

## WSR 21-09-040

## PROPOSED RULES

## DEPARTMENT OF HEALTH

(Dental Quality Assurance Commission)

[Filed April 13, 2021, 4:25 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 21-04-050.

Title of Rule and Other Identifying Information: WAC 246-817-580 Novel coronavirus disease 2019 screening, the dental quality assurance commission (commission) is proposing a new, permanent rule to allow a dentist to delegate novel coronavirus disease 2019 (COVID-19) screening tests to dental staff under appropriate supervision and demonstration of competency.

Hearing Location(s): On June 25, 2021, at 8:35 a.m. In response to the coronavirus disease 2019 (COVID-19) public health emergency, the dental quality assurance commission will not provide a physical location for this hearing to promote social distancing and the safety of the citizens of Washington state. A virtual public hearing, without physical meeting space, will be held instead. To access the meeting: Please join meeting from your computer, tablet, or smartphone. Please register for dental quality assurance commission business meeting June 25, 2021, 8:30 a.m. PDT, at <https://attendee.gotowebinar.com/register/7804671496990267919>.

Date of Intended Adoption: June 25, 2021.

Submit Written Comments to: Jennifer Santiago, P.O. Box 47852, Olympia, WA 98504, email <https://fortress.wa.gov/doh/policyreview>, fax 360-236-2901, dental@doh.wa.gov, by June 14, 2021.

Assistance for Persons with Disabilities: Contact Jennifer Santiago, phone 360-236-4893, fax 360-236-2901, TTY 711, email [jennifer.santiago@doh.wa.gov](mailto:jennifer.santiago@doh.wa.gov), dental@doh.wa.gov, by June 14, 2021.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The commission has proposed a new rule section that allows dentists to delegate administration of COVID-19 screening tests to registered dental assistants, licensed expanded function dental auxiliaries, and licensed dental hygienists under appropriate supervision and demonstration of competency.

Reasons Supporting Proposal: In response to the COVID-19 pandemic, screening for the disease is essential in dental practice. Dentistry produces large amounts of aerosols and it is important for dentists to appropriately screen patients prior to dental treatment. Delegation of COVID-19 screening test of patients assists dentists by reducing their workload to effectively continue dental care to patients. Knowing a patient's COVID-19 screening test result helps dentists prepare appropriate oral health treatment planning for the patient and maintain a safe work environment.

As dental procedures are proceeding during this pandemic, there is an influx of patients needing dental care and a greater need of the dental workforce. Delegating COVID-19 screening tests under appropriate supervision to credentialed dental staff allows dentists to provide safe dental care to more patients.

The commission filed emergency rule making for COVID-19 screening tests on December 30, 2020, as WSR 21-02-040. The commission intends for the emergency rule to remain in place until the permanent rule is adopted.

Statutory Authority for Adoption: RCW 18.260.040, 18.260.070, 18.29.050, and 18.32.0365.

Statute Being Implemented: RCW 18.32.002.

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.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Jennifer Santiago, P.O. Box 47852, Olympia, WA 98504, phone 360-236-4893, fax 360-236-2901, TTY 711, email jennifer.santiago@doh.wa.gov, dental@doh.wa.gov.

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how costs were calculated. A small business economic impact statement was not prepared. A significant cost analysis has been completed. The proposed rule does not impose costs to businesses or to licensed dentists, licensed dental hygienists, licensed expanded function dental auxiliaries, or registered dental assistants. Licensed dentists are not required to test or delegate to dental support staff COVID-19 screening tests. Dental support staff are not required to perform administration of COVID-19 screening tests.

April 13, 2021

Aaron Stevens, D.M.D., Chairperson  
Dental Quality Assurance Commission

### OTS-2716.3

#### NEW SECTION

**WAC 246-817-580 Novel coronavirus disease 2019 screening.** (1) A supervising dentist may delegate the administration of a test for screening of novel coronavirus disease 2019 to a registered dental assistant and licensed expanded function dental auxiliary under the dentist's close supervision, provided the registered dental assistant and licensed expanded function dental auxiliary have demonstrated skills necessary to perform the task competently.

(2) A supervising dentist may delegate the administration of a test for screening of novel coronavirus disease 2019 to a licensed dental hygienist under the dentist's general supervision, provided the licensed dental hygienist has demonstrated skills necessary to perform the task competently.

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