
SENATE BILL 5773

State of Washington

56th Legislature

1999 Regular Session

By Senators Thibaudeau, Deccio and Spanel

Read first time 02/08/1999. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to dental hygienists; amending RCW 18.29.021,
2 18.29.045, 18.29.060, 18.29.071, 18.29.120, 18.29.140, 18.29.150,
3 18.29.160, and 18.29.210; adding new sections to chapter 18.29 RCW; and
4 repealing RCW 18.29.110, 18.29.130, 18.29.170, 18.29.190, and
5 18.29.200.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 18.29.021 and 1996 c 191 s 10 are each amended to read
8 as follows:

9 (1) The ((department)) secretary shall issue a license to any
10 applicant who((, as determined by the secretary)):

11 (a) Has successfully completed an educational program approved by
12 the ((secretary)) board. This educational program shall include course
13 work encompassing the subject areas within the scope of the license to
14 practice dental hygiene in the state of Washington;

15 (b) Has successfully completed an examination administered or
16 approved by the ((dental hygiene examining committee)) board; and

17 (c) Has not engaged in unprofessional conduct or is not unable to
18 practice with reasonable skill and safety as a result of a physical or
19 mental impairment.

1 (2) Applications for licensure must comply with administrative
2 procedures, administrative requirements, and fees established according
3 to RCW 43.70.250 and 43.70.280.

4 **Sec. 2.** RCW 18.29.045 and 1991 c 3 s 47 are each amended to read
5 as follows:

6 An applicant holding a valid license and currently engaged in
7 practice in another state may be granted a license without examination
8 required by this chapter, on the payment of any required fees, if the
9 secretary in consultation with the ~~((advisory committee))~~ board
10 determines that the other state's licensing standards are substantively
11 equivalent to the standards in this state: PROVIDED, That the
12 secretary in consultation with the ~~((advisory committee))~~ board may
13 require the applicant to: (1) File with the secretary documentation
14 certifying the applicant is licensed to practice in another state; and
15 (2) provide information as the secretary deems necessary pertaining to
16 the conditions and criteria of the uniform disciplinary act, chapter
17 18.130 RCW and to demonstrate to the secretary a knowledge of
18 Washington law pertaining to the practice of dental hygiene.

19 **Sec. 3.** RCW 18.29.060 and 1991 c 3 s 48 are each amended to read
20 as follows:

21 Upon passing an examination and meeting the requirements as
22 provided in RCW 18.29.021, the secretary of health shall issue to the
23 successful applicant a license as dental hygienist. The license shall
24 be displayed in a conspicuous place in the operation room where such
25 licensee shall practice. The licensee shall also wear a name badge
26 identifying the licensee as an "L.D.H." when practicing dental hygiene.

27 **Sec. 4.** RCW 18.29.071 and 1996 c 191 s 11 are each amended to read
28 as follows:

29 The ~~((secretary))~~ board shall establish the administrative
30 procedures, administrative requirements, and fees for renewal of
31 licenses as provided in this chapter and in RCW 43.70.250 and
32 43.70.280.

33 NEW SECTION. **Sec. 5.** A new section is added to chapter 18.29 RCW
34 to read as follows:

1 (1) The board of dental hygiene is created. The board consists of
2 five members who shall be appointed by the governor. Of the initial
3 appointments, two shall be appointed for a term of two years, two for
4 a term of three years, and one for a term of four years. Thereafter,
5 all appointments shall be for terms of four years. Four members of the
6 board shall be dental hygienists licensed under this chapter and
7 residing in this state, shall have not less than five years' experience
8 in the practice of dental hygiene, and shall be actively engaged in
9 practice within two years of appointment. The fifth member shall be
10 appointed from the public at large, shall have an interest in the
11 rights of consumers of dental services, and shall not be or have been
12 a member of any other licensing board, a licensee of any dental related
13 board, an employee of any dental services facility, nor derive his or
14 her primary livelihood from the provision of dental services at any
15 level of responsibility. In the event that a member of the board
16 cannot complete his or her term of office, another appointment shall be
17 made by the governor in accordance with the procedure stated in this
18 subsection to fill the remainder of the term. No member may serve for
19 more than two successive four-year terms.

20 (2) The secretary of health shall furnish such secretarial,
21 clerical, and other assistance as the board may require. Each member
22 of the board shall be compensated in accordance with RCW 43.03.240, and
23 be reimbursed for travel expenses in accordance with RCW 43.03.050 and
24 43.03.060.

25 (3) For the purposes of this chapter, and unless the context
26 clearly requires otherwise, "board" means the board of dental hygiene,
27 created in this section.

28 NEW SECTION. **Sec. 6.** A new section is added to chapter 18.29 RCW
29 to read as follows:

30 In addition to other duties specified in this chapter, the board
31 has the following powers and duties:

32 (1) To develop and administer, or approve, or both, examinations to
33 applicants for licensure under this chapter;

34 (2) To pass upon the qualifications of applicants for a license and
35 to certify to the secretary duly qualified applicants;

36 (3) To adopt rules not inconsistent with the laws of this state as
37 may be deemed necessary or proper to carry out the purposes of this
38 chapter;

1 (4) To establish and administer requirements for continuing
2 competency, which shall be a prerequisite to renewing a license under
3 this chapter;

4 (5) To keep an official record of all board proceedings, which
5 record shall be evidence of all proceedings of the board that are set
6 forth in the official record; and

7 (6) To adopt rules not inconsistent with the laws of this state,
8 when it deems appropriate, in response to questions put to it by
9 professional dental related associations, dental hygienists, and
10 consumers in this state concerning the authority of dental hygienists
11 to perform certain acts.

12 NEW SECTION. **Sec. 7.** A new section is added to chapter 18.29 RCW
13 to read as follows:

14 The board shall elect from its members a chair and vice-
15 chair/secretary, who shall serve for one year or until their successors
16 are elected. The board shall meet at least once a year and upon the
17 call of the chair at such times and places as the chair designates.
18 Three members constitute a quorum of the full board for the transaction
19 of any business. Meetings of the board shall be open and public,
20 except the board may hold executive sessions to the extent permitted by
21 chapter 42.30 RCW.

22 **Sec. 8.** RCW 18.29.120 and 1995 c 198 s 5 are each amended to read
23 as follows:

24 The (~~secretary in consultation with the Washington dental hygiene~~
25 ~~examining committee~~) board shall:

26 (1) Adopt rules in accordance with chapter 34.05 RCW necessary to
27 prepare and conduct examinations for dental hygiene licensure;

28 (2) Require an applicant for licensure to pass an examination
29 consisting of written and practical tests upon such subjects and of
30 such scope as the (~~committee~~) board determines;

31 (3) Set the standards for passage of the examination;

32 (4) Administer at least two examinations each calendar year.
33 Additional examinations may be given as necessary; and

34 (5) Establish by rule the procedures for an appeal of an
35 examination failure.

1 **Sec. 9.** RCW 18.29.140 and 1991 c 3 s 54 are each amended to read
2 as follows:

3 The ((~~secretary~~)) board shall establish by rule the standards and
4 procedures for approval of educational programs and may contract with
5 individuals or organizations having expertise in the profession or in
6 education to report to the ((~~secretary~~)) board information necessary
7 for the ((~~secretary~~)) board to evaluate the educational programs. The
8 ((~~secretary~~)) board may establish a fee for educational program
9 evaluation. The fee shall be set to defray the administrative costs
10 for evaluating the educational program, including, but not limited to,
11 costs for site evaluation.

12 **Sec. 10.** RCW 18.29.150 and 1991 c 3 s 55 are each amended to read
13 as follows:

14 (1) The ((~~secretary~~)) board shall establish the date and location
15 of the examination. Applicants who meet the education requirements for
16 licensure shall be scheduled for the next examination following the
17 filing of the application. The ((~~secretary~~)) board shall establish by
18 rule the examination application deadline.

19 (2) The examination shall contain subjects appropriate to the scope
20 of practice and on laws in the state of Washington regulating dental
21 hygiene practice.

22 (3) The ((~~committee~~)) board shall establish by rule the
23 requirements for a reexamination if the applicant has failed the
24 examination.

25 (4) The ((~~committee~~)) board may approve an examination prepared or
26 administered by a private testing agency or association of licensing
27 authorities.

28 **Sec. 11.** RCW 18.29.160 and 1991 c 3 s 56 are each amended to read
29 as follows:

30 The secretary, members of the ((~~committee~~)) board, and individuals
31 acting on their behalf are immune from suit in any action, civil or
32 criminal, based on any acts performed in the course of their duties.

33 **Sec. 12.** RCW 18.29.210 and 1993 c 323 s 4 are each amended to read
34 as follows:

1 The (~~secretary in consultation with the dental hygiene examining~~
2 ~~committee~~) board shall develop rules and definitions to implement this
3 chapter.

4 NEW SECTION. **Sec. 13.** The following acts or parts of acts are
5 each repealed:

6 (1) RCW 18.29.110 (Dental hygiene examining committee--Generally)
7 and 1991 c 3 s 51 & 1989 c 202 s 3;

8 (2) RCW 18.29.130 (Secretary's authority--Generally--Continuing
9 education) and 1991 c 3 s 53 & 1989 c 202 s 5;

10 (3) RCW 18.29.170 (Committee meetings--Quorum--Effect of vacancy)
11 and 1989 c 202 s 9;

12 (4) RCW 18.29.190 (Temporary licenses) and 1993 c 323 s 2; and

13 (5) RCW 18.29.200 (Temporary licensees--Requirements for regular
14 examination) and 1993 c 323 s 3.

--- END ---