

FINAL BILL REPORT

SHB 2309

C 160 L 02

Synopsis as Enacted

Brief Description: Concerning the authority of the Washington state board of denturists.

Sponsors: By House Committee on Health Care (originally sponsored by Representatives Cody, Campbell, Schual-Berke, Darneille, Edwards and Kenney; by request of Department of Health).

House Committee on Health Care
Senate Committee on Health & Long-Term Care

Background:

In 1994 voters approved Initiative 607 which licensed denturists and established the state Board of Denture Technology. The board is authorized to determine qualifications for licensing, prescribe, administer and determine the requirements for examinations of applicants, adopt rules, set license and examination fees, and evaluate and designate approved schools. The secretary of the Department of Health (DOH) is the disciplinary authority under the Uniform Disciplinary Act.

In 1995 the Legislature enacted legislation that transferred denturist licensing authority to the secretary of the DOH. This legislation was later ruled unconstitutional on technical grounds by the state court of appeals, and the original licensing authority reverted to the board. The Legislature also enacted legislation transferring disciplinary authority from the board to the secretary of the DOH under the Uniform Disciplinary Act. This legislation was challenged on constitutional grounds and upheld by the court.

The legislative enactments as codified do not reflect current law as interpreted by the state court of appeals.

An applicant who is licensed in another state or federal enclave that maintains standards of practice substantially equivalent to those of the denturist licensing statute must be licensed by the secretary of the DOH without examination.

Summary:

The statutes relating to the licensing of denturists and the authority of the Board of Denture Technology are reenacted to reflect current law as interpreted by the state court of appeals. The licensing authority of the secretary of the DOH is transferred to the board, including the responsibilities for determining the qualifications for applicants, the

requirements for examination, and rule-making authority.

The name of the board is changed to the Washington State Board of Denturists, and the board is authorized to adopt rules, with the approval of the secretary, including rules providing for continuing competence.

An applicant licensed in another state, including U.S. territories, the District of Columbia and the Commonwealth of Puerto Rico, with substantially equivalent licensing standards as those in the denturist licensing statute, must be licensed by the secretary without examination.

Votes on Final Passage:

House 97 0

Senate 47 0 (Senate amended)

House 96 0 (House concurred)

Effective: June 13, 2002