

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1678

68th Legislature
2023 Regular Session

Passed by the House March 4, 2023
Yeas 53 Nays 42

**Speaker of the House of
Representatives**

Passed by the Senate April 11, 2023
Yeas 30 Nays 19

President of the Senate

Approved

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 **ENGROSSED SUBSTITUTE HOUSE BILL 1678** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1678

Passed Legislature - 2023 Regular Session

State of Washington 68th Legislature 2023 Regular Session

By House Health Care & Wellness (originally sponsored 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 02/17/23.

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 18.29.050, and 69.41.010; 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 dentist licensed in accordance with state or federal law. The
9 legislature intends for dental therapists to be incorporated into the
10 dental care workforce and used 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) "Commission" means the dental quality assurance commission
35 established in chapter 18.32 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 or exempt from such licensure pursuant to Title 25
3 U.S.C. Sec. 1621t of the Indian health care improvement act.

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

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

7 (8) "Off-site supervision" means supervision that does not
8 require the dentist to be personally on-site when services are
9 provided or to previously examine or diagnose the patient.

10 (9) "Practice plan contract" means a document that is signed by a
11 dentist and a dental therapist and outlines the functions the dentist
12 authorizes the dental therapist to perform and the level and type of
13 dentist supervision that is required.

14 (10) "Secretary" means the secretary of health.

15 NEW SECTION. **Sec. 3.** No person may practice dental therapy or
16 represent himself or herself as a dental therapist without being
17 licensed by the department under this chapter. Every person licensed
18 to practice dental therapy in this state shall renew their license
19 and comply with administrative procedures, administrative
20 requirements, continuing education requirements, and fees provided in
21 RCW 43.70.250 and 43.70.280. The licensing fees for dental therapists
22 may not be subsidized by other health professions. The department
23 shall establish by rule mandatory continuing education requirements
24 to be met by dental therapists applying for license renewal. A dental
25 therapist must obtain liability insurance with coverage equivalent to
26 that of the supervising dentist's liability insurance coverage.

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

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

31 (b) Except as provided in subsection (2) of this section,
32 successfully completes a dental therapist program that is accredited
33 or has received initial accreditation by the American dental
34 association's commission on dental accreditation;

35 (c) Passes an examination approved by the commission; and

36 (d) Submits, on forms provided by the secretary, the applicant's
37 name, address, and other applicable information as determined by the
38 secretary.

1 (2) Applicants who successfully completed a dental therapist
2 program before September 30, 2022, that was not accredited by the
3 American dental association's commission on dental accreditation but
4 that the commission determines is substantially equivalent to an
5 accredited education program meet the criteria described in
6 subsection (1)(b) of this section if the applicant also, has proof of
7 at least 400 preceptorship hours under the close supervision of a
8 dentist.

9 (3) When considering and approving the exam under subsection
10 (1)(c) of this section, the committee must consult with tribes that
11 license dental health aide therapists and with dental therapy
12 education programs located in this state.

13 (4) The secretary in consultation with the commission must
14 establish by rule the procedures to implement this section.

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

27 NEW SECTION. **Sec. 6.** (1) Subject to the limitations in this
28 section, a licensed dental therapist may provide the following
29 services and procedures under the supervision of a licensed dentist
30 as provided under section 7 of this act and to the extent the
31 supervising dentist authorizes the service or procedure to be
32 provided by the dental therapist:

33 (a) Oral health instruction and disease prevention education,
34 including nutritional counseling and dietary analysis;

35 (b) Comprehensive charting of the oral cavity;

36 (c) Making radiographs;

37 (d) Mechanical polishing;

38 (e) Prophylaxis;

- 1 (f) Periodontal scaling and root planing;
- 2 (g) Application of topical preventative or prophylactic agents,
3 including fluoride and pit and fissure sealants;
- 4 (h) Pulp vitality testing;
- 5 (i) Application of desensitizing medication or resin;
- 6 (j) Fabrication of athletic mouth guards;
- 7 (k) Placement of temporary restorations;
- 8 (l) Fabrication of soft occlusal guards;
- 9 (m) Tissue conditioning and soft reline;
- 10 (n) Atraumatic restorative therapy and interim restorative
11 therapy;
- 12 (o) Dressing changes;
- 13 (p) Administration of local anesthetic;
- 14 (q) Administration of nitrous oxide;
- 15 (r) Emergency palliative treatment of dental pain limited to the
16 procedures in this section;
- 17 (s) The placement and removal of space maintainers;
- 18 (t) Cavity preparation;
- 19 (u) Restoration of primary and permanent teeth;
- 20 (v) Placement of temporary crowns;
- 21 (w) Preparation and placement of preformed crowns for patients 18
22 years of age or older;
- 23 (x) Indirect and direct pulp capping on primary and permanent
24 teeth;
- 25 (y) Stabilization of reimplanted teeth;
- 26 (z) Extractions of primary teeth;
- 27 (aa) Suture removal;
- 28 (bb) Brush biopsies;
- 29 (cc) Minor adjustments and repairs on removable prostheses;
- 30 (dd) Recementing of permanent crowns;
- 31 (ee) Oral evaluation and assessment of dental disease and the
32 formulation of an individualized treatment plan. When possible, a
33 dental therapist must collaborate with the supervising dentist to
34 formulate a patient's individualized treatment plan;
- 35 (ff) Identification of oral and systemic conditions requiring
36 evaluation and treatment by a dentist, physician, or other health
37 care provider, and management of referrals;
- 38 (gg) The supervision of expanded function dental auxiliaries,
39 dental assistants, and dental hygienists. However, a dental therapist
40 may supervise no more than a total of three expanded function dental

1 auxiliaries, dental assistants, and dental hygienists at any one time
2 in any one practice setting. A dental therapist may not supervise an
3 expanded function dental auxiliary, dental assistant, or dental
4 hygienist with respect to tasks that the dental therapist is not
5 authorized to perform;

6 (hh) Nonsurgical extractions of erupted permanent teeth under
7 limited conditions; and

8 (ii) The dispensation and oral administration of drugs pursuant
9 to subsection (2) of this section.

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

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

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

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

22 (e) A dental therapist does not have the authority to prescribe
23 drugs.

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

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

30 NEW SECTION. **Sec. 7.** (1) A dental therapist may only practice
31 dental therapy under the supervision of a dentist and pursuant to a
32 written practice plan contract with the supervising dentist. A dental
33 therapist may not practice independently. In circumstances authorized
34 by the supervising dentist in the written practice plan contract, a
35 dental therapist may provide services under off-site supervision. The
36 contract must, at a minimum, contain the following elements:

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

1 (b) Practice settings where services and procedures may be
2 provided;

3 (c) Any limitations on the services or procedures the dental
4 therapist may provide;

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

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

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

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

14 (h) Protocols for administering and dispensing medications,
15 including the specific circumstances under which the medications may
16 be dispensed and administered;

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

20 (j) Specific written protocols governing situations where the
21 dental therapist encounters a patient requiring treatment that
22 exceeds the dental therapist's scope of practice or capabilities and
23 protocols for referral of patients requiring evaluation and treatment
24 by dentists, denturists, physicians, advanced registered nurse
25 practitioners, or other health care providers.

26 (2) The dental therapist shall accept responsibility for all
27 services and procedures provided by the dental therapist or any
28 auxiliary dental providers the dental therapist is supervising
29 pursuant to the practice plan contract.

30 (3) A supervising dentist licensed under chapter 18.32 RCW who
31 knowingly permits a dental therapist to provide a service or
32 procedure that is not authorized in the practice plan contract, or
33 any dental therapist who provides a service or procedure that is not
34 authorized in the practice plan contract, commits unprofessional
35 conduct for purposes of chapter 18.130 RCW.

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

38 (a) Directly provide or arrange for another dentist, denturist,
39 or specialist to provide any necessary advanced procedures or

1 services needed by the patient or any treatment that exceeds the
2 dental therapist's scope of practice or capabilities;

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

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

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

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

13 (8) A dental therapist must submit a signed copy of the practice
14 plan contract to the secretary at the time of licensure renewal. If
15 the practice plan contract is revised in between license renewal, a
16 signed copy of the revised practice plan contract must be submitted
17 as soon as practicable after the revision is made.

18 NEW SECTION. **Sec. 8.** Nothing in this chapter prohibits or
19 affects:

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

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

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

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

32 (5) The practice of federally certified dental health aide
33 therapists or tribally licensed dental health aide therapists as
34 authorized under chapter 70.350 RCW.

35 NEW SECTION. **Sec. 9.** (1) A dental therapist may practice only
36 in federally qualified health centers, tribal federally qualified
37 health centers, and federally qualified health center look-alikes.

1 (2) A dentist providing dental services at a federally qualified
2 health center is not required to enter a practice plan contract and
3 may not face retaliation or default on a loan repayment contract if
4 the dentist refuses to enter into a practice plan contract or
5 supervise a dental therapist.

6 (3) For purposes of this section, a "tribal federally qualified
7 health center" means a tribal facility operating in accordance with
8 Title XIX Sec. 1905(1)(2)(B) of the social security act and the
9 Indian self-determination and education assistance act (P.L. 93-638)
10 and that enrolls in Washington medicaid as a tribal federally
11 qualified health center.

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) (A) Has graduated from a dental therapy school accredited by
29 the commission on dental accreditation; or

30 (B) Has graduated from a dental therapy education program before
31 September 30, 2022, that the dental quality assurance commission
32 determines is substantially equivalent to an accredited education
33 program; and

34 (ii) Is licensed or certified to practice in another state or
35 Canadian province, or has been certified or licensed by a federal or
36 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 (4) The term of a limited license issued under this section is
16 the same as the term for an initial limited license issued under RCW
17 18.29.190.

18 (5) The department may adopt rules necessary to implement and
19 administer this section.

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

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

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

30 (2) The practice of dentistry in the discharge of official duties
31 by dentists in the United States federal services on federal
32 reservations, including but not limited to the armed services, coast
33 guard, public health service, veterans' bureau, or bureau of Indian
34 affairs;

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

1 (4) The practice of dentistry by licensed dentists of other
2 states or countries while appearing as clinicians at meetings of the
3 Washington state dental association, or component parts thereof, or
4 at meetings sanctioned by them, or other groups approved by the
5 commission;

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

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

20 (7) The removal of deposits and stains from the surfaces of the
21 teeth, the application of topical preventative or prophylactic
22 agents, and the polishing and smoothing of restorations, when
23 performed or prescribed by a dental hygienist licensed under the laws
24 of this state;

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

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

1 it applies to registered nurses and advanced registered nurse
2 practitioners, and 18.260 RCW:

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

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

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

11 (d) Any oral prophylaxis;

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

15 (10) The performing of dental services described in RCW
16 18.350.040 by dental anesthesia assistants certified under chapter
17 18.350 RCW when working under the supervision and direction of an
18 oral and maxillofacial surgeon or dental anesthesiologist; and

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

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

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

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

36 The definitions in this section apply throughout this chapter
37 unless the context clearly requires otherwise.

1 (1) "Applicant group" includes any health professional group or
2 organization, any individual, or any other interested party which
3 proposes that any health professional group not presently regulated
4 be regulated or which proposes to substantially increase the scope of
5 practice of the profession.

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

12 (3) "Grandfather clause" means a provision in a regulatory
13 statute applicable to practitioners actively engaged in the regulated
14 health profession prior to the effective date of the regulatory
15 statute which exempts the practitioners from meeting the prerequisite
16 qualifications set forth in the regulatory statute to perform
17 prescribed occupational tasks.

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

1 counselors, marriage and family therapists, and social workers under
2 chapter 18.225 RCW; dietitians and nutritionists certified by chapter
3 18.138 RCW; radiologic technicians under chapter 18.84 RCW; nursing
4 assistants registered or certified under chapter 18.88A RCW;
5 reflexologists certified under chapter 18.108 RCW; medical
6 assistants-certified, medical assistants-hemodialysis technician,
7 medical assistants-phlebotomist, forensic phlebotomist, and medical
8 assistants-registered certified and registered under chapter 18.360
9 RCW; ~~((and))~~ licensed behavior analysts, licensed assistant behavior
10 analysts, and certified behavior technicians under chapter 18.380
11 RCW; and dental therapists licensed under chapter 18.--- RCW (the new
12 chapter created in section 23 of this act).

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

17 (6) "Legislative committees of reference" means the standing
18 legislative committees designated by the respective rules committees
19 of the senate and house of representatives to consider proposed
20 legislation to regulate health professions not previously regulated.

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

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

30 (9) "Professional license" means an individual, nontransferable
31 authorization to carry on a health activity based on qualifications
32 which include: (a) Graduation from an accredited or approved program,
33 and (b) acceptable performance on a qualifying examination or series
34 of examinations.

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

1 (11) "Registration" means the formal notification which, prior to
2 rendering services, a practitioner shall submit to a state agency
3 setting forth the name and address of the practitioner; the location,
4 nature and operation of the health activity to be practiced; and, if
5 required by the regulatory entity, a description of the service to be
6 provided.

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

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

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

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

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

24 (i) Dispensing opticians licensed and designated apprentices
25 under chapter 18.34 RCW;

26 (ii) Midwives licensed under chapter 18.50 RCW;

27 (iii) Ocularists licensed under chapter 18.55 RCW;

28 (iv) Massage therapists and businesses licensed under chapter
29 18.108 RCW;

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

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

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

35 (viii) Respiratory care practitioners licensed under chapter
36 18.89 RCW;

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

1 (x) Persons licensed as mental health counselors, mental health
2 counselor associates, marriage and family therapists, marriage and
3 family therapist associates, social workers, social work associates—
4 advanced, and social work associates—independent clinical under
5 chapter 18.225 RCW;

6 (xi) Persons registered as nursing pool operators under chapter
7 18.52C RCW;

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

10 (xiii) Dietitians and nutritionists certified under chapter
11 18.138 RCW;

12 (xiv) Substance use disorder professionals, substance use
13 disorder professional trainees, or co-occurring disorder specialists
14 certified under chapter 18.205 RCW;

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

17 (xvi) Persons licensed and certified under chapter 18.73 RCW or
18 RCW 18.71.205;

19 (xvii) Orthotists and prosthetists licensed under chapter 18.200
20 RCW;

21 (xviii) Surgical technologists registered under chapter 18.215
22 RCW;

23 (xix) Recreational therapists under chapter 18.230 RCW;

24 (xx) Animal massage therapists certified under chapter 18.240
25 RCW;

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

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

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

29 (xxiv) Reflexologists certified under chapter 18.108 RCW;

30 (xxv) Medical assistants-certified, medical assistants-
31 hemodialysis technician, medical assistants-phlebotomist, forensic
32 phlebotomist, and medical assistants-registered certified and
33 registered under chapter 18.360 RCW;

34 (xxvi) Behavior analysts, assistant behavior analysts, and
35 behavior technicians under chapter 18.380 RCW; and

36 (xxvii) Birth doula certified under chapter 18.47 RCW.

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

39 (i) The podiatric medical board as established in chapter 18.22
40 RCW;

1 (ii) The chiropractic quality assurance commission as established
2 in chapter 18.25 RCW;

3 (iii) The dental quality assurance commission as established in
4 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW,
5 licenses and registrations issued under chapter 18.260 RCW, licenses
6 issued under chapter 18.--- RCW (the new chapter created in section
7 23 of this act), and certifications issued under chapter 18.350 RCW;

8 (iv) The board of hearing and speech as established in chapter
9 18.35 RCW;

10 (v) The board of examiners for nursing home administrators as
11 established in chapter 18.52 RCW;

12 (vi) The optometry board as established in chapter 18.54 RCW
13 governing licenses issued under chapter 18.53 RCW;

14 (vii) The board of osteopathic medicine and surgery as
15 established in chapter 18.57 RCW governing licenses issued under
16 chapter 18.57 RCW;

17 (viii) The pharmacy quality assurance commission as established
18 in chapter 18.64 RCW governing licenses issued under chapters 18.64
19 and 18.64A RCW;

20 (ix) The Washington medical commission as established in chapter
21 18.71 RCW governing licenses and registrations issued under chapters
22 18.71 and 18.71A RCW;

23 (x) The board of physical therapy as established in chapter 18.74
24 RCW;

25 (xi) The board of occupational therapy practice as established in
26 chapter 18.59 RCW;

27 (xii) The nursing care quality assurance commission as
28 established in chapter 18.79 RCW governing licenses and registrations
29 issued under that chapter;

30 (xiii) The examining board of psychology and its disciplinary
31 committee as established in chapter 18.83 RCW;

32 (xiv) The veterinary board of governors as established in chapter
33 18.92 RCW;

34 (xv) The board of naturopathy established in chapter 18.36A RCW,
35 governing licenses and certifications issued under that chapter; and

36 (xvi) The board of denturists established in chapter 18.30 RCW.

37 (3) In addition to the authority to discipline license holders,
38 the disciplining authority has the authority to grant or deny
39 licenses. The disciplining authority may also grant a license subject
40 to conditions.

1 (4) All disciplining authorities shall adopt procedures to ensure
2 substantially consistent application of this chapter, the uniform
3 disciplinary act, among the disciplining authorities listed in
4 subsection (2) of this section.

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

7 The definitions in this section apply throughout this chapter
8 unless the context clearly requires otherwise.

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

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

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

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

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

31 (~~(5)~~) (6) "Department" means the department of health.

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

37 (~~(7)~~) (8) "General supervision" means that a supervising
38 dentist or dental therapist has examined and diagnosed the patient
39 and provided subsequent instructions to be performed by the assistive

1 personnel, but does not require that the dentist or dental therapist
2 be physically present in the treatment facility.

3 ~~((8))~~ (9) "Secretary" means the secretary of health.

4 ~~((9))~~ (10) "Supervising dental therapist" means a dental
5 therapist licensed under chapter 18.--- RCW (the new chapter created
6 in section 23 of this act) who is responsible for providing the
7 appropriate level of supervision for dental assistants and expanded
8 function dental auxiliaries.

9 (11) "Supervising dentist" means a dentist licensed under chapter
10 18.32 RCW that is responsible for providing the appropriate level of
11 supervision for dental assistants and expanded function dental
12 auxiliaries.

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

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

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

21 (c) All dental services performed by dental assistants under (a)
22 or (b) of this subsection must be performed under the close
23 supervision of a supervising dentist or supervising dental therapist
24 as the dentist or dental therapist may allow.

25 (2) In addition to any other limitations established by the
26 commission, dental assistants may not perform the following
27 procedures:

28 (a) Any scaling procedure;

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

30 (c) Administration of any general or local anesthetic, including
31 intravenous sedation;

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

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

37 (f) The taking of any impressions of the teeth or jaw or the
38 relationships of the teeth or jaws, for the purpose of fabricating
39 any intra-oral restoration, appliance, or prosthesis, other than

1 impressions allowed as a delegated duty for dental assistants
2 pursuant to rules adopted by the commission.

3 (3) A dentist or dental therapist may not assign a dental
4 assistant to perform duties until the dental assistant has
5 demonstrated skills necessary to perform competently all assigned
6 duties and responsibilities.

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

9 (1) The commission shall adopt rules relating to the scope of
10 expanded function dental auxiliary services related to patient care
11 and laboratory duties that may be performed by expanded function
12 dental auxiliaries.

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

15 (a) In addition to the dental assisting services that a dental
16 assistant may perform under the close supervision of a supervising
17 dentist or supervising dental therapist, the performance of the
18 following services under the general supervision of a supervising
19 dentist or supervising dental therapist as the dentist or dental
20 therapist may allow:

21 (i) Performing coronal polishing;

22 (ii) Giving fluoride treatments;

23 (iii) Applying sealants;

24 (iv) Placing dental x-ray film and exposing and developing the
25 films;

26 (v) Giving patient oral health instruction; and

27 (b) Notwithstanding any prohibitions in RCW 18.260.040, the
28 performance of the following services under the close supervision of
29 a supervising dentist or supervising dental therapist as the dentist
30 or dental therapist may allow:

31 (i) Placing and carving direct restorations; and

32 (ii) Taking final impressions.

33 (3) A dentist or dental therapist may not assign an expanded
34 function dental auxiliary to perform services until the expanded
35 function dental auxiliary has demonstrated skills necessary to
36 perform competently all assigned duties and responsibilities.

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

1 A supervising dentist or supervising dental therapist is
2 responsible for:

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

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

8 **Sec. 20.** RCW 18.29.050 and 2015 c 120 s 1 are each amended to
9 read as follows:

10 Any person licensed as a dental hygienist in this state may
11 remove deposits and stains from the surfaces of the teeth, may apply
12 topical preventive or prophylactic agents, may polish and smooth
13 restorations, may perform root planing and soft-tissue curettage, and
14 may perform other dental operations and services delegated to them by
15 a licensed dentist or dental therapist. Any person licensed as a
16 dental hygienist in this state may apply topical anesthetic agents
17 under the general supervision, as defined in RCW 18.260.010, of a
18 dentist or a dental therapist: PROVIDED HOWEVER, That licensed dental
19 hygienists shall in no event perform the following dental operations
20 or services:

21 (1) Any surgical removal of tissue of the oral cavity;

22 (2) Any prescription of drugs or medications requiring the
23 written order or prescription of a licensed dentist or physician,
24 except that a hygienist may place antimicrobials pursuant to the
25 order of a licensed dentist and under the dentist's or dental
26 therapist's required supervision;

27 (3) Any diagnosis for treatment or treatment planning; or

28 (4) The taking of any impression of the teeth or jaw, or the
29 relationships of the teeth or jaws, for the purpose of fabricating
30 any intra-oral restoration, appliance, or prosthesis, except that a
31 dental hygienist may take an impression for any purpose that is
32 either allowed:

33 (a) For a dental assistant registered under chapter 18.260 RCW;
34 or

35 (b) As a delegated duty for dental hygienists pursuant to rules
36 adopted by the dental quality assurance commission.

37 Such licensed dental hygienists may perform dental operations and
38 services only under the supervision of a licensed dentist or dental
39 therapist, and under such supervision may be employed by hospitals,

1 boards of education of public or private schools, county boards,
2 boards of health, or public or charitable institutions, or in dental
3 offices.

4 **Sec. 21.** 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 licensed dental therapist to the extent
23 authorized under chapter 18.--- RCW (the new chapter created in
24 section 23 of this act);

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

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

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

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

37 (1)(a) Each of the following professionals certified or licensed
38 under Title 18 RCW shall, at least once every six years, complete

1 training in suicide assessment, treatment, and management that is
2 approved, in rule, by the relevant disciplining authority:

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

4 (ii) A substance use disorder professional licensed under chapter
5 18.205 RCW;

6 (iii) A marriage and family therapist licensed under chapter
7 18.225 RCW;

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

9 (v) An occupational therapy practitioner licensed under chapter
10 18.59 RCW;

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

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

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

16 (b) The requirements in (a) of this subsection apply to a person
17 holding a retired active license for one of the professions in (a) of
18 this subsection.

19 (c) The training required by this subsection must be at least six
20 hours in length, unless a disciplining authority has determined,
21 under subsection (10)(b) of this section, that training that includes
22 only screening and referral elements is appropriate for the
23 profession in question, in which case the training must be at least
24 three hours in length.

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

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

30 (i) A professional listed in subsection (1)(a) of this section
31 must complete the first training required by this section by the end
32 of the first full continuing education reporting period after January
33 1, 2014, or during the first full continuing education reporting
34 period after initial licensure or certification, whichever occurs
35 later.

36 (ii) Beginning July 1, 2021, the second training for a
37 psychologist, a marriage and family therapist, a mental health
38 counselor, an advanced social worker, an independent clinical social
39 worker, a social worker associate-advanced, or a social worker
40 associate-independent clinical must be either: (A) An advanced

1 training focused on suicide management, suicide care protocols, or
2 effective treatments; or (B) a training in a treatment modality shown
3 to be effective in working with people who are suicidal, including
4 dialectical behavior therapy, collaborative assessment and management
5 of suicide risk, or cognitive behavior therapy-suicide prevention. If
6 a professional subject to the requirements of this subsection has
7 already completed the professional's second training prior to July 1,
8 2021, the professional's next training must comply with this
9 subsection. This subsection (2)(a)(ii) does not apply if the licensee
10 demonstrates that the training required by this subsection (2)(a)(ii)
11 is not reasonably available.

12 (b)(i) A professional listed in subsection (1)(a) of this section
13 applying for initial licensure may delay completion of the first
14 training required by this section for six years after initial
15 licensure if he or she can demonstrate successful completion of the
16 training required in subsection (1) of this section no more than six
17 years prior to the application for initial licensure.

18 (ii) Beginning July 1, 2021, a psychologist, a marriage and
19 family therapist, a mental health counselor, an advanced social
20 worker, an independent clinical social worker, a social worker
21 associate-advanced, or a social worker associate-independent clinical
22 exempt from his or her first training under (b)(i) of this subsection
23 must comply with the requirements of (a)(ii) of this subsection for
24 his or her first training after initial licensure. If a professional
25 subject to the requirements of this subsection has already completed
26 the professional's first training after initial licensure, the
27 professional's next training must comply with this subsection
28 (2)(b)(ii). This subsection (2)(b)(ii) does not apply if the licensee
29 demonstrates that the training required by this subsection (2)(b)(ii)
30 is not reasonably available.

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

35 (4)(a) A disciplining authority may, by rule, specify minimum
36 training and experience that is sufficient to exempt an individual
37 professional from the training requirements in subsections (1) and
38 (5) of this section. Nothing in this subsection (4)(a) allows a
39 disciplining authority to provide blanket exemptions to broad
40 categories or specialties within a profession.

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

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

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

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

10 (iii) A licensed practical nurse, registered nurse, or advanced
11 registered nurse practitioner, other than a certified registered
12 nurse anesthetist, licensed under chapter 18.79 RCW;

13 (iv) An osteopathic physician and surgeon licensed under chapter
14 18.57 RCW, other than a holder of a postgraduate osteopathic medicine
15 and surgery license issued under RCW 18.57.035;

16 (v) A physical therapist or physical therapist assistant licensed
17 under chapter 18.74 RCW;

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

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

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

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

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

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

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

26 (xiii) An acupuncture and Eastern medicine practitioner licensed
27 under chapter 18.06 RCW; (~~and~~)

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

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

33 (b)(i) A professional listed in (a)(i) through (vii) of this
34 subsection or a person holding a retired active license for one of
35 the professions listed in (a)(i) through (vii) of this subsection
36 must complete the one-time training by the end of the first full
37 continuing education reporting period after January 1, 2016, or
38 during the first full continuing education reporting period after
39 initial licensure, whichever is later. Training completed between
40 June 12, 2014, and January 1, 2016, that meets the requirements of

1 this section, other than the timing requirements of this subsection
2 (5)(b), must be accepted by the disciplining authority as meeting the
3 one-time training requirement of this subsection (5).

4 (ii) A licensed pharmacist or a person holding a retired active
5 pharmacist license must complete the one-time training by the end of
6 the first full continuing education reporting period after January 1,
7 2017, or during the first full continuing education reporting period
8 after initial licensure, whichever is later.

9 (iii) A licensed dentist, a licensed dental hygienist, or a
10 person holding a retired active license as a dentist shall complete
11 the one-time training by the end of the full continuing education
12 reporting period after August 1, 2020, or during the first full
13 continuing education reporting period after initial licensure,
14 whichever is later. Training completed between July 23, 2017, and
15 August 1, 2020, that meets the requirements of this section, other
16 than the timing requirements of this subsection (5)(b)(iii), must be
17 accepted by the disciplining authority as meeting the one-time
18 training requirement of this subsection (5).

19 (iv) A licensed optometrist or a licensed acupuncture and Eastern
20 medicine practitioner, or a person holding a retired active license
21 as an optometrist or an acupuncture and Eastern medicine
22 practitioner, shall complete the one-time training by the end of the
23 full continuing education reporting period after August 1, 2021, or
24 during the first full continuing education reporting period after
25 initial licensure, whichever is later. Training completed between
26 August 1, 2020, and August 1, 2021, that meets the requirements of
27 this section, other than the timing requirements of this subsection
28 (5)(b)(iv), must be accepted by the disciplining authority as meeting
29 the one-time training requirement of this subsection (5).

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

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

1 (6) (a) The secretary and the disciplining authorities shall work
2 collaboratively to develop a model list of training programs in
3 suicide assessment, treatment, and management. Beginning July 1,
4 2021, for purposes of subsection (2) (a) (ii) of this section, the
5 model list must include advanced training and training in treatment
6 modalities shown to be effective in working with people who are
7 suicidal.

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

10 (c) By June 30, 2016, the department shall adopt rules
11 establishing minimum standards for the training programs included on
12 the model list. The minimum standards must require that six-hour
13 trainings include content specific to veterans and the assessment of
14 issues related to imminent harm via lethal means or self-injurious
15 behaviors and that three-hour trainings for pharmacists or dentists
16 include content related to the assessment of issues related to
17 imminent harm via lethal means. When adopting the rules required
18 under this subsection (6) (c), the department shall:

19 (i) Consult with the affected disciplining authorities, public
20 and private institutions of higher education, educators, experts in
21 suicide assessment, treatment, and management, the Washington
22 department of veterans affairs, and affected professional
23 associations; and

24 (ii) Consider standards related to the best practices registry of
25 the American foundation for suicide prevention and the suicide
26 prevention resource center.

27 (d) Beginning January 1, 2017:

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

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

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

1 (e) By January 1, 2021, the department shall adopt minimum
2 standards for advanced training and training in treatment modalities
3 shown to be effective in working with people who are suicidal.
4 Beginning July 1, 2021, all such training on the model list must meet
5 the minimum standards. When adopting the minimum standards, the
6 department must consult with the affected disciplining authorities,
7 public and private institutions of higher education, educators,
8 experts in suicide assessment, treatment, and management, the
9 Washington department of veterans affairs, and affected professional
10 associations.

11 (7) The department shall provide the health profession training
12 standards created in this section to the professional educator
13 standards board as a model in meeting the requirements of RCW
14 28A.410.226 and provide technical assistance, as requested, in the
15 review and evaluation of educator training programs. The educator
16 training programs approved by the professional educator standards
17 board may be included in the department's model list.

18 (8) Nothing in this section may be interpreted to expand or limit
19 the scope of practice of any profession regulated under chapter
20 18.130 RCW.

21 (9) The secretary and the disciplining authorities affected by
22 this section shall adopt any rules necessary to implement this
23 section.

24 (10) For purposes of this section:

25 (a) "Disciplining authority" has the same meaning as in RCW
26 18.130.020.

27 (b) "Training in suicide assessment, treatment, and management"
28 means empirically supported training approved by the appropriate
29 disciplining authority that contains the following elements: Suicide
30 assessment, including screening and referral, suicide treatment, and
31 suicide management. However, the disciplining authority may approve
32 training that includes only screening and referral elements if
33 appropriate for the profession in question based on the profession's
34 scope of practice. The board of occupational therapy may also approve
35 training that includes only screening and referral elements if
36 appropriate for occupational therapy practitioners based on practice
37 setting.

38 (11) A state or local government employee is exempt from the
39 requirements of this section if he or she receives a total of at
40 least six hours of training in suicide assessment, treatment, and

1 management from his or her employer every six years. For purposes of
2 this subsection, the training may be provided in one six-hour block
3 or may be spread among shorter training sessions at the employer's
4 discretion.

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

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

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

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

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