
HOUSE BILL 1678

State of Washington

68th Legislature

2023 Regular Session

By Representatives Riccelli, Lekanoff, Stonier, Morgan, Bateman, Macri, Ormsby, Slatter, Entenman, Ramos, Peterson, Tharinger, Chopp, Ryu, Pollet, Davis, Harris, Taylor, Simmons, Kloba, and Gregerson

Read first time 01/30/23. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to establishing and authorizing the profession of
2 dental therapy to practice in federally qualified health centers and
3 look-alikes; amending RCW 18.32.030, 18.32.0351, 18.120.020,
4 18.130.040, 18.260.010, 18.260.040, 18.260.070, 18.260.080,
5 69.41.010, and 69.41.030; reenacting and amending RCW 43.70.442;
6 adding a new chapter to Title 18 RCW; creating a new section; and
7 providing an effective date.

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

9 NEW SECTION. **Sec. 1.** The legislature finds that good oral
10 health is an integral piece of overall health and well-being. Without
11 treatment, dental disease compromises overall health and requires
12 increasingly costly interventions. However, most dental disease can
13 be prevented at little cost through routine dental care and disease
14 prevention.

15 Dental-related issues are a leading reason that Washingtonians
16 seek care in hospital emergency departments, which has become the
17 source of care for many, especially uninsured and low-income
18 populations.

19 It is the intent of the legislature to expand access to oral
20 health care for all Washingtonians through an evidence-based mid-
21 level dental provider called a dental therapist. Dental therapy is a

1 strategy to address racial and ethnic disparities in health and rural
2 health care access gaps. Dental therapists are also a strategy to
3 increase workforce diversity in health care and expand career
4 opportunities for existing members of the dental care workforce such
5 as dental hygienists.

6 It is the legislature's intent that dental therapists will meet
7 the needs of local communities as they work under the direction of a
8 licensed Washington dentist. The legislature intends for dental
9 therapists to be incorporated into the dental care workforce and used
10 to effectively treat more patients.

11 It is the intent of the legislature to follow the national
12 commission on dental accreditation's standards for dental therapy
13 education. This will ensure that dental therapists are trained to the
14 highest quality standards and provide state-to-state consistency. It
15 is the intent of the legislature that incorporating the commission on
16 dental accreditation's standards for dental therapy education will
17 pave the way for Washington education institutions to become
18 accredited programs and for students to qualify for financial aid.

19 It is also the intent of the legislature to provide an efficient
20 and reasonable pathway, through a limited license, for federally
21 certified dental health aide therapists or tribally licensed dental
22 therapists to become a Washington state licensed dental therapist.

23 NEW SECTION. **Sec. 2.** The definitions in this section apply
24 throughout this chapter unless the context clearly requires
25 otherwise.

26 (1) "Close supervision of a dentist" means that a supervising
27 dentist:

28 (a) Has personally examined and diagnosed the patient and has
29 personally authorized the procedures to be performed;

30 (b) Is continuously on-site while the procedure in question is
31 being performed; and

32 (c) Is capable of responding immediately in the event of an
33 emergency.

34 (2) "Committee" means the dental hygiene examining committee
35 established in chapter 18.29 RCW.

36 (3) "Dental therapist" means a person licensed to practice dental
37 therapy under this chapter.

38 (4) "Dental therapy" means the services and procedures specified
39 in section 6 of this act.

1 (5) "Dentist" means a person licensed to practice dentistry under
2 chapter 18.32 RCW.

3 (6) "Denturist" means a person licensed to engage in the practice
4 of denturism under chapter 18.30 RCW.

5 (7) "Department" means the department of health.

6 (8) "General supervision" means that a supervising dentist has
7 examined and diagnosed the patient and provided subsequent
8 instructions to be performed by the assistive personnel but does not
9 require that the dentist be physically present in the treatment
10 facility.

11 (9) "Off-site supervision" means supervision that does not
12 require the dentist to be physically present or to personally examine
13 or diagnose the patient.

14 (10) "Practice plan contract" means a document that is signed by
15 a dentist and a dental therapist and outlines the functions the
16 dentist authorizes the dental therapist to perform and the level and
17 type of dentist supervision that is required.

18 (11) "Secretary" means the secretary of health.

19 NEW SECTION. **Sec. 3.** No person may practice dental therapy or
20 represent himself or herself as a dental therapist without being
21 licensed by the department under this chapter. Every person licensed
22 to practice dental therapy in this state shall renew their license
23 and comply with administrative procedures, administrative
24 requirements, continuing education requirements, and fees provided in
25 RCW 43.70.250 and 43.70.280. The department shall establish by rule
26 mandatory continuing education requirements to be met by dental
27 therapists applying for license renewal.

28 NEW SECTION. **Sec. 4.** (1) The department shall issue a license
29 to practice as a dental therapist to any applicant who:

30 (a) Pays any applicable fees established by the secretary under
31 RCW 43.70.110 and 43.70.250;

32 (b) Successfully completes a dental therapist program that:

33 (i) Is accredited or has received initial accreditation by the
34 American dental association's commission on dental accreditation; or

35 (ii) Has not received accreditation by the American dental
36 association's commission on dental accreditation;

37 (c) Passes an examination approved by the committee;

1 (d) Submits, on forms provided by the secretary, the applicant's
2 name, address, and other applicable information as determined by the
3 secretary; and

4 (e) For applicants who completed a dental therapist program
5 described in (b)(ii) of this subsection (1), has proof of at least
6 400 preceptorship hours under the close supervision of a dentist.

7 (2)(a) The secretary shall establish the date and location of the
8 examination. Applicants who meet the education requirements for
9 licensure must be scheduled for the next examination following the
10 filing of the application. The secretary shall establish by rule the
11 examination application deadline.

12 (b) The examination must contain subjects appropriate to the
13 scope of practice and questions on laws in the state of Washington
14 regulating dental therapy practice.

15 (c) The committee shall establish by rule the requirements for a
16 reexamination if the applicant has failed the examination.

17 (d) The committee may approve an examination prepared or
18 administered by a private testing agency or association of licensing
19 authorities.

20 (3) The secretary in consultation with the committee must
21 establish by rule the procedures to implement this section.

22 NEW SECTION. **Sec. 5.** An applicant holding a valid license and
23 currently engaged in practice in another state may be granted a
24 license without examination required by this chapter, on the payment
25 of any required fees, if the secretary determines that the other
26 state's licensing standards are substantively equivalent to the
27 standards in this state: PROVIDED, That the secretary may require the
28 applicant to: (1) File with the secretary documentation certifying
29 the applicant is licensed to practice in another state; and (2)
30 provide information as the secretary deems necessary pertaining to
31 the conditions and criteria of the uniform disciplinary act, chapter
32 18.130 RCW, and to demonstrate to the secretary a knowledge of
33 Washington law pertaining to the practice of dental therapy.

34 NEW SECTION. **Sec. 6.** (1) Subject to the limitations in this
35 section, a licensed dental therapist may provide the following
36 services and procedures under the supervision of a licensed dentist
37 as provided under section 7 of this act and to the extent the

1 supervising dentist authorizes the service or procedure to be
2 provided by the dental therapist:

- 3 (a) Oral health instruction and disease prevention education,
4 including nutritional counseling and dietary analysis;
- 5 (b) Comprehensive charting of the oral cavity;
- 6 (c) Making radiographs;
- 7 (d) Mechanical polishing;
- 8 (e) Prophylaxis;
- 9 (f) Periodontal scaling and root planing;
- 10 (g) Application of topical preventative or prophylactic agents,
11 including fluoride and pit and fissure sealants;
- 12 (h) Pulp vitality testing;
- 13 (i) Application of desensitizing medication or resin;
- 14 (j) Fabrication of athletic mouth guards;
- 15 (k) Placement of temporary restorations;
- 16 (l) Fabrication of soft occlusal guards;
- 17 (m) Tissue conditioning and soft reline;
- 18 (n) Atraumatic restorative therapy and interim restorative
19 therapy;
- 20 (o) Dressing changes;
- 21 (p) Tooth reimplantation;
- 22 (q) Administration of local anesthetic;
- 23 (r) Administration of nitrous oxide;
- 24 (s) Emergency palliative treatment of dental pain;
- 25 (t) The placement and removal of space maintainers;
- 26 (u) Cavity preparation;
- 27 (v) Fabrication and restoration of primary and permanent teeth;
- 28 (w) Placement of temporary crowns;
- 29 (x) Preparation and placement of preformed crowns;
- 30 (y) Pulpotomies on primary teeth;
- 31 (z) Indirect and direct pulp capping on primary and permanent
32 teeth;
- 33 (aa) Stabilization of reimplanted teeth;
- 34 (bb) Extractions of primary teeth;
- 35 (cc) Suture placement and removal;
- 36 (dd) Brush biopsies;
- 37 (ee) Minor adjustments and repairs on removable prostheses;
- 38 (ff) Recementing of permanent crowns;
- 39 (gg) Oral evaluation and assessment of dental disease and the
40 formulation of an individualized treatment plan;

1 (hh) Identification of oral and systemic conditions requiring
2 evaluation and treatment by a dentist, physician, or other health
3 care provider, and management of referrals;

4 (ii) The supervision of expanded function dental auxiliaries and
5 dental assistants. However, a dental therapist may supervise no more
6 than a total of three expanded function dental auxiliaries and dental
7 assistants at any one time in any one practice setting. A dental
8 therapist may not supervise an expanded function dental auxiliary or
9 dental assistant with respect to tasks that the dental therapist is
10 not authorized to perform;

11 (jj) Nonsurgical extractions of periodontally diseased permanent
12 teeth with tooth mobility of plus 3 to plus 4 if the teeth are not
13 unerupted, are not impacted, are not fractured, and do not need to be
14 sectioned for removal; and

15 (kk) The dispensation and oral administration of drugs pursuant
16 to subsection (2) of this section.

17 (2) (a) A dental therapist may dispense and orally administer the
18 following drugs within the parameters of the practice plan contract
19 established in section 7 of this act: Nonnarcotic analgesics, anti-
20 inflammatory, preventive agents, and antibiotics.

21 (b) The authority to dispense and orally administer drugs extends
22 only to the drugs identified in this subsection and may be further
23 limited by the practice plan contract.

24 (c) The authority to dispense includes the authority to dispense
25 sample drugs within the categories established in this subsection if
26 the dispensing is permitted under the practice plan contract.

27 (d) A dental therapist may not dispense or administer narcotic
28 drugs as defined in chapter 69.50 RCW.

29 (e) A dental therapist does not have the authority to prescribe
30 drugs.

31 (3) A dental therapist may only provide services and procedures
32 in which they have been educated.

33 (4) A dental therapist may not provide any service or procedure
34 that is not both authorized by this section and been authorized by
35 the supervising dentist via inclusion in the dental therapist's
36 practice plan contract.

37 NEW SECTION. **Sec. 7.** (1) A dental therapist may only practice
38 dental therapy under the supervision of a dentist licensed under
39 chapter 18.32 RCW and pursuant to a written practice plan contract

1 with the supervising dentist. A dental therapist may not practice
2 independently. In circumstances authorized by the supervising dentist
3 in the written practice plan contract, a dental therapist may provide
4 services without the prior examination or diagnosis of a dentist and
5 without the dentist being personally on-site when services are
6 provided. The contract must, at a minimum, contain the following
7 elements:

8 (a) The level of supervision required and circumstances when the
9 prior knowledge and consent of the supervising dentist is required;

10 (b) Practice settings where services and procedures may be
11 provided;

12 (c) Any limitations on the services or procedures the dental
13 therapist may provide;

14 (d) Age and procedure-specific practice protocols, including case
15 selection criteria, assessment guidelines, and imaging frequency;

16 (e) Procedures for creating and maintaining dental records for
17 patients treated by the dental therapist;

18 (f) A plan to manage medical emergencies in each practice setting
19 where the dental therapist provides care;

20 (g) A quality assurance plan for monitoring care provided by the
21 dental therapist or, including patient care review, referral follow-
22 up, and a quality assurance chart review;

23 (h) Protocols for administering and dispensing medications,
24 including the specific circumstances under which the medications may
25 be dispensed and administered;

26 (i) Criteria relating to the provision of care to patients with
27 specific medical conditions or complex medical histories, including
28 requirements for consultation prior to the initiation of care; and

29 (j) Specific written protocols governing situations where the
30 dental therapist encounters a patient requiring treatment that
31 exceeds the dental therapist's scope of practice or capabilities and
32 protocols for referral of patients requiring evaluation and treatment
33 by dentists, denturists, physicians, advanced registered nurse
34 practitioners, or other health care providers.

35 (2) The dental therapist shall accept responsibility for all
36 services and procedures provided by the dental therapist or any
37 auxiliary dental providers the dental therapist is supervising
38 pursuant to the practice plan contract.

39 (3) A supervising dentist who knowingly permits a dental
40 therapist to provide a service or procedure that is not authorized in

1 the practice plan contract, or any dental therapist who provides a
2 service or procedure that is not authorized in the practice plan
3 contract, commits unprofessional conduct for purposes of chapter
4 18.130 RCW.

5 (4) A dentist who enters into a written practice plan contract
6 with a dental therapist shall:

7 (a) Directly provide or arrange for another dentist, denturist,
8 or specialist to provide any necessary advanced procedures or
9 services needed by the patient or any treatment that exceeds the
10 dental therapist's scope of practice or capabilities;

11 (b) Ensure that he or she or another dentist is available to the
12 dental therapist for timely communication during treatment if needed.

13 (5) A dental therapist shall perform only those services
14 authorized by the supervising dentist and written practice plan
15 contract and shall maintain an appropriate level of contact with the
16 supervising dentist.

17 (6) A supervising dentist may supervise no more than a total of
18 five dental therapists at any one time.

19 (7) Practice plan contracts must be signed and maintained by both
20 the supervising dentist and the dental therapist.

21 (8) A dental therapist must submit a signed copy of the practice
22 plan contract to the secretary at the time of licensure renewal. If
23 the practice plan contract is revised in between license renewal, a
24 signed copy of the revised practice plan contract must be submitted
25 as soon as practicable after the revision is made.

26 NEW SECTION. **Sec. 8.** Nothing in this chapter prohibits or
27 affects:

28 (1) The practice of dental therapy by an individual otherwise
29 licensed under this title and performing services within his or her
30 scope of practice;

31 (2) The practice of dental therapy in the discharge of official
32 duties on behalf of the United States government including, but not
33 limited to, the armed forces, coast guard, public health service,
34 veterans' bureau, or bureau of Indian affairs;

35 (3) The practice of dental therapy pursuant to an education
36 program described in section 4 of this act;

37 (4) The practice of dental therapy under the supervision of a
38 dentist necessary to meet the clinical experience or preceptorship
39 requirements of section 4 of this act; or

1 (5) The practice of federally certified dental health aide
2 therapists or tribally licensed dental therapists practicing in
3 clinics operated by an Indian health service, Indian health service
4 direct, tribal 638, or an urban Indian health program system of care,
5 as those terms are defined in the Indian health care improvement act,
6 Title 25 U.S.C. Sec. 1603(12), (25) and (29).

7 NEW SECTION. **Sec. 9.** (1) A dental therapist may practice only
8 in federally qualified health centers and federally qualified health
9 center look-alikes.

10 (2) A dental therapist may not work in any other setting that is
11 not listed in this section.

12 NEW SECTION. **Sec. 10.** The uniform disciplinary act, chapter
13 18.130 RCW, governs the issuance and denial of licenses, unlicensed
14 practice, and the discipline of persons licensed under this chapter.
15 The dental quality assurance commission is the disciplining authority
16 under this chapter.

17 NEW SECTION. **Sec. 11.** (1) The department shall issue a limited
18 license to any applicant who, as determined by the secretary:

19 (a) Holds a valid license, certification, or recertification in
20 another state, Canadian province, or has been certified or licensed
21 by a federal or tribal governing board in the previous two years,
22 that allows a substantially equivalent, but not the entire scope of
23 practice in section 6 of this act;

24 (b) Is currently engaged in active practice in another state,
25 Canadian province, or tribe;

26 (c) Files with the secretary documentation certifying that the
27 applicant:

28 (i) Has graduated from a dental therapy school accredited by the
29 commission on dental accreditation or has graduated from a dental
30 therapy education program that the dental hygiene examining committee
31 determines is substantially equivalent to an accredited education
32 program; and

33 (ii) Is licensed or certified to practice in another state or
34 Canadian province, or has been certified or licensed by a federal or
35 tribal governing board in the previous two years;

1 (d) Provides such information as the secretary deems necessary
2 pertaining to the conditions and criteria of the uniform disciplinary
3 act, chapter 18.130 RCW;

4 (e) Demonstrates to the secretary knowledge of Washington state
5 law pertaining to the practice of dental therapy; and

6 (f) Pays any required fees.

7 (2) A person practicing with a limited license granted under this
8 section has the authority to perform only those dental therapy
9 procedures in section 6 of this act that he or she was licensed or
10 certified to practice in their previous state, tribe, or Canadian
11 province.

12 (3) Upon demonstration of competency in all procedures in section
13 6 of this act, the limited license holder may apply for licensure as
14 a dental therapist under section 4 of this act.

15 **Sec. 12.** RCW 18.32.030 and 2017 c 5 s 5 are each amended to read
16 as follows:

17 The following practices, acts, and operations are excepted from
18 the operation of the provisions of this chapter:

19 (1) The rendering of dental relief in emergency cases in the
20 practice of his or her profession by a physician or surgeon, licensed
21 as such and registered under the laws of this state, unless the
22 physician or surgeon undertakes to or does reproduce lost parts of
23 the human teeth in the mouth or to restore or to replace in the human
24 mouth lost or missing teeth;

25 (2) The practice of dentistry in the discharge of official duties
26 by dentists in the United States federal services on federal
27 reservations, including but not limited to the armed services, coast
28 guard, public health service, veterans' bureau, or bureau of Indian
29 affairs;

30 (3) Dental schools or colleges approved under RCW 18.32.040, and
31 the practice of dentistry by students in accredited dental schools or
32 colleges approved by the commission, when acting under the direction
33 and supervision of Washington state-licensed dental school faculty;

34 (4) The practice of dentistry by licensed dentists of other
35 states or countries while appearing as clinicians at meetings of the
36 Washington state dental association, or component parts thereof, or
37 at meetings sanctioned by them, or other groups approved by the
38 commission;

1 (5) The use of roentgen and other rays for making radiographs or
2 similar records of dental or oral tissues, under the supervision of a
3 licensed dentist or physician;

4 (6) The making, repairing, altering, or supplying of artificial
5 restorations, substitutions, appliances, or materials for the
6 correction of disease, loss, deformity, malposition, dislocation,
7 fracture, injury to the jaws, teeth, lips, gums, cheeks, palate, or
8 associated tissues or parts; providing the same are made, repaired,
9 altered, or supplied pursuant to the written instructions and order
10 of a licensed dentist which may be accompanied by casts, models, or
11 impressions furnished by the dentist, and the prescriptions shall be
12 retained and filed for a period of not less than three years and
13 shall be available to and subject to the examination of the secretary
14 or the secretary's authorized representatives;

15 (7) The removal of deposits and stains from the surfaces of the
16 teeth, the application of topical preventative or prophylactic
17 agents, and the polishing and smoothing of restorations, when
18 performed or prescribed by a dental hygienist licensed under the laws
19 of this state;

20 (8) A qualified and licensed physician and surgeon or osteopathic
21 physician and surgeon extracting teeth or performing oral surgery
22 pursuant to the scope of practice under chapter 18.71 or 18.57 RCW;

23 (9) The performing of dental operations or services by registered
24 dental assistants and licensed expanded function dental auxiliaries
25 holding a credential issued under chapter 18.260 RCW when performed
26 under the supervision of a licensed dentist, by dental therapists
27 licensed under chapter 18.--- RCW (the new chapter created in section
28 23 of this act), or by other persons not licensed under this chapter
29 if the person is licensed pursuant to chapter 18.29, 18.57, 18.71, or
30 18.79 RCW as it applies to registered nurses and advanced registered
31 nurse practitioners, each while acting within the scope of the
32 person's permitted practice under the person's license: PROVIDED
33 HOWEVER, That such persons shall in no event perform the following
34 dental operations or services unless permitted to be performed by the
35 person under this chapter or chapters 18.29, 18.57, 18.71, 18.79 as
36 it applies to registered nurses and advanced registered nurse
37 practitioners, and 18.260 RCW:

38 (a) Any removal of or addition to the hard or soft tissue of the
39 oral cavity;

1 (b) Any diagnosis of or prescription for treatment of disease,
2 pain, deformity, deficiency, injury, or physical condition of the
3 human teeth or jaws, or adjacent structure;

4 (c) Any administration of general or injected local anaesthetic
5 of any nature in connection with a dental operation, including
6 intravenous sedation;

7 (d) Any oral prophylaxis;

8 (e) The taking of any impressions of the teeth or jaw or the
9 relationships of the teeth or jaws, for the purpose of fabricating
10 any intra-oral restoration, appliance, or prosthesis;

11 (10) The performing of dental services described in RCW
12 18.350.040 by dental anesthesia assistants certified under chapter
13 18.350 RCW when working under the supervision and direction of an
14 oral and maxillofacial surgeon or dental anesthesiologist; and

15 (11) The performance of dental health aide therapist services to
16 the extent authorized under chapter 70.350 RCW.

17 **Sec. 13.** RCW 18.32.0351 and 2022 c 240 s 1 are each amended to
18 read as follows:

19 The Washington state dental quality assurance commission is
20 established, consisting of (~~seventeen~~) 19 members each appointed by
21 the governor to a four-year term. No member may serve more than two
22 consecutive full terms. Members of the commission hold office until
23 their successors are appointed. All members shall be appointed to
24 full four-year terms. Twelve members of the commission must be
25 dentists, two members must be dental therapists licensed under
26 chapter 18.--- RCW (the new chapter created in section 23 of this
27 act), two members must be expanded function dental auxiliaries
28 licensed under chapter 18.260 RCW, and three members must be public
29 members.

30 **Sec. 14.** RCW 18.120.020 and 2020 c 80 s 22 are each amended to
31 read as follows:

32 The definitions in this section apply throughout this chapter
33 unless the context clearly requires otherwise.

34 (1) "Applicant group" includes any health professional group or
35 organization, any individual, or any other interested party which
36 proposes that any health professional group not presently regulated
37 be regulated or which proposes to substantially increase the scope of
38 practice of the profession.

1 (2) "Certificate" and "certification" mean a voluntary process by
2 which a statutory regulatory entity grants recognition to an
3 individual who (a) has met certain prerequisite qualifications
4 specified by that regulatory entity, and (b) may assume or use
5 "certified" in the title or designation to perform prescribed health
6 professional tasks.

7 (3) "Grandfather clause" means a provision in a regulatory
8 statute applicable to practitioners actively engaged in the regulated
9 health profession prior to the effective date of the regulatory
10 statute which exempts the practitioners from meeting the prerequisite
11 qualifications set forth in the regulatory statute to perform
12 prescribed occupational tasks.

13 (4) "Health professions" means and includes the following health
14 and health-related licensed or regulated professions and occupations:
15 Podiatric medicine and surgery under chapter 18.22 RCW; chiropractic
16 under chapter 18.25 RCW; dental hygiene under chapter 18.29 RCW;
17 dentistry under chapter 18.32 RCW; denturism under chapter 18.30 RCW;
18 dental anesthesia assistants under chapter 18.350 RCW; dispensing
19 opticians under chapter 18.34 RCW; hearing instruments under chapter
20 18.35 RCW; naturopaths under chapter 18.36A RCW; embalming and
21 funeral directing under chapter 18.39 RCW; midwifery under chapter
22 18.50 RCW; nursing home administration under chapter 18.52 RCW;
23 optometry under chapters 18.53 and 18.54 RCW; ocularists under
24 chapter 18.55 RCW; osteopathic medicine and surgery under chapter
25 18.57 RCW; pharmacy under chapters 18.64 and 18.64A RCW; medicine
26 under chapters 18.71 and 18.71A RCW; emergency medicine under chapter
27 18.73 RCW; physical therapy under chapter 18.74 RCW; practical nurses
28 under chapter 18.79 RCW; psychologists under chapter 18.83 RCW;
29 registered nurses under chapter 18.79 RCW; occupational therapists
30 licensed under chapter 18.59 RCW; respiratory care practitioners
31 licensed under chapter 18.89 RCW; veterinarians and veterinary
32 technicians under chapter 18.92 RCW; massage therapists under chapter
33 18.108 RCW; acupuncturists or acupuncture and Eastern medicine
34 practitioners licensed under chapter 18.06 RCW; persons registered
35 under chapter 18.19 RCW; persons licensed as mental health
36 counselors, marriage and family therapists, and social workers under
37 chapter 18.225 RCW; dietitians and nutritionists certified by chapter
38 18.138 RCW; radiologic technicians under chapter 18.84 RCW; nursing
39 assistants registered or certified under chapter 18.88A RCW;
40 reflexologists certified under chapter 18.108 RCW; medical

1 assistants-certified, medical assistants-hemodialysis technician,
2 medical assistants-phlebotomist, forensic phlebotomist, and medical
3 assistants-registered certified and registered under chapter 18.360
4 RCW; ~~((and))~~ licensed behavior analysts, licensed assistant behavior
5 analysts, and certified behavior technicians under chapter 18.380
6 RCW; and dental therapists licensed under chapter 18.--- RCW (the new
7 chapter created in section 23 of this act).

8 (5) "Inspection" means the periodic examination of practitioners
9 by a state agency in order to ascertain whether the practitioners'
10 occupation is being carried out in a fashion consistent with the
11 public health, safety, and welfare.

12 (6) "Legislative committees of reference" means the standing
13 legislative committees designated by the respective rules committees
14 of the senate and house of representatives to consider proposed
15 legislation to regulate health professions not previously regulated.

16 (7) "License," "licensing," and "licensure" mean permission to
17 engage in a health profession which would otherwise be unlawful in
18 the state in the absence of the permission. A license is granted to
19 those individuals who meet prerequisite qualifications to perform
20 prescribed health professional tasks and for the use of a particular
21 title.

22 (8) "Practitioner" means an individual who (a) has achieved
23 knowledge and skill by practice, and (b) is actively engaged in a
24 specified health profession.

25 (9) "Professional license" means an individual, nontransferable
26 authorization to carry on a health activity based on qualifications
27 which include: (a) Graduation from an accredited or approved program,
28 and (b) acceptable performance on a qualifying examination or series
29 of examinations.

30 (10) "Public member" means an individual who is not, and never
31 was, a member of the health profession being regulated or the spouse
32 of a member, or an individual who does not have and never has had a
33 material financial interest in either the rendering of the health
34 professional service being regulated or an activity directly related
35 to the profession being regulated.

36 (11) "Registration" means the formal notification which, prior to
37 rendering services, a practitioner shall submit to a state agency
38 setting forth the name and address of the practitioner; the location,
39 nature and operation of the health activity to be practiced; and, if

1 required by the regulatory entity, a description of the service to be
2 provided.

3 (12) "Regulatory entity" means any board, commission, agency,
4 division, or other unit or subunit of state government which
5 regulates one or more professions, occupations, industries,
6 businesses, or other endeavors in this state.

7 (13) "State agency" includes every state office, department,
8 board, commission, regulatory entity, and agency of the state, and,
9 where provided by law, programs and activities involving less than
10 the full responsibility of a state agency.

11 **Sec. 15.** RCW 18.130.040 and 2022 c 217 s 5 are each amended to
12 read as follows:

13 (1) This chapter applies only to the secretary and the boards and
14 commissions having jurisdiction in relation to the professions
15 licensed under the chapters specified in this section. This chapter
16 does not apply to any business or profession not licensed under the
17 chapters specified in this section.

18 (2) (a) The secretary has authority under this chapter in relation
19 to the following professions:

20 (i) Dispensing opticians licensed and designated apprentices
21 under chapter 18.34 RCW;

22 (ii) Midwives licensed under chapter 18.50 RCW;

23 (iii) Ocularists licensed under chapter 18.55 RCW;

24 (iv) Massage therapists and businesses licensed under chapter
25 18.108 RCW;

26 (v) Dental hygienists licensed under chapter 18.29 RCW;

27 (vi) Acupuncturists or acupuncture and Eastern medicine
28 practitioners licensed under chapter 18.06 RCW;

29 (vii) Radiologic technologists certified and X-ray technicians
30 registered under chapter 18.84 RCW;

31 (viii) Respiratory care practitioners licensed under chapter
32 18.89 RCW;

33 (ix) Hypnotherapists and agency affiliated counselors registered
34 and advisors and counselors certified under chapter 18.19 RCW;

35 (x) Persons licensed as mental health counselors, mental health
36 counselor associates, marriage and family therapists, marriage and
37 family therapist associates, social workers, social work associates—
38 advanced, and social work associates—independent clinical under
39 chapter 18.225 RCW;

1 (xi) Persons registered as nursing pool operators under chapter
2 18.52C RCW;

3 (xii) Nursing assistants registered or certified or medication
4 assistants endorsed under chapter 18.88A RCW;

5 (xiii) Dietitians and nutritionists certified under chapter
6 18.138 RCW;

7 (xiv) Substance use disorder professionals, substance use
8 disorder professional trainees, or co-occurring disorder specialists
9 certified under chapter 18.205 RCW;

10 (xv) Sex offender treatment providers and certified affiliate sex
11 offender treatment providers certified under chapter 18.155 RCW;

12 (xvi) Persons licensed and certified under chapter 18.73 RCW or
13 RCW 18.71.205;

14 (xvii) Orthotists and prosthetists licensed under chapter 18.200
15 RCW;

16 (xviii) Surgical technologists registered under chapter 18.215
17 RCW;

18 (xix) Recreational therapists under chapter 18.230 RCW;

19 (xx) Animal massage therapists certified under chapter 18.240
20 RCW;

21 (xxi) Athletic trainers licensed under chapter 18.250 RCW;

22 (xxii) Home care aides certified under chapter 18.88B RCW;

23 (xxiii) Genetic counselors licensed under chapter 18.290 RCW;

24 (xxiv) Reflexologists certified under chapter 18.108 RCW;

25 (xxv) Medical assistants-certified, medical assistants-
26 hemodialysis technician, medical assistants-phlebotomist, forensic
27 phlebotomist, and medical assistants-registered certified and
28 registered under chapter 18.360 RCW;

29 (xxvi) Behavior analysts, assistant behavior analysts, and
30 behavior technicians under chapter 18.380 RCW; and

31 (xxvii) Birth doulas certified under chapter 18.47 RCW.

32 (b) The boards and commissions having authority under this
33 chapter are as follows:

34 (i) The podiatric medical board as established in chapter 18.22
35 RCW;

36 (ii) The chiropractic quality assurance commission as established
37 in chapter 18.25 RCW;

38 (iii) The dental quality assurance commission as established in
39 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW,
40 licenses and registrations issued under chapter 18.260 RCW, licenses

1 issued under chapter 18.--- RCW (the new chapter created in section
2 23 of this act), and certifications issued under chapter 18.350 RCW;
3 (iv) The board of hearing and speech as established in chapter
4 18.35 RCW;
5 (v) The board of examiners for nursing home administrators as
6 established in chapter 18.52 RCW;
7 (vi) The optometry board as established in chapter 18.54 RCW
8 governing licenses issued under chapter 18.53 RCW;
9 (vii) The board of osteopathic medicine and surgery as
10 established in chapter 18.57 RCW governing licenses issued under
11 chapter 18.57 RCW;
12 (viii) The pharmacy quality assurance commission as established
13 in chapter 18.64 RCW governing licenses issued under chapters 18.64
14 and 18.64A RCW;
15 (ix) The Washington medical commission as established in chapter
16 18.71 RCW governing licenses and registrations issued under chapters
17 18.71 and 18.71A RCW;
18 (x) The board of physical therapy as established in chapter 18.74
19 RCW;
20 (xi) The board of occupational therapy practice as established in
21 chapter 18.59 RCW;
22 (xii) The nursing care quality assurance commission as
23 established in chapter 18.79 RCW governing licenses and registrations
24 issued under that chapter;
25 (xiii) The examining board of psychology and its disciplinary
26 committee as established in chapter 18.83 RCW;
27 (xiv) The veterinary board of governors as established in chapter
28 18.92 RCW;
29 (xv) The board of naturopathy established in chapter 18.36A RCW,
30 governing licenses and certifications issued under that chapter; and
31 (xvi) The board of denturists established in chapter 18.30 RCW.
32 (3) In addition to the authority to discipline license holders,
33 the disciplining authority has the authority to grant or deny
34 licenses. The disciplining authority may also grant a license subject
35 to conditions.
36 (4) All disciplining authorities shall adopt procedures to ensure
37 substantially consistent application of this chapter, the uniform
38 disciplinary act, among the disciplining authorities listed in
39 subsection (2) of this section.

1 **Sec. 16.** RCW 18.260.010 and 2007 c 269 s 1 are each amended to
2 read as follows:

3 The definitions in this section apply throughout this chapter
4 unless the context clearly requires otherwise.

5 (1) "Close supervision" means that a supervising dentist or
6 supervising dental therapist whose patient is being treated has
7 personally diagnosed the condition to be treated and has personally
8 authorized the procedures to be performed. The supervising dentist or
9 supervising dental therapist is continuously on-site and physically
10 present in the treatment facility while the procedures are performed
11 by the assistive personnel and capable of responding immediately in
12 the event of an emergency. The term does not require a supervising
13 dentist or supervising dental therapist to be physically present in
14 the operatory.

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

17 (3) "Dental assistant" means a person who is registered by the
18 commission to provide supportive services to a licensed dentist or a
19 licensed dental therapist to the extent provided in this chapter and
20 under the close supervision of a dentist or close supervision of a
21 dental therapist.

22 (4) "Dental therapist" means an individual who holds a license to
23 practice as a dental therapist under chapter 18.--- RCW (the new
24 chapter created in section 23 of this act).

25 (5) "Dentist" means an individual who holds a license to practice
26 dentistry under chapter 18.32 RCW.

27 (~~(5)~~) (6) "Department" means the department of health.

28 (~~(6)~~) (7) "Expanded function dental auxiliary" means a person
29 who is licensed by the commission to provide supportive services to a
30 licensed dentist or dental therapist to the extent provided in this
31 chapter and under the specified level of supervision of a dentist or
32 dental therapist.

33 (~~(7)~~) (8) "General supervision" means that a supervising
34 dentist or dental therapist has examined and diagnosed the patient
35 and provided subsequent instructions to be performed by the assistive
36 personnel, but does not require that the dentist or dental therapist
37 be physically present in the treatment facility.

38 (~~(8)~~) (9) "Secretary" means the secretary of health.

39 (~~(9)~~) (10) "Supervising dental therapist" means a dental
40 therapist licensed under chapter 18.--- RCW (the new chapter created

1 in section 23 of this act) who is responsible for providing the
2 appropriate level of supervision for dental assistants and expanded
3 function dental auxiliaries.

4 (11) "Supervising dentist" means a dentist licensed under chapter
5 18.32 RCW that is responsible for providing the appropriate level of
6 supervision for dental assistants and expanded function dental
7 auxiliaries.

8 **Sec. 17.** RCW 18.260.040 and 2015 c 120 s 3 are each amended to
9 read as follows:

10 (1) (a) The commission shall adopt rules relating to the scope of
11 dental assisting services related to patient care and laboratory
12 duties that may be performed by dental assistants.

13 (b) In addition to the services and duties authorized by the
14 rules adopted under (a) of this subsection, a dental assistant may
15 apply topical anesthetic agents.

16 (c) All dental services performed by dental assistants under (a)
17 or (b) of this subsection must be performed under the close
18 supervision of a supervising dentist or supervising dental therapist
19 as the dentist or dental therapist may allow.

20 (2) In addition to any other limitations established by the
21 commission, dental assistants may not perform the following
22 procedures:

23 (a) Any scaling procedure;

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

25 (c) Administration of any general or local anesthetic, including
26 intravenous sedation;

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

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

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

37 (3) A dentist or dental therapist may not assign a dental
38 assistant to perform duties until the dental assistant has

1 demonstrated skills necessary to perform competently all assigned
2 duties and responsibilities.

3 **Sec. 18.** RCW 18.260.070 and 2007 c 269 s 6 are each amended to
4 read as follows:

5 (1) The commission shall adopt rules relating to the scope of
6 expanded function dental auxiliary services related to patient care
7 and laboratory duties that may be performed by expanded function
8 dental auxiliaries.

9 (2) The scope of expanded function dental auxiliary services that
10 the commission identifies in subsection (1) of this section includes:

11 (a) In addition to the dental assisting services that a dental
12 assistant may perform under the close supervision of a supervising
13 dentist or supervising dental therapist, the performance of the
14 following services under the general supervision of a supervising
15 dentist or supervising dental therapist as the dentist or dental
16 therapist may allow:

- 17 (i) Performing coronal polishing;
- 18 (ii) Giving fluoride treatments;
- 19 (iii) Applying sealants;
- 20 (iv) Placing dental x-ray film and exposing and developing the
21 films;

22 (v) Giving patient oral health instruction; and

23 (b) Notwithstanding any prohibitions in RCW 18.260.040, the
24 performance of the following services under the close supervision of
25 a supervising dentist or supervising dental therapist as the dentist
26 or dental therapist may allow:

- 27 (i) Placing and carving direct restorations; and
- 28 (ii) Taking final impressions.

29 (3) A dentist or dental therapist may not assign an expanded
30 function dental auxiliary to perform services until the expanded
31 function dental auxiliary has demonstrated skills necessary to
32 perform competently all assigned duties and responsibilities.

33 **Sec. 19.** RCW 18.260.080 and 2007 c 269 s 7 are each amended to
34 read as follows:

35 A supervising dentist or supervising dental therapist is
36 responsible for:

37 (1) Maintaining the appropriate level of supervision for dental
38 assistants and expanded function dental auxiliaries; and

1 (2) Ensuring that the dental assistants and expanded function
2 dental auxiliaries that the dentist or dental therapist supervises
3 are able to competently perform the tasks that they are assigned.

4 **Sec. 20.** RCW 69.41.010 and 2020 c 80 s 40 are each amended to
5 read as follows:

6 As used in this chapter, the following terms have the meanings
7 indicated unless the context clearly requires otherwise:

8 (1) "Administer" means the direct application of a legend drug
9 whether by injection, inhalation, ingestion, or any other means, to
10 the body of a patient or research subject by:

11 (a) A practitioner; or

12 (b) The patient or research subject at the direction of the
13 practitioner.

14 (2) "Commission" means the pharmacy quality assurance commission.

15 (3) "Community-based care settings" include: Community
16 residential programs for persons with developmental disabilities,
17 certified by the department of social and health services under
18 chapter 71A.12 RCW; adult family homes licensed under chapter 70.128
19 RCW; and assisted living facilities licensed under chapter 18.20 RCW.
20 Community-based care settings do not include acute care or skilled
21 nursing facilities.

22 (4) "Deliver" or "delivery" means the actual, constructive, or
23 attempted transfer from one person to another of a legend drug,
24 whether or not there is an agency relationship.

25 (5) "Department" means the department of health.

26 (6) "Dispense" means the interpretation of a prescription or
27 order for a legend drug and, pursuant to that prescription or order,
28 the proper selection, measuring, compounding, labeling, or packaging
29 necessary to prepare that prescription or order for delivery.

30 (7) "Dispenser" means a practitioner who dispenses.

31 (8) "Distribute" means to deliver other than by administering or
32 dispensing a legend drug.

33 (9) "Distributor" means a person who distributes.

34 (10) "Drug" means:

35 (a) Substances recognized as drugs in the official United States
36 pharmacopoeia, official homeopathic pharmacopoeia of the United
37 States, or official national formulary, or any supplement to any of
38 them;

1 (b) Substances intended for use in the diagnosis, cure,
2 mitigation, treatment, or prevention of disease in human beings or
3 animals;

4 (c) Substances (other than food, minerals or vitamins) intended
5 to affect the structure or any function of the body of human beings
6 or animals; and

7 (d) Substances intended for use as a component of any article
8 specified in (a), (b), or (c) of this subsection. It does not include
9 devices or their components, parts, or accessories.

10 (11) "Electronic communication of prescription information" means
11 the transmission of a prescription or refill authorization for a drug
12 of a practitioner using computer systems. The term does not include a
13 prescription or refill authorization transmitted verbally by
14 telephone nor a facsimile manually signed by the practitioner.

15 (12) "In-home care settings" include an individual's place of
16 temporary and permanent residence, but does not include acute care or
17 skilled nursing facilities, and does not include community-based care
18 settings.

19 (13) "Legend drugs" means any drugs which are required by state
20 law or regulation of the pharmacy quality assurance commission to be
21 dispensed on prescription only or are restricted to use by
22 practitioners only.

23 (14) "Legible prescription" means a prescription or medication
24 order issued by a practitioner that is capable of being read and
25 understood by the pharmacist filling the prescription or the nurse or
26 other practitioner implementing the medication order. A prescription
27 must be hand printed, typewritten, or electronically generated.

28 (15) "Medication assistance" means assistance rendered by a
29 nonpractitioner to an individual residing in a community-based care
30 setting or in-home care setting to facilitate the individual's self-
31 administration of a legend drug or controlled substance. It includes
32 reminding or coaching the individual, handing the medication
33 container to the individual, opening the individual's medication
34 container, using an enabler, or placing the medication in the
35 individual's hand, and such other means of medication assistance as
36 defined by rule adopted by the department. A nonpractitioner may help
37 in the preparation of legend drugs or controlled substances for self-
38 administration where a practitioner has determined and communicated
39 orally or by written direction that such medication preparation
40 assistance is necessary and appropriate. Medication assistance shall

1 not include assistance with intravenous medications or injectable
2 medications, except prefilled insulin syringes.

3 (16) "Person" means individual, corporation, government or
4 governmental subdivision or agency, business trust, estate, trust,
5 partnership or association, or any other legal entity.

6 (17) "Practitioner" means:

7 (a) A physician under chapter 18.71 RCW, an osteopathic physician
8 or an osteopathic physician and surgeon under chapter 18.57 RCW, a
9 dentist under chapter 18.32 RCW, a podiatric physician and surgeon
10 under chapter 18.22 RCW, an acupuncturist or acupuncture and Eastern
11 medicine practitioner to the extent authorized under chapter 18.06
12 RCW and the rules adopted under RCW 18.06.010(1)(~~(j)~~) (m), a
13 veterinarian under chapter 18.92 RCW, a registered nurse, advanced
14 registered nurse practitioner, or licensed practical nurse under
15 chapter 18.79 RCW, an optometrist under chapter 18.53 RCW who is
16 certified by the optometry board under RCW 18.53.010, a physician
17 assistant under chapter 18.71A RCW, a naturopath licensed under
18 chapter 18.36A RCW, a licensed athletic trainer to the extent
19 authorized under chapter 18.250 RCW, a pharmacist under chapter 18.64
20 RCW, (~~(or)~~) when acting under the required supervision of a dentist
21 licensed under chapter 18.32 RCW, a dental hygienist licensed under
22 chapter 18.29 RCW, or a dental therapist licensed under chapter
23 18.--- RCW (the new chapter created in section 23 of this act);

24 (b) A pharmacy, hospital, or other institution licensed,
25 registered, or otherwise permitted to distribute, dispense, conduct
26 research with respect to, or to administer a legend drug in the
27 course of professional practice or research in this state; and

28 (c) A physician licensed to practice medicine and surgery or a
29 physician licensed to practice osteopathic medicine and surgery in
30 any state, or province of Canada, which shares a common border with
31 the state of Washington.

32 (18) "Secretary" means the secretary of health or the secretary's
33 designee.

34 **Sec. 21.** RCW 69.41.030 and 2020 c 80 s 41 are each amended to
35 read as follows:

36 (1) It shall be unlawful for any person to sell, deliver, or
37 possess any legend drug except upon the order or prescription of a
38 physician under chapter 18.71 RCW, an osteopathic physician and
39 surgeon under chapter 18.57 RCW, an optometrist licensed under

1 chapter 18.53 RCW who is certified by the optometry board under RCW
2 18.53.010, a dentist under chapter 18.32 RCW, a podiatric physician
3 and surgeon under chapter 18.22 RCW, a veterinarian under chapter
4 18.92 RCW, a commissioned medical or dental officer in the United
5 States armed forces or public health service in the discharge of his
6 or her official duties, a duly licensed physician or dentist employed
7 by the veterans administration in the discharge of his or her
8 official duties, a registered nurse or advanced registered nurse
9 practitioner under chapter 18.79 RCW when authorized by the nursing
10 care quality assurance commission, a pharmacist licensed under
11 chapter 18.64 RCW to the extent permitted by drug therapy guidelines
12 or protocols established under RCW 18.64.011 and authorized by the
13 commission and approved by a practitioner authorized to prescribe
14 drugs, a physician assistant under chapter 18.71A RCW when authorized
15 by the Washington medical commission, a dental therapist licensed
16 under chapter 18.--- RCW (the new chapter created in section 23 of
17 this act), or any of the following professionals in any province of
18 Canada that shares a common border with the state of Washington or in
19 any state of the United States: A physician licensed to practice
20 medicine and surgery or a physician licensed to practice osteopathic
21 medicine and surgery, a dentist licensed to practice dentistry, a
22 podiatric physician and surgeon licensed to practice podiatric
23 medicine and surgery, a licensed advanced registered nurse
24 practitioner, a licensed physician assistant, or a veterinarian
25 licensed to practice veterinary medicine: PROVIDED, HOWEVER, That the
26 above provisions shall not apply to sale, delivery, or possession by
27 drug wholesalers or drug manufacturers, or their agents or employees,
28 or to any practitioner acting within the scope of his or her license,
29 or to a common or contract carrier or warehouse operator, or any
30 employee thereof, whose possession of any legend drug is in the usual
31 course of business or employment: PROVIDED FURTHER, That nothing in
32 this chapter or chapter 18.64 RCW shall prevent a family planning
33 clinic that is under contract with the health care authority from
34 selling, delivering, possessing, and dispensing commercially
35 prepackaged oral contraceptives prescribed by authorized, licensed
36 health care practitioners: PROVIDED FURTHER, That nothing in this
37 chapter prohibits possession or delivery of legend drugs by an
38 authorized collector or other person participating in the operation
39 of a drug take-back program authorized in chapter 69.48 RCW.

1 (2) (a) A violation of this section involving the sale, delivery,
2 or possession with intent to sell or deliver is a class B felony
3 punishable according to chapter 9A.20 RCW.

4 (b) A violation of this section involving possession is a
5 misdemeanor.

6 **Sec. 22.** RCW 43.70.442 and 2020 c 229 s 1 and 2020 c 80 s 30 are
7 each reenacted and amended to read as follows:

8 (1) (a) Each of the following professionals certified or licensed
9 under Title 18 RCW shall, at least once every six years, complete
10 training in suicide assessment, treatment, and management that is
11 approved, in rule, by the relevant disciplining authority:

12 (i) An adviser or counselor certified under chapter 18.19 RCW;

13 (ii) A substance use disorder professional licensed under chapter
14 18.205 RCW;

15 (iii) A marriage and family therapist licensed under chapter
16 18.225 RCW;

17 (iv) A mental health counselor licensed under chapter 18.225 RCW;

18 (v) An occupational therapy practitioner licensed under chapter
19 18.59 RCW;

20 (vi) A psychologist licensed under chapter 18.83 RCW;

21 (vii) An advanced social worker or independent clinical social
22 worker licensed under chapter 18.225 RCW; and

23 (viii) A social worker associate—advanced or social worker
24 associate—independent clinical licensed under chapter 18.225 RCW.

25 (b) The requirements in (a) of this subsection apply to a person
26 holding a retired active license for one of the professions in (a) of
27 this subsection.

28 (c) The training required by this subsection must be at least six
29 hours in length, unless a disciplining authority has determined,
30 under subsection (10) (b) of this section, that training that includes
31 only screening and referral elements is appropriate for the
32 profession in question, in which case the training must be at least
33 three hours in length.

34 (d) Beginning July 1, 2017, the training required by this
35 subsection must be on the model list developed under subsection (6)
36 of this section. Nothing in this subsection (1) (d) affects the
37 validity of training completed prior to July 1, 2017.

38 (2) (a) Except as provided in (b) of this subsection:

1 (i) A professional listed in subsection (1)(a) of this section
2 must complete the first training required by this section by the end
3 of the first full continuing education reporting period after January
4 1, 2014, or during the first full continuing education reporting
5 period after initial licensure or certification, whichever occurs
6 later.

7 (ii) Beginning July 1, 2021, the second training for a
8 psychologist, a marriage and family therapist, a mental health
9 counselor, an advanced social worker, an independent clinical social
10 worker, a social worker associate-advanced, or a social worker
11 associate-independent clinical must be either: (A) An advanced
12 training focused on suicide management, suicide care protocols, or
13 effective treatments; or (B) a training in a treatment modality shown
14 to be effective in working with people who are suicidal, including
15 dialectical behavior therapy, collaborative assessment and management
16 of suicide risk, or cognitive behavior therapy-suicide prevention. If
17 a professional subject to the requirements of this subsection has
18 already completed the professional's second training prior to July 1,
19 2021, the professional's next training must comply with this
20 subsection. This subsection (2)(a)(ii) does not apply if the licensee
21 demonstrates that the training required by this subsection (2)(a)(ii)
22 is not reasonably available.

23 (b)(i) A professional listed in subsection (1)(a) of this section
24 applying for initial licensure may delay completion of the first
25 training required by this section for six years after initial
26 licensure if he or she can demonstrate successful completion of the
27 training required in subsection (1) of this section no more than six
28 years prior to the application for initial licensure.

29 (ii) Beginning July 1, 2021, a psychologist, a marriage and
30 family therapist, a mental health counselor, an advanced social
31 worker, an independent clinical social worker, a social worker
32 associate-advanced, or a social worker associate-independent clinical
33 exempt from his or her first training under (b)(i) of this subsection
34 must comply with the requirements of (a)(ii) of this subsection for
35 his or her first training after initial licensure. If a professional
36 subject to the requirements of this subsection has already completed
37 the professional's first training after initial licensure, the
38 professional's next training must comply with this subsection
39 (2)(b)(ii). This subsection (2)(b)(ii) does not apply if the licensee

1 demonstrates that the training required by this subsection (2)(b)(ii)
2 is not reasonably available.

3 (3) The hours spent completing training in suicide assessment,
4 treatment, and management under this section count toward meeting any
5 applicable continuing education or continuing competency requirements
6 for each profession.

7 (4)(a) A disciplining authority may, by rule, specify minimum
8 training and experience that is sufficient to exempt an individual
9 professional from the training requirements in subsections (1) and
10 (5) of this section. Nothing in this subsection (4)(a) allows a
11 disciplining authority to provide blanket exemptions to broad
12 categories or specialties within a profession.

13 (b) A disciplining authority may exempt a professional from the
14 training requirements of subsections (1) and (5) of this section if
15 the professional has only brief or limited patient contact.

16 (5)(a) Each of the following professionals credentialed under
17 Title 18 RCW shall complete a one-time training in suicide
18 assessment, treatment, and management that is approved by the
19 relevant disciplining authority:

20 (i) A chiropractor licensed under chapter 18.25 RCW;

21 (ii) A naturopath licensed under chapter 18.36A RCW;

22 (iii) A licensed practical nurse, registered nurse, or advanced
23 registered nurse practitioner, other than a certified registered
24 nurse anesthetist, licensed under chapter 18.79 RCW;

25 (iv) An osteopathic physician and surgeon licensed under chapter
26 18.57 RCW, other than a holder of a postgraduate osteopathic medicine
27 and surgery license issued under RCW 18.57.035;

28 (v) A physical therapist or physical therapist assistant licensed
29 under chapter 18.74 RCW;

30 (vi) A physician licensed under chapter 18.71 RCW, other than a
31 resident holding a limited license issued under RCW 18.71.095(3);

32 (vii) A physician assistant licensed under chapter 18.71A RCW;

33 (viii) A pharmacist licensed under chapter 18.64 RCW;

34 (ix) A dentist licensed under chapter 18.32 RCW;

35 (x) A dental hygienist licensed under chapter 18.29 RCW;

36 (xi) An athletic trainer licensed under chapter 18.250 RCW;

37 (xii) An optometrist licensed under chapter 18.53 RCW;

38 (xiii) An acupuncture and Eastern medicine practitioner licensed
39 under chapter 18.06 RCW; ((and))

1 (xiv) A dental therapist licensed under chapter 18.--- RCW (the
2 new chapter created in section 23 of this act); and

3 (xv) A person holding a retired active license for one of the
4 professions listed in (a)(i) through (~~(xiii)~~) (xiv) of this
5 subsection.

6 (b)(i) A professional listed in (a)(i) through (vii) of this
7 subsection or a person holding a retired active license for one of
8 the professions listed in (a)(i) through (vii) of this subsection
9 must complete the one-time training by the end of the first full
10 continuing education reporting period after January 1, 2016, or
11 during the first full continuing education reporting period after
12 initial licensure, whichever is later. Training completed between
13 June 12, 2014, and January 1, 2016, that meets the requirements of
14 this section, other than the timing requirements of this subsection
15 (5)(b), must be accepted by the disciplining authority as meeting the
16 one-time training requirement of this subsection (5).

17 (ii) A licensed pharmacist or a person holding a retired active
18 pharmacist license must complete the one-time training by the end of
19 the first full continuing education reporting period after January 1,
20 2017, or during the first full continuing education reporting period
21 after initial licensure, whichever is later.

22 (iii) A licensed dentist, a licensed dental hygienist, or a
23 person holding a retired active license as a dentist shall complete
24 the one-time training by the end of the full continuing education
25 reporting period after August 1, 2020, or during the first full
26 continuing education reporting period after initial licensure,
27 whichever is later. Training completed between July 23, 2017, and
28 August 1, 2020, that meets the requirements of this section, other
29 than the timing requirements of this subsection (5)(b)(iii), must be
30 accepted by the disciplining authority as meeting the one-time
31 training requirement of this subsection (5).

32 (iv) A licensed optometrist or a licensed acupuncture and Eastern
33 medicine practitioner, or a person holding a retired active license
34 as an optometrist or an acupuncture and Eastern medicine
35 practitioner, shall complete the one-time training by the end of the
36 full continuing education reporting period after August 1, 2021, or
37 during the first full continuing education reporting period after
38 initial licensure, whichever is later. Training completed between
39 August 1, 2020, and August 1, 2021, that meets the requirements of
40 this section, other than the timing requirements of this subsection

1 (5) (b) (iv), must be accepted by the disciplining authority as meeting
2 the one-time training requirement of this subsection (5).

3 (c) The training required by this subsection must be at least six
4 hours in length, unless a disciplining authority has determined,
5 under subsection (10) (b) of this section, that training that includes
6 only screening and referral elements is appropriate for the
7 profession in question, in which case the training must be at least
8 three hours in length.

9 (d) Beginning July 1, 2017, the training required by this
10 subsection must be on the model list developed under subsection (6)
11 of this section. Nothing in this subsection (5) (d) affects the
12 validity of training completed prior to July 1, 2017.

13 (6) (a) The secretary and the disciplining authorities shall work
14 collaboratively to develop a model list of training programs in
15 suicide assessment, treatment, and management. Beginning July 1,
16 2021, for purposes of subsection (2) (a) (ii) of this section, the
17 model list must include advanced training and training in treatment
18 modalities shown to be effective in working with people who are
19 suicidal.

20 (b) The secretary and the disciplining authorities shall update
21 the list at least once every two years.

22 (c) By June 30, 2016, the department shall adopt rules
23 establishing minimum standards for the training programs included on
24 the model list. The minimum standards must require that six-hour
25 trainings include content specific to veterans and the assessment of
26 issues related to imminent harm via lethal means or self-injurious
27 behaviors and that three-hour trainings for pharmacists or dentists
28 include content related to the assessment of issues related to
29 imminent harm via lethal means. When adopting the rules required
30 under this subsection (6) (c), the department shall:

31 (i) Consult with the affected disciplining authorities, public
32 and private institutions of higher education, educators, experts in
33 suicide assessment, treatment, and management, the Washington
34 department of veterans affairs, and affected professional
35 associations; and

36 (ii) Consider standards related to the best practices registry of
37 the American foundation for suicide prevention and the suicide
38 prevention resource center.

39 (d) Beginning January 1, 2017:

1 (i) The model list must include only trainings that meet the
2 minimum standards established in the rules adopted under (c) of this
3 subsection and any three-hour trainings that met the requirements of
4 this section on or before July 24, 2015;

5 (ii) The model list must include six-hour trainings in suicide
6 assessment, treatment, and management, and three-hour trainings that
7 include only screening and referral elements; and

8 (iii) A person or entity providing the training required in this
9 section may petition the department for inclusion on the model list.
10 The department shall add the training to the list only if the
11 department determines that the training meets the minimum standards
12 established in the rules adopted under (c) of this subsection.

13 (e) By January 1, 2021, the department shall adopt minimum
14 standards for advanced training and training in treatment modalities
15 shown to be effective in working with people who are suicidal.
16 Beginning July 1, 2021, all such training on the model list must meet
17 the minimum standards. When adopting the minimum standards, the
18 department must consult with the affected disciplining authorities,
19 public and private institutions of higher education, educators,
20 experts in suicide assessment, treatment, and management, the
21 Washington department of veterans affairs, and affected professional
22 associations.

23 (7) The department shall provide the health profession training
24 standards created in this section to the professional educator
25 standards board as a model in meeting the requirements of RCW
26 28A.410.226 and provide technical assistance, as requested, in the
27 review and evaluation of educator training programs. The educator
28 training programs approved by the professional educator standards
29 board may be included in the department's model list.

30 (8) Nothing in this section may be interpreted to expand or limit
31 the scope of practice of any profession regulated under chapter
32 18.130 RCW.

33 (9) The secretary and the disciplining authorities affected by
34 this section shall adopt any rules necessary to implement this
35 section.

36 (10) For purposes of this section:

37 (a) "Disciplining authority" has the same meaning as in RCW
38 18.130.020.

39 (b) "Training in suicide assessment, treatment, and management"
40 means empirically supported training approved by the appropriate

1 disciplining authority that contains the following elements: Suicide
2 assessment, including screening and referral, suicide treatment, and
3 suicide management. However, the disciplining authority may approve
4 training that includes only screening and referral elements if
5 appropriate for the profession in question based on the profession's
6 scope of practice. The board of occupational therapy may also approve
7 training that includes only screening and referral elements if
8 appropriate for occupational therapy practitioners based on practice
9 setting.

10 (11) A state or local government employee is exempt from the
11 requirements of this section if he or she receives a total of at
12 least six hours of training in suicide assessment, treatment, and
13 management from his or her employer every six years. For purposes of
14 this subsection, the training may be provided in one six-hour block
15 or may be spread among shorter training sessions at the employer's
16 discretion.

17 (12) An employee of a community mental health agency licensed
18 under chapter 71.24 RCW or a chemical dependency program certified
19 under chapter 71.24 RCW is exempt from the requirements of this
20 section if he or she receives a total of at least six hours of
21 training in suicide assessment, treatment, and management from his or
22 her employer every six years. For purposes of this subsection, the
23 training may be provided in one six-hour block or may be spread among
24 shorter training sessions at the employer's discretion.

25 NEW SECTION. **Sec. 23.** Sections 1 through 11 of this act
26 constitute a new chapter in Title 18 RCW.

27 NEW SECTION. **Sec. 24.** The department of health shall adopt any
28 rules necessary to implement this act.

29 NEW SECTION. **Sec. 25.** Sections 1 through 22 of this act take
30 effect January 1, 2024.

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