.29.110 and 1991 c 3 s 51 are each amended to read
8 as follows:

9 There shall be a dental hygiene examining committee consisting of
10 (~~three~~) four practicing dental hygienists and one public member
11 appointed by the secretary, to be known as the Washington dental
12 hygiene examining committee. Each dental hygiene member shall be
13 licensed and have been actively practicing dental hygiene for a
14 period of not less than five years immediately before appointment and
15 shall not be connected with any dental hygiene school. The public
16 member shall not be connected with any dental hygiene program or
17 engaged in any practice or business related to dental hygiene.
18 Members of the committee shall be appointed by the secretary to
19 prepare and conduct examinations for dental hygiene licensure.
20 Members shall be appointed to serve for terms of three years from
21 October 1 of the year in which they are appointed. Terms of the
22 members shall be staggered. Each member shall hold office for the
23 term of his or her appointment and until his or her successor is
24 appointed and qualified. Any member of the committee may be removed
25 by the secretary for neglect of duty, misconduct, malfeasance, or
26 misfeasance in office, after being given a written statement of the
27 charges against him or her and sufficient opportunity to be heard
28 thereon. Members of the committee shall be compensated in accordance
29 with RCW 43.03.240 and shall be reimbursed for travel expenses in
30 accordance with RCW 43.03.050 and 43.03.060.

31 **Sec. 3.** RCW 18.29.190 and 2015 c 120 s 2 are each amended to
32 read as follows:

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

36 (a) Holds a valid license in another state or Canadian province
37 that allows a substantively equivalent scope of practice in
38 subsection (3) (a) through (j) of this section;

1 (b) Is currently engaged in active practice in another state or
2 Canadian province. For the purposes of this section, "active
3 practice" means five hundred sixty hours of practice in the preceding
4 twenty-four months;

5 (c) Files with the secretary documentation certifying that the
6 applicant:

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

9 (ii) Has successfully completed the dental hygiene national board
10 examination; and

11 (iii) Is licensed to practice in another state or Canadian
12 province;

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

16 (e) Demonstrates to the secretary a knowledge of Washington state
17 law pertaining to the practice of dental hygiene, including the
18 administration of legend drugs;

19 (f) Pays any required fees; and

20 (g) Meets requirements for AIDS education.

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

23 (a) Demonstration of successful passage of a substantively
24 equivalent dental hygiene patient evaluation/prophylaxis examination;

25 (b) Demonstration of successful passage of a substantively
26 equivalent local anesthesia examination; (~~and~~)

27 (c) Demonstration of didactic and clinical competency in the
28 administration of nitrous oxide analgesia; and

29 (d) Demonstration of successful passage of an educational program
30 on the administration of local anesthesia and nitrous oxide
31 analgesia.

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

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

36 (b) Patient education in oral hygiene;

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

38 (d) Applying topical preventive or prophylactic agents;

39 (e) Polishing and smoothing restorations;

- 1 (f) Oral prophylaxis and removal of deposits and stains from the
2 surface of the teeth;
- 3 (g) Recording health histories;
- 4 (h) Taking and recording blood pressure and vital signs;
- 5 (i) Performing subgingival and supragingival scaling; and
- 6 (j) Performing root planing.

7 (4)(a) A person practicing with an initial limited license
8 granted under this section may not perform the following dental
9 hygiene procedures unless authorized in (b) or (c) of this
10 subsection:

- 11 (i) Give injections of local anesthetic;
- 12 (ii) Place restorations into the cavity prepared by a licensed
13 dentist and afterwards carve, contour, and adjust contacts and
14 occlusion of the restoration;
- 15 (iii) Soft tissue curettage; or
- 16 (iv) Administer nitrous oxide/oxygen analgesia.

17 (b) A person licensed in another state or Canadian province who
18 can demonstrate substantively equivalent licensing standards in the
19 administration of local anesthetic may receive a temporary
20 endorsement to administer local anesthesia. For purposes of the
21 renewed limited license, this endorsement demonstrates the successful
22 passage of the local anesthesia examination.

23 (c) A person licensed in another state or Canadian province who
24 can demonstrate substantively equivalent licensing standards in
25 restorative procedures may receive a temporary endorsement for
26 restorative procedures.

27 (d) A person licensed in another state or Canadian province who
28 can demonstrate substantively equivalent licensing standards in
29 administering nitrous oxide analgesia may receive a temporary
30 endorsement to administer nitrous oxide analgesia.

31 (5)(a) A person practicing with a renewed limited license granted
32 under this section may:

- 33 (i) Perform hygiene procedures as provided under subsection (3)
34 of this section;
- 35 (ii) Give injections of local anesthetic;
- 36 (iii) Perform soft tissue curettage; and
- 37 (iv) Administer nitrous oxide/oxygen analgesia.

38 (b) A person practicing with a renewed limited license granted
39 under this section may not place restorations into the cavity

1 prepared by a licensed dentist and afterwards carve, contour, and
2 adjust contacts and occlusion of the restoration.

3 **Sec. 4.** RCW 18.29.220 and 2009 c 321 s 2 are each amended to
4 read as follows:

5 For low-income, rural, and other at-risk populations and in
6 coordination with local public health jurisdictions and local oral
7 health coalitions, a dental hygienist licensed in this state may
8 assess for and apply sealants and apply fluoride (~~(varnishes)~~), and
9 may remove deposits and stains from the surfaces of teeth in
10 community-based sealant programs carried out in schools:

11 (1) Without attending the department's school sealant endorsement
12 program if the dental hygienist was licensed as of April 19, 2001; or

13 (2) If the dental hygienist is school sealant endorsed under RCW
14 43.70.650.

15 ~~((A hygienist providing services under this section must collect
16 data on patients treated, including age, treatment rendered, methods
17 of reimbursement for treatment, evidence of coordination with local
18 public health jurisdictions and local oral health coalitions, and
19 patient referrals to dentists. This data must be submitted to the
20 department of health at the end of each annual quarter, during the
21 period of time between October 1, 2007, and October 1, 2013.))~~

Passed by the House March 4, 2019.

Passed by the Senate April 12, 2019.

Approved by the Governor April 23, 2019.

Filed in Office of Secretary of State April 24, 2019.

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