

## WSR 26-02-062

## PROPOSED RULES

## DEPARTMENT OF HEALTH

[Filed January 6, 2026, 4:19 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 25-04-089.

Title of Rule and Other Identifying Information: Dental hygienist and dental assistant usage of silver diamine fluoride (SDF) in school-based and school-linked programs and the requirement of participation in regional health coalition meetings.

The department of health (department) in consultation with the dental quality assurance commission and dental hygiene examining committee is proposing amendments to WAC 246-814-020 Practices authorized, by adding clarifying language around the use of SDF in school-settings and school-linked programs. The department is also proposing amendments to WAC 246-814-030 Application process and documentation to training required for endorsement, to remove the requirement that dental assistants and their supervising dentists, as well as dental hygienists participate in oral health coalition meetings.

Hearing Location(s): On February 10, 2026, at 10:00 a.m. Register in advance for this webinar at [https://us02web.zoom.us/webinar/register/WN\\_16PvrDhXRIC1r5SkjZLMGg](https://us02web.zoom.us/webinar/register/WN_16PvrDhXRIC1r5SkjZLMGg). After registering, you will receive a confirmation email containing information about joining the webinar. The department will hold a virtual only hearing. Individuals may provide testimony by attending the virtual [meeting] or by submitting testimony in writing.

Date of Intended Adoption: February 17, 2026.

Submit Written Comments to: Kitty Einert, P.O. Box 47852, Olympia, WA 98504-7852, email [kitty.einert@doh.wa.gov](mailto:kitty.einert@doh.wa.gov), <https://fortress.wa.gov/doh/policyreview/>, beginning the date and time of this filing, by February 10, 2026 at 11:59 p.m.

Assistance for Persons with Disabilities: Contact Kitty Einert, phone 360-236-4843, TTY 711, email [kitty.einert@doh.wa.gov](mailto:kitty.einert@doh.wa.gov), by January 27, 2026.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department received a petition on June 3, 2024, requesting rule making to clarify, revise, or add language around the use of SDF in school settings and school-linked programs for both dental hygienists and dental assistants.

The department is proposing to clarify the use of SDF in WAC 246-814-020. SDF is a low-cost fluoride that can arrest carious lesions and strengthen tooth enamel. Clarifying the use of SDF ensures the rule accurately reflects current use and supports consistent understanding and implementation across school-based oral health programs. Dental hygienists and dental assistants currently work in these environments and the department anticipates that this will increase access to care for vulnerable populations of children.

On October 2, 2024, the department received an additional petition requesting to remove the requirement of WAC 246-814-030(6), which requires dental assistants, their supervising dentists, and dental hygienists to participate in local oral health coalition meetings. In response, the department is proposing to remove the requirement. The rule has proven difficult to enforce due to the limited number of coalitions statewide and it may discourage providers from offering services out of concern for potential disciplinary action.

Reasons Supporting Proposal: Clarification and modernization of these rules is needed to ensure clear and consistent direction for credentialed dental hygienists and dental assistants in school settings and school-linked programs. SDF is currently used in school and school-based settings, the existing WAC does not specifically reference this practice. Adding this clarification ensures the rule accurately reflects current use and supports consistent understanding and implementation across school-based oral health programs. The department anticipates that this will increase access to care for vulnerable populations of children.

WAC 246-814-030(6), requires dental assistants, supervising dentists, and dental hygienists to participate in local oral health coalition meetings. The requirement is outdated and no longer serving its purpose because only a few coalitions remain statewide, and they cover limited geographic areas. The department is proposing to remove this requirement because it creates a barrier to care and dental hygienists and dental assistants may avoid providing services because they do not want to be disciplined for not following the outdated rule requirements.

Statutory Authority for Adoption: RCW 18.29.210 and 43.70.650.

Statute Being Implemented: RCW 18.29.220.

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

Name of Proponent: Department of health, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Kitty Einert, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-4943.

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

A cost-benefit analysis is not required under RCW 34.05.328. This rule is exempt under RCW 34.05.328 (5)(b)(iv), as it clarifies the rule without changing the effect.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

Is exempt under RCW 19.85.025(4).

Explanation of exemptions: The proposed rule is exempt under RCW 19.85.025 because it only affects the dental hygienists and dental assistant credentials, which is not considered a small business under RCW 19.85.020.

Scope of exemption for rule proposal:

Is fully exempt.

January 6, 2026  
Kristin Peterson, JD  
Chief of Policy  
for Dennis E. Worsham  
Secretary of Health

**RDS-6292.1**

AMENDATORY SECTION (Amending WSR 18-21-048, filed 10/8/18, effective 11/8/18)

**WAC 246-814-020 Practices authorized. (1) Dental hygienists.**

Solely for purposes of providing services under this chapter, dental hygienists holding endorsements under this chapter may assess by determining the need for (i.e., the absence of gross carious lesions and sealants) and acceptability of dental sealant or fluoride varnish treatment for children in school-based and school-linked programs. Dental hygienists may apply dental sealants and fluoride varnish treatments, including silver diamine fluoride, and may remove deposits and stains from the surfaces of teeth, without the supervision of a licensed dentist. This determination does not include or involve diagnosing conditions or constitute a dental examination.

(2) **Dental assistants.** A dental assistant is currently defined in RCW 18.260.010 as a person who is registered by the dental quality assurance commission to provide supportive services to a licensed dentist to the extent provided in chapter 18.260 RCW and under the close supervision of a dentist. Solely for purposes of this chapter, authorized dental assistants may apply dental sealants and fluoride varnish treatments, including silver diamine fluoride, to children in school-based and school-linked programs under the *general* supervision of a Washington state licensed dentist, as described in this chapter.

(a) *Close supervision* requires the supervising dentist to first determine the need for and acceptability of dental sealant and fluoride varnish treatments, refer the treatment and the dentist is continuously on-site and physically present in the treatment facility when the treatment is provided.

(b) *General supervision* requires the supervising dentist to first determine the need for and acceptability of dental sealant and fluoride varnish treatments, refer the treatment and the dentist does not have to be in the treatment facility when the treatment is provided.

(3) Dental assistants and their supervising dentists, as well as dental hygienists shall coordinate with local public health jurisdictions and local oral health coalitions prior to providing services under this chapter, consistent with RCW 18.29.220 and 18.32.226.

AMENDATORY SECTION (Amending WSR 18-21-048, filed 10/8/18, effective 11/8/18)

**WAC 246-814-030 Application process and documentation of training required to qualify for endorsement. (1)** The department has issued endorsements to all dental hygienists holding valid licenses on or before April 19, 2001, the effective date of RCW 18.29.220.

(2) Dental hygienists licensed after April 19, 2001, must obtain an endorsement to provide services under this chapter. Applicants must meet the additional requirements in RCW 18.29.220 and must submit the following to the department:

- (a) Application for endorsement;
- (b) Fee;
- (c) Information of having a valid Washington state dental hygiene license for reference; and
- (d) Proof of the completion of training that has incorporated the Washington state department of health sealant/fluoride varnish program guidelines as described in WAC 246-814-040(3).

(3) Dental assistants employed by a Washington state licensed dentist on or before April 19, 2001, are not required to obtain an endorsement but may voluntarily do so without having to meet the additional requirements in RCW 18.32.226.

(4) Dental assistants employed by a Washington state licensed dentist for two hundred hours after April 19, 2001, must obtain an endorsement to provide services under this chapter. Applicants must meet the additional requirements in RCW 18.32.226 and must submit the following to the department:

(a) Application for endorsement;

(b) Fee;

(c) Proof of two hundred hours of employment as a dental assistant by a Washington state licensed dentist that has included theoretical and clinical training in the application of dental sealants and fluoride varnish treatments, verified by a declaration provided by the licensed dentist who provided the training; and

(d) Proof of completion of training that has incorporated the Washington state department of health sealant/fluoride varnish program guidelines as described in WAC 246-814-040(3).

(5) Dental assistants and their supervising dentists, as well as dental hygienists should use the Washington state department of health sealant/fluoride varnish guidelines described in WAC 246-814-040 and other protocols that may be in place for the geographic region when coordinating with local public health jurisdictions.

~~((6) Dental assistants and their supervising dentists, as well as dental hygienists shall coordinate with established local oral health coalitions by participating in oral health coalition meetings that may be held in the geographical region.))~~