
SENATE BILL 6797

State of Washington 57th Legislature

2002 Regular Session

By Senator Costa

Read first time 02/06/2002. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to dental hygienists; amending RCW 18.29.005,
2 18.29.050, 18.29.021, 18.29.045, 18.29.071, 18.29.120, 18.29.140,
3 18.29.150, 18.29.160, 18.29.190, and 18.29.210; adding new sections to
4 chapter 18.29 RCW; creating a new section; and repealing RCW 18.29.110,
5 18.29.130, 18.29.170, 18.29.190, and 18.29.200.

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

7 **Sec. 1.** RCW 18.29.005 and 1969 c 47 s 6 are each amended to read
8 as follows:

9 ((The term)) The definitions in this section apply throughout this
10 chapter unless the context clearly requires otherwise.

11 (1) "Board" means the board of dental hygiene created in section 9
12 of this act.

13 (2) "Dental hygiene diagnosis" means the identification of, and the
14 discrimination between, a person's physical and oral signs and symptoms
15 that are essential to effective execution and management of the dental
16 hygiene care regimen.

17 (3) "Licensed dental hygienist" means a preventive oral health
18 professional who has graduated from an institute of higher education's
19 accredited dental hygiene program and is licensed under this chapter.

1 (4) "Licensed dental hygienist--advanced practice" means a
2 preventive oral health professional licensed under this chapter with a
3 baccalaureate degree in dental hygiene from an institute of higher
4 education approved by the board, or a preventive oral health
5 professional licensed under this chapter with a baccalaureate degree in
6 a related field from an institute of higher education approved by the
7 board.

8 (5) "Surfaces of the teeth" ((as used in this chapter)) means the
9 portions of the crown and root surface to which there is no periodontal
10 membrane attached.

11 **Sec. 2.** RCW 18.29.050 and 1997 c 37 s 1 are each amended to read
12 as follows:

13 Any person licensed as a licensed dental hygienist in this state
14 may remove deposits and stains from the surfaces of the teeth, may
15 apply topical preventive or prophylactic agents, may polish and smooth
16 restorations, may perform root planing and soft-tissue curettage, may
17 administer local anesthetic and nitrous oxide analgesia under the
18 general supervision of a licensed dentist, may place restorations into
19 the cavity prepared by the licensed dentist, may carve, contour, and
20 adjust contacts and occlusion of the restoration under the close
21 supervision of a licensed dentist, and may perform other dental
22 operations and services delegated to them by a licensed dentist:
23 PROVIDED HOWEVER, That licensed dental hygienists shall in no event
24 perform the following dental operations or services:

- 25 (1) Any surgical removal of tissue of the oral cavity;
26 (2) Any prescription of drugs or medications requiring the written
27 order or prescription of a licensed dentist or physician;
28 (3) Any dental diagnosis for treatment or treatment planning; or
29 (4) The taking of any impression of the teeth or jaw, or the
30 relationships of the teeth or jaws, for the purpose of fabricating any
31 intra-oral restoration, appliance, or prosthesis.

32 Such licensed dental hygienists may perform dental operations and
33 services only under the general supervision except where otherwise
34 provided in this section, of a licensed dentist, and under such
35 supervision may be employed by hospitals, boards of education of public
36 or private schools, county boards, boards of health, or public or
37 charitable institutions, or in dental offices.

1 For the purposes of this section, dental hygienists may, under
2 close supervision, delegate certain functions to unlicensed persons as
3 established by the board by rule.

4 NEW SECTION. Sec. 3. A new section is added to chapter 18.29 RCW
5 to read as follows:

6 (1) A licensed dental hygienist--advanced practice may perform all
7 dental operations and services authorized under RCW 18.29.050 without
8 dental supervision. A licensed dental hygienist--advanced practice may
9 also perform the following authorized dental hygiene operations and
10 services without dental supervision, regardless of setting: Removing
11 deposits and stains from the surfaces of the teeth, applying topical
12 preventive or prophylactic agents, polishing and smoothing
13 restorations, performing root planning, soft-tissue curettage, and
14 applying temporary cementation.

15 (2) For the purposes of this section, licensed dental hygienists--
16 advanced practice may, under close supervision delegate certain
17 functions to unlicensed persons as established by the board by rule.

18 (3) For the purposes of this section, licensed dental hygienists--
19 advanced practice may place permanent antimicrobials and antibiotics.

20 (4) The board may authorize advanced practice designation for
21 licensed dental hygienists practicing in identified critical shortage
22 areas.

23 NEW SECTION. Sec. 4. The legislature recognizes that while
24 Washington state licenses dental hygienists, the majority of the states
25 and professional organizations still refer to dental hygienists as
26 "registered dental hygienists." Section 5 of this act takes cognizance
27 of this fact, and requires persons licensed under chapter 18.29 RCW to
28 wear name badges that refer to their status "registered dental
29 hygienists," or "R.D.H."

30 NEW SECTION. Sec. 5. A new section is added to chapter 18.29 RCW
31 to read as follows:

32 A person licensed under this chapter must wear a name badge that
33 identifies the licensee as an "R.D.H." when practicing dental hygiene.

34 **Sec. 6.** RCW 18.29.021 and 1996 c 191 s 10 are each amended to read
35 as follows:

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

3 (a) Has successfully completed an educational program approved by
4 the ((~~secretary~~)) board. This educational program shall include course
5 work encompassing the subject areas within the scope of the license to
6 practice dental hygiene in the state of Washington;

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

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

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

15 **Sec. 7.** RCW 18.29.045 and 1991 c 3 s 47 are each amended to read
16 as follows:

17 An applicant holding a valid license and currently engaged in
18 practice in another state may be granted a license without examination
19 required by this chapter, on the payment of any required fees, if the
20 secretary in consultation with the ((~~advisory committee~~)) board
21 determines that the other state's licensing standards are substantively
22 equivalent to the standards in this state: PROVIDED, That the
23 secretary in consultation with the ((~~advisory committee~~)) board may
24 require the applicant to: (1) File with the secretary documentation
25 certifying the applicant is licensed to practice in another state; and
26 (2) provide information as the secretary deems necessary pertaining to
27 the conditions and criteria of the uniform disciplinary act, chapter
28 18.130 RCW and to demonstrate to the secretary a knowledge of
29 Washington law pertaining to the practice of dental hygiene.

30 **Sec. 8.** RCW 18.29.071 and 1996 c 191 s 11 are each amended to read
31 as follows:

32 The ((~~secretary~~)) board shall establish the administrative
33 procedures, administrative requirements, and fees for renewal of
34 licenses as provided in this chapter and in RCW 43.70.250 and
35 43.70.280.

1 NEW SECTION. **Sec. 9.** A new section is added to chapter 18.29 RCW
2 to read as follows:

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

22 (2) The secretary of health shall furnish such secretarial,
23 clerical, and other assistance as the board may require. Each member
24 of the board shall be compensated in accordance with RCW 43.03.240, and
25 be reimbursed for travel expenses in accordance with RCW 43.03.050 and
26 43.03.060.

27 NEW SECTION. **Sec. 10.** A new section is added to chapter 18.29 RCW
28 to read as follows:

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

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

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

35 (3) To adopt rules not inconsistent with the laws of this state as
36 may be deemed necessary or proper to carry out the purposes of this
37 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. 11.** 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. 12.** 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. 13.** 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. 14.** 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. 15.** 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. 16.** RCW 18.29.190 and 1993 c 323 s 2 are each amended to read
34 as follows:

1 (1) The department shall issue a ~~((temporary))~~ limited license
2 without the examination required by this chapter to any applicant who,
3 as determined by the ~~((secretary))~~ board:

4 (a) Holds a valid license in another state that allows the scope of
5 practice in subsection ~~((+3))~~ (2)(a) through (j) of this section;

6 (b) Is currently engaged in active practice in another state. For
7 the purposes of this section, "active practice" means five hundred
8 sixty hours of practice in the preceding twenty-four months;

9 (c) Files with the ~~((secretary))~~ board documentation certifying
10 that the applicant:

11 (i) Has graduated from an accredited dental hygiene school approved
12 by the ~~((secretary))~~ board;

13 (ii) Has successfully completed the dental hygiene national board
14 examination; and

15 (iii) Is licensed to practice in another state;

16 (d) Provides information as the ~~((secretary))~~ board deems necessary
17 pertaining to the conditions and criteria of the uniform disciplinary
18 act, chapter 18.130 RCW;

19 (e) Demonstrates to the ~~((secretary))~~ board a knowledge of
20 Washington state law pertaining to the practice of dental hygiene,
21 including the administration of legend drugs;

22 (f) Pays any required fees; and

23 (g) Meets requirements for AIDS education.

24 ~~(2) ((The term of the temporary license issued under this section
25 is eighteen months and it is nonrenewable.~~

26 ~~(3))~~ A person practicing with a ~~((temporary))~~ limited license
27 granted under this section has the authority to perform hygiene
28 procedures that are limited to:

29 (a) Oral inspection and measuring of periodontal pockets;

30 (b) Patient education in oral hygiene;

31 (c) Taking intra-oral and extra-oral radiographs;

32 (d) Applying topical preventive or prophylactic agents;

33 (e) Polishing and smoothing restorations;

34 (f) Oral prophylaxis and removal of deposits and stains from the
35 surface of the teeth;

36 (g) Recording health histories;

37 (h) Taking and recording blood pressure and vital signs;

38 (i) Performing subgingival and supragingival scaling; and

39 (j) Performing root planing.

1 ~~((4)(a) A person practicing with a temporary license granted under~~
2 ~~this section may not perform the following dental hygiene procedures~~
3 ~~unless authorized in (b) or (c) of this subsection:~~

4 ~~(i) Give injections of local anesthetic;~~

5 ~~(ii) Place restorations into the cavity prepared by a licensed~~
6 ~~dentist and afterwards carve, contour, and adjust contacts and~~
7 ~~occlusion of the restoration;~~

8 ~~(iii) Soft tissue curettage; or~~

9 ~~(iv) Administer nitrous oxide/oxygen analgesia.~~

10 ~~(b) A person licensed in another state who can demonstrate~~
11 ~~substantively equivalent licensing standards in the administration of~~
12 ~~local anesthetic may receive a temporary endorsement to administer~~
13 ~~local anesthesia.~~

14 ~~(c) A person licensed in another state who can demonstrate~~
15 ~~substantively equivalent licensing standards in restorative procedures~~
16 ~~may receive a temporary endorsement for restorative procedures.))~~

17 (3)(a) A person practicing with a limited license under this
18 section may not place restorations into the cavity prepared by a
19 licensed dentist nor afterwards carve, contour, or adjust contacts and
20 occlusion of the restoration.

21 (b) Notwithstanding (a) of this subsection, a person licensed in
22 another state who can demonstrate substantively equivalent licensing
23 standards for restoration from the other state may receive an
24 endorsement for restorative procedures.

25 (4) A person practicing with a limited license granted under this
26 section must be qualified to administer local anesthetic and nitrous
27 oxide/oxygen analgesia. Proof of qualification includes providing
28 proof of education, and successfully completing an examination, as
29 approved by the board. However, if a person is licensed to administer
30 local anesthetic and nitrous oxide/oxygen analgesia in another state
31 that has substantially similar licensing requirements as Washington
32 state as determined by the board, then that person is deemed qualified
33 to administer local anesthetic and nitrous oxide/oxygen analgesia.

34 **Sec. 17.** RCW 18.29.210 and 1993 c 323 s 4 are each amended to read
35 as follows:

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

1 NEW SECTION. **Sec. 18.** The following acts or parts of acts are
2 each repealed:

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

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

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

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

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

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