

**WSR 19-07-007**  
**EXPEDITED RULES**  
**ENVIRONMENTAL AND**  
**LAND USE HEARINGS OFFICE**

[Filed March 7, 2019, 12:05 p.m.]

Title of Rule and Other Identifying Information: WAC 198-14-090 Costs of providing copies of public records.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of this proposal is to allow the environmental and land use hearings office (ELUHO) to use the statutory fee schedule when providing public records and to allow ELUHO to use its discretion to waive charges for providing public records.

Reasons Supporting Proposal: EHB 1595 which was passed during the 2017 legislative session, changes the circumstances under which an agency may charge or waive charges for copying public records:

(1) In order to use the statutory fee schedule in lieu of charging actual costs for providing records, agencies are now required to declare by rule the reasons why calculating actual costs would be overly burdensome; and

(2) Agencies may only waive charges for public records requests if it has rules governing such a waiver of charges.

ELUHO has not declared by rule the reasons why calculating actual costs would be overly burdensome, and does not have permanent rules in place governing a waiver of charges. Because of this, ELUHO is limited to charging actual costs for providing public records until ELUHO changes its rules.

Statutory Authority for Adoption: RCW 42.56.120 Duty to publish procedures.

Statute Being Implemented: RCW 42.56.070 Documents and indexes to be made public—Statement of costs.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: ELUHO, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Nancy Coverdell, 1111 Israel Road S.W., 360-664-9171; and Enforcement: Nina Carter, 1111 Israel Road S.W., 360-407-8729.

This notice meets the following criteria to use the expedited adoption process for these rules:

Relates only to internal governmental operations that are not subject to violation by a person.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: ELUHO has not declared by rule the reasons why calculating actual costs would be overly burdensome, and does not have permanent rules in place governing a waiver of charges. ELUHO is limited to charging actual costs for providing public records until ELUHO updates its rules.

**NOTICE**

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU

MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Nancy Coverdell, ELUHO, 1111 Israel Road S.W., phone 360-664-9171, fax 360-586-2253, email Nancy.Coverdell@eluho.wa.gov, AND RECEIVED BY May 20, 2019.

March 7, 2019

Nina Carter

Executive Director

AMENDATORY SECTION (Amending WSR 12-03-042, filed 1/10/12, effective 2/10/12)

**WAC 198-14-090 Costs of providing copies of public records.** (1) ~~((Costs for paper copies:~~

~~(a))) There is no fee for inspecting public records. ~~((Photocopies of thirty five pages or more will be charged at fifteen cents per page and, nonstandard copies, including planning or engineering documents, oversized maps, and photographs, will be charged at the actual cost of reproduction. ELUHO may, in its discretion, send records to a commercial copying center for duplication. The requestor is required to pay the actual cost of copying performed by a copying vendor. Actual cost will be charged for manuals and nonprinted materials, such as audio or video tapes or CDs.~~~~

~~(b))) ELUHO may charge for providing public records or waive charges for providing public records. ELUHO will charge using the fees listed under RCW 42.56.120 and will maintain a fee schedule on its web site.~~

~~(2) There will be no charge for emailing electronic records to a requestor, unless another cost applies.~~

~~(3) ELUHO has determined calculating the actual costs for providing public records is unduly burdensome for the following reasons:~~

~~(a) The level of effort, supplies, and shipping costs incurred by ELUHO vary widely for each records request and are unique to each records request.~~

~~(b) Recordkeeping needed to capture all allowed costs unnecessarily increases ELUHO's administrative overhead; and~~

~~(c) Determining actual costs for each records request within the statutory response time frame requires a greater than normal level of administrative resources.~~

~~(4) Before beginning to make the copies, the public records officer or designee may require:~~

~~(a) A deposit of up to ten percent of the estimated costs of copying all the records selected by the requestor. ~~((The public records officer or designee may also require))~~~~

~~(b) The payment of the remainder of the copying costs before providing all the records~~((s));~~ or~~

~~(c) The payment of the costs of copying an installment before providing that installment. ELUHO will not charge sales tax when it makes copies of public records.~~

~~((2) Costs for electronic records. The cost of electronic copies of records shall be the actual cost of medium and preparation, including the actual cost of any necessary scanning. There will be no charge for emailing electronic records to a requestor, unless another cost applies, such as a scanning fee. ELUHO may charge a fee consistent with RCW 43.105.280 and WAC 198-14-070(3) for customized access of electronic records.~~

~~(3) Costs of mailing. ELUHO may also charge actual costs of mailing, including the cost of the shipping container.~~

~~(4) Payment.)~~ (5) Payment may be made by cash, check, or money order to ELUHO.

### WSR 19-07-013

#### EXPEDITED RULES

#### DEPARTMENT OF HEALTH

(Dental Quality Assurance Commission)

[Filed March 8, 2019, 3:37 p.m.]

Title of Rule and Other Identifying Information: WAC 246-817-110 Dental licensure eligibility and application requirements and 246-817-120 Examination content, the dental quality assurance commission (commission) is considering amending the existing rules to change the name of the acceptable national written examination for dentist licensure.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The commission is proposing to amend the existing rules to change the name of the acceptable national written examination for dentist licensure. The Joint Commission on National Dental Examination has developed an updated national written dental examination that will replace the current national written dental examination, the National Board Dental Examination, Parts I and II beginning in August 2020 with complete change in August 2022.

Reasons Supporting Proposal: The Integrated National Board Dental Examination (INBDE) mirrors that of the current National Board Dental Examination, Parts I and II, to assist dental boards in determining the qualifications of individuals who seek licensure to practice dentistry. Current rules list the national written dental examination by name and must be changed to allow dentist applicants to meet licensure requirements in rule. The phased in approach for implementing the updated examination is because the National Board Dental Examination is currently given in two parts (Part I and II), which are given at different educational stages for dentist students. Students who pass Part I prior to August 1, 2020, will have until July 31, 2022, to pass Part II. The National Board Dental Examination Part I will no longer be available after July 31, 2020, and Part II will be discontinued July 31, 2022. The INBDE will be the only available national written dental examination offered in August 2022.

Statutory Authority for Adoption: RCW 18.32.002, 18.32.0365, and 18.32.040.

Statute Being Implemented: RCW 18.32.002 and 18.32.-040.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Dental quality assurance commission, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Jennifer Santiago, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-4893.

This notice meets the following criteria to use the expedited adoption process for these rules:

Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: There is only one national written dental examination in the United States. That examination is changing and the name must be changed in current rule to ensure dentist[s] applying for licensure in Washington state may continue to meet licensing requirements.

#### NOTICE

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March 8, 2019

John R. Liu, DDS, Chairperson  
Dental Quality Assurance Commission

AMENDATORY SECTION (Amending WSR 18-01-106, filed 12/19/17, effective 1/19/18)

**WAC 246-817-110 Dental licensure—Initial eligibility and application requirements.** To be eligible for Washington state dental licensure, the applicant must provide:

(1) A completed application and fee. The applicant must submit a signed application and required fee as defined in WAC 246-817-990;

(2) Proof of graduation from a dental school approved by the DQAC:

(a) DQAC recognizes only those applicants who are students or graduates of dental schools in the United States or Canada, approved, conditionally or provisionally, by the Commission on Dental Accreditation of the American Dental Association. The applicant must have received, or will receive, a Doctor of Dental Surgery (DDS) or Doctor of Dental Medicine (DMD) degree from that school;

(b) Other dental schools which apply for DQAC approval and which meet these adopted standards to the DQAC's satisfaction may be approved, but it is the responsibility of a school to apply for approval and of a student to ascertain whether or not a school has been approved;

(3) Proof of successful completion of the Integrated National Board Dental Examination, Parts I and II of the National Board Dental Examination, or the Canadian National Dental Examining Board Examination. An original scorecard or a certified copy of the scorecard shall be

accepted. Exception: Dentists who obtained initial licensure in a state prior to that state's requirement for successful completion of the national boards, may be licensed in Washington, provided that the applicant provide proof that their original state of licensure did not require passage of the national boards at the time they were initially licensed. Applicants need to meet all other requirements for licensure;

(4) Proof of graduation from an approved dental school. The only acceptable proof is an official, posted transcript sent directly from such school, or in the case of recent graduates, a verified list of graduating students submitted directly from the dean of the dental school. Graduates of nonaccredited dental schools must also meet the requirements outlined in WAC 246-817-160;

(5) A complete listing of professional education and experience including college or university (predental), and a complete chronology of practice history from the date of dental school graduation to present, whether or not engaged in activities related to dentistry;

(6) Proof of completion of seven clock hours of AIDS education as required in chapter 246-12 WAC, Part 8;

(7) Proof of malpractice insurance if available, including dates of coverage and any claims history;

(8) Written certification of any licenses held, submitted directly from another licensing entity, and including license number, issue date, expiration date and whether applicant has been the subject of final or pending disciplinary action;

(9) Proof of successful completion of:

(a) An approved practical/clinical examination under WAC 246-817-120; or

(b) A qualifying residency program under RCW 18.32.-040 (3)(c);

(10) Proof of successful completion of an approved written jurisprudence examination;

(11) A recent 2" x 2" photograph, signed, dated, and attached to the application;

(12) Authorization for background inquiries to other sources may be conducted as determined by the DQAC, including but not limited to the national practitioner data bank and drug enforcement agency. Applicants are responsible for any fees incurred in obtaining verification of requirements;

(13) Any other information for each license type as determined by the DQAC.

**AMENDATORY SECTION** (Amending WSR 17-22-035, filed 10/24/17, effective 11/24/17)

**WAC 246-817-120 Examination content.** (1) An applicant seeking dentist licensure in Washington by examination, must successfully pass a written and practical examination approved by the Dental Quality Assurance Commission (commission).

The examination will consist of:

(a) A written examination. The Integrated National Board Dental Examination, Parts I and II of the National Board Dental Examination, or the Canadian National Dental Examining Board examination will be accepted, except as provided in subsection (4) of this section.

(b) A practical examination containing at least the following sections:

(i) Restorative;

(ii) Endodontic;

(iii) Periodontal;

(iv) Prosthodontic; and

(v) Comprehensive treatment planning or diagnostic skills.

(2)(a) The commission accepts the following practical examinations provided the testing agency offers at least the sections listed in subsection (1)(b) of this section:

(i) The Western Regional Examining Board's (WREB) clinical examination;

(ii) The Central Regional Dental Testing Services (CRDTS) clinical examination;

(iii) The Commission on Dental Competency Assessments (CDCA) formally known as Northeast Regional Board (NERB) clinical examination;

(iv) The Southern Regional Testing Agency (SRTA) clinical examination;

(v) The Council of Interstate Testing Agency's (CITA) clinical examination;

(vi) U.S. state or territory with an individual state board clinical examination; or

(b) The commission will accept the complete National Dental Examining Board (NDEB) of Canada clinical examination as meeting its standards if the applicant is a graduate of an approved dental school defined in WAC 246-817-110 (2)(a).

(3) The applicant must pass all sections listed in subsection (1)(b) of this section of the practical examination with the same testing agency.

(4) The commission will only accept results of approved practical examinations taken within the preceding five years from the date of an application for licensure.

(5) The commission may, at its discretion, give or require an examination in any other subject under subsection (1)(a) and (b) of this section, whether in written or practical form or both written and practical.