

1 **SSB 5327** - H COMM AMD **ADOPTED 4/8/03**
2 By Committee on Health Care

3 Strike everything after the enacting clause and insert the
4 following:

5 "Sec. 1. RCW 18.29.050 and 1997 c 37 s 1 are each amended to
6 read as follows:

7 Any person licensed as a dental hygienist in this state may
8 remove deposits and stains from the surfaces of the teeth, may
9 apply topical preventive or prophylactic agents, may polish and
10 smooth restorations, may perform root planing and soft-tissue
11 curettage, and may perform other dental operations and services
12 delegated to them by a licensed dentist: PROVIDED HOWEVER, That
13 licensed dental hygienists shall in no event perform the following
14 dental operations or services:

15 (1) Any surgical removal of tissue of the oral cavity;

16 (2) Any prescription of drugs or medications requiring the
17 written order or prescription of a licensed dentist or physician,
18 except that a hygienist may place antimicrobials pursuant to the
19 order of a licensed dentist and under the dentist's required
20 supervision;

21 (3) Any diagnosis for treatment or treatment planning; or

22 (4) The taking of any impression of the teeth or jaw, or the
23 relationships of the teeth or jaws, for the purpose of fabricating
24 any intra-oral restoration, appliance, or prosthesis.

25 Such licensed dental hygienists may perform dental operations
26 and services only under the supervision of a licensed dentist, and
27 under such supervision may be employed by hospitals, boards of
28 education of public or private schools, county boards, boards of
29 health, or public or charitable institutions, or in dental offices.

30 **Sec. 2.** RCW 69.41.010 and 2000 c 8 s 2 are each amended to
31 read as follows:

1 As used in this chapter, the following terms have the meanings
2 indicated unless the context clearly requires otherwise:

3 (1) "Administer" means the direct application of a legend drug
4 whether by injection, inhalation, ingestion, or any other means, to
5 the body of a patient or research subject by:

6 (a) A practitioner; or

7 (b) The patient or research subject at the direction of the
8 practitioner.

9 (2) "Deliver" or "delivery" means the actual, constructive, or
10 attempted transfer from one person to another of a legend drug,
11 whether or not there is an agency relationship.

12 (3) "Department" means the department of health.

13 (4) "Dispense" means the interpretation of a prescription or
14 order for a legend drug and, pursuant to that prescription or
15 order, the proper selection, measuring, compounding, labeling, or
16 packaging necessary to prepare that prescription or order for
17 delivery.

18 (5) "Dispenser" means a practitioner who dispenses.

19 (6) "Distribute" means to deliver other than by administering
20 or dispensing a legend drug.

21 (7) "Distributor" means a person who distributes.

22 (8) "Drug" means:

23 (a) Substances recognized as drugs in the official United
24 States pharmacopoeia, official homeopathic pharmacopoeia of the
25 United States, or official national formulary, or any supplement to
26 any of them;

27 (b) Substances intended for use in the diagnosis, cure,
28 mitigation, treatment, or prevention of disease in man or animals;

29 (c) Substances (other than food, minerals or vitamins) intended
30 to affect the structure or any function of the body of man or
31 animals; and

32 (d) Substances intended for use as a component of any article
33 specified in clause (a), (b), or (c) of this subsection. It does
34 not include devices or their components, parts, or accessories.

35 (9) "Electronic communication of prescription information"
36 means the communication of prescription information by computer, or
37 the transmission of an exact visual image of a prescription by
38 facsimile, or other electronic means for original prescription
39 information or prescription refill information for a legend drug

1 between an authorized practitioner and a pharmacy or the transfer
2 of prescription information for a legend drug from one pharmacy to
3 another pharmacy.

4 (10) "Legend drugs" means any drugs which are required by state
5 law or regulation of the state board of pharmacy to be dispensed on
6 prescription only or are restricted to use by practitioners only.

7 (11) "Legible prescription" means a prescription or medication
8 order issued by a practitioner that is capable of being read and
9 understood by the pharmacist filling the prescription or the nurse
10 or other practitioner implementing the medication order.

11 (12) "Medication assistance" means assistance rendered by a
12 nonpractitioner to an individual residing in a community-based
13 setting specified in RCW 69.41.085 to facilitate the individual's
14 self- administration of a legend drug or controlled substance. It
15 includes reminding or coaching the individual, handing the
16 medication container to the individual, opening the individual's
17 medication container, using an enabler, or placing the medication
18 in the individual's hand, and such other means of medication
19 assistance as defined by rule adopted by the department. The
20 nonpractitioner may help in the preparation of legend drugs or
21 controlled substances for self-administration where a practitioner
22 has determined, in consultation with the individual or the
23 individual's representative, that such medication assistance is
24 necessary and appropriate. Medication assistance shall not include
25 assistance with intravenous medications or injectable medications.

26 (13) "Person" means individual, corporation, government or
27 governmental subdivision or agency, business trust, estate, trust,
28 partnership or association, or any other legal entity.

29 (14) "Practitioner" means:

30 (a) A physician under chapter 18.71 RCW, an osteopathic
31 physician or an osteopathic physician and surgeon under chapter
32 18.57 RCW, a dentist under chapter 18.32 RCW, a podiatric physician
33 and surgeon under chapter 18.22 RCW, a veterinarian under chapter
34 18.92 RCW, a registered nurse, advanced registered nurse
35 practitioner, or licensed practical nurse under chapter 18.79 RCW,
36 an optometrist under chapter 18.53 RCW who is certified by the
37 optometry board under RCW 18.53.010, an osteopathic physician
38 assistant under chapter 18.57A RCW, a physician assistant under
39 chapter 18.71A RCW, a naturopath licensed under chapter 18.36A RCW,

1 ((or)) a pharmacist under chapter 18.64 RCW, or, when acting under
2 the required supervision of a dentist licensed under chapter 18.32
3 RCW, a dental hygienist licensed under chapter 18.29 RCW;

4 (b) A pharmacy, hospital, or other institution licensed,
5 registered, or otherwise permitted to distribute, dispense, conduct
6 research with respect to, or to administer a legend drug in the
7 course of professional practice or research in this state; and

8 (c) A physician licensed to practice medicine and surgery or a
9 physician licensed to practice osteopathic medicine and surgery in
10 any state, or province of Canada, which shares a common border with
11 the state of Washington.

12 (15) "Secretary" means the secretary of health or the
13 secretary's designee."

EFFECT: Makes grammatical changes.