
Health Care Committee

HB 2309

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

Sponsors: Representatives Cody, Campbell, Schual-Berke, Darneille, Edwards and Kenney;
by request of Department of Health.

Brief Summary of Bill

- Reenacts statutes relating to the licensing of denturists and the authority of the Board of Denturist Technology to reflect current case law as interpreted by the Court of Appeals.
- Transfers the licensing authority of the Secretary of Health to the board.

Hearing Date: 1/17/02

Staff: John Welsh (786-7133).

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 Health is the disciplinary authority under the Uniform Disciplinary Act.

In 1995, the Legislature enacted legislation in SSB 5308 which transferred denturist licensing authority to the Secretary of Health and was codified in Chapter 18.30 RCW. This legislation was later ruled unconstitutional on technical grounds by the state Court of Appeals, and the original language of the initiative relating to the licensing authority reverted to the board. The Legislature also enacted SSB 5365, transferring disciplinary authority from the board to the Secretary of Health under the Uniform Disciplinary Act. This legislation was challenged on constitutional grounds and upheld by the court.

The legislative enactments codified by the Code Reviser in the present statutes 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 this chapter shall be licensed by the Secretary of Health without examination.

Summary of Bill:

The statutes relating to the licensing of denturists and the authority of the denturist board are reenacted to reflect current law as interpreted by the state Court of Appeals. The licensing authority of the Secretary of Health 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.

An applicant licensed in another state, including US territories, the District of Columbia or Commonwealth of Puerto Rico, with substantially equivalent licensing standards as those in this chapter, shall be licensed by the secretary without examination.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.