

SENATE BILL REPORT

SHB 2309

As Reported By Senate Committee On:
Health & Long-Term Care, February 28, 2002

Title: An act relating to the authority of the Washington state board of denturists.

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

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

Brief History:

Committee Activity: Health & Long-Term Care: 2/25/02, 2/28/02 [DPA].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass as amended.

Signed by Senators Thibaudeau, Chair; Franklin, Vice Chair; Costa, Deccio, Fraser, Parlette and Winsley.

Staff: Tanya Karwaki (786-7447)

Background: In 1994, voters approved Initiative 607 which licensed denturists and created the state regulatory Board of Denture Technology. The board had authority for licensing, examination, rule making, and disciplinary matters.

In 1995, the Legislature passed two bills amending Initiative 607. One bill transferred the board's licensing authority to the Secretary of the Department of Health. Three years later, the Washington State Court of Appeals held that this legislation was unconstitutional because the bill had provisions which were not within the title. The court's holding served to restore Initiative 607's original delegation of authority to the board.

The second bill passed by the Legislature in 1995 transferred disciplinary authority for denturists from the board to the Secretary of Health. This legislation was also challenged on constitutional grounds and upheld by the court.

Currently, Washington's statutes do not reflect the law as interpreted by the Court of Appeals.

Summary of Amended Bill: The statutes relating to the licensing of denturists and the authority of the dentist board are amended to reflect current law as interpreted by the Court of Appeals. The licensing authority of the Secretary of Health is transferred to the board, including the responsibilities for determining the qualifications of the applicants, and the requirements for examination. The board is authorized to adopt rules in consultation and agreement with the Secretary of Health.

The name of the board is changed to the Washington State Board of Denturists.

An applicant licensed in another state or territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico, with substantially equivalent licensing standards, shall be licensed by the Secretary without examination.

Amended Bill Compared to Substitute Bill: The amendment authorizes the Board of Denturists, if in agreement with the Secretary of Health, to provide for continuing competency as a condition of license renewal.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This legislation was requested by the Department of Health. Currently, the statutes do not reflect the law as interpreted by the state Court of Appeals. Thus, applicants find it difficult and confusing to understand the law. This bill would clarify the law regarding denturists.

Testimony Against: None.

Testified: Steve Wehrly, Denturists (pro); Sue Shoblom, Department of Health (pro).