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SENATE BILL 6666

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State of Washington

59th Legislature

2006 Regular Session

By Senators Thibaudeau and Deccio

Read first time 01/18/2006. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to the board of dental hygiene; amending RCW  
2 18.29.021, 18.29.045, 18.29.120, 18.29.140, 18.29.150, 18.29.160, and  
3 18.29.210; and adding new sections to chapter 18.29 RCW.

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

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

7 (1) The board of dental hygiene is created. The board consists of  
8 six members who must be appointed by the governor. Of the initial  
9 appointments, two members must be appointed for a term of two years,  
10 three members for a term of three years, and one member for a term of  
11 four years. Thereafter, all appointments shall be for terms of four  
12 years.

13 (2) Five members of the board must: (a) Be dental hygienists  
14 licensed under this chapter and residing in this state; (b) have at  
15 least five years' experience in the practice of dental hygiene; (c) be  
16 actively engaged in the practice of dental hygiene within two years of  
17 appointment; and (d) not be connected with any dental hygiene school.  
18 The sixth member must be appointed from the public at large, have an  
19 interest in the rights of consumers of dental services, and not be or

1 have been a member of any other licensing board, a licensee of any  
2 dental-related board, an employee of any dental services facility, not  
3 be connected with any dental hygiene program, or engaged in any  
4 practice or business related to dental hygiene or derive his or her  
5 primary livelihood from the provision of dental services at any level  
6 of responsibility.

7 (3) In the event that a member of the board of dental hygiene  
8 cannot complete his or her term of office, the governor must appoint  
9 another member in accordance with the procedures stated in this section  
10 to fill the remainder of the term. No member may serve for more than  
11 two consecutive four-year terms.

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

14 In addition to other duties specified in this chapter, the board of  
15 dental hygiene has the following powers and duties:

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

18 (2) To establish the qualifications of persons applying for  
19 licensure as a dental hygienist under this chapter and to certify to  
20 the secretary duly qualified applicants;

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

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

27 (5) To keep an official record of all board of dental hygiene  
28 proceedings. The record is evidence of all proceedings of the board of  
29 dental hygiene that are set forth in the official record;

30 (6) When appropriate, to adopt rules not inconsistent with the laws  
31 of this state in response to questions put to it by professional  
32 dental-related associations, dental hygienists, and consumers in this  
33 state concerning the authority of dental hygienists to perform certain  
34 acts; and

35 (7) When appropriate, to consult with the dental quality assurance  
36 commission.

1        NEW SECTION.    **Sec. 3.** A new section is added to chapter 18.29 RCW  
2 to read as follows:

3        The board of dental hygiene shall elect from its members a chair  
4 and vice-chair who must serve for one year or until their successors  
5 are elected. The board of dental hygiene must meet at least once a  
6 year and upon the call of the chair at such times and places as the  
7 chair designates. Four members constitute a quorum of any business.  
8 Meetings of the board of dental hygiene are open and public, except the  
9 board may hold executive sessions to the extent permitted by chapter  
10 42.30 RCW. Members of the board of dental hygiene must be compensated  
11 in accordance with RCW 43.03.240 and be reimbursed for travel expenses  
12 in accordance with RCW 43.03.050 and 43.03.060. The secretary shall  
13 furnish secretarial, clerical, and other assistance as the board may  
14 require.

15        **Sec. 4.** RCW 18.29.021 and 1996 c 191 s 10 are each amended to read  
16 as follows:

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

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

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

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

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

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

34        An applicant holding a valid license and currently engaged in  
35 practice in another state may be granted a license without examination  
36 required by this chapter, on the payment of any required fees, if the

1 secretary in consultation with the (~~advisory committee~~) board of  
2 dental hygiene determines that the other state's licensing standards  
3 are substantively equivalent to the standards in this state: PROVIDED,  
4 That the secretary in consultation with the (~~advisory committee~~)  
5 board of dental hygiene may require the applicant to: (1) File with  
6 the secretary documentation certifying the applicant is licensed to  
7 practice in another state; and (2) provide information as the secretary  
8 deems necessary pertaining to the conditions and criteria of the  
9 uniform disciplinary act, chapter 18.130 RCW and to demonstrate to the  
10 secretary a knowledge of Washington law pertaining to the practice of  
11 dental hygiene.

12 **Sec. 6.** RCW 18.29.120 and 1995 c 198 s 5 are each amended to read  
13 as follows:

14 The (~~secretary in consultation with the Washington~~) board of  
15 dental hygiene (~~examining committee~~) shall:

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

18 (2) Require an applicant for licensure to pass an examination  
19 consisting of written and practical tests upon such subjects and of  
20 such scope as the (~~committee~~) board of dental hygiene determines;

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

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

24 (5) Establish by rule the procedures for an appeal of an  
25 examination failure.

26 **Sec. 7.** RCW 18.29.140 and 1991 c 3 s 54 are each amended to read  
27 as follows:

28 The (~~secretary~~) board of dental hygiene shall establish by rule  
29 the standards and procedures for approval of educational programs and  
30 may contract with individuals or organizations having expertise in the  
31 profession or in education to report to the (~~secretary~~) board of  
32 dental hygiene information necessary for the secretary to evaluate the  
33 educational programs. The (~~secretary~~) board of dental hygiene may  
34 establish a fee for educational program evaluation. The fee shall be  
35 set to defray the administrative costs for evaluating the educational  
36 program, including, but not limited to, costs for site evaluation.

1       **Sec. 8.** RCW 18.29.150 and 1991 c 3 s 55 are each amended to read  
2 as follows:

3       (1) The (~~secretary~~) board of dental hygiene shall establish the  
4 date and location of the examination. Applicants who meet the  
5 education requirements for licensure shall be scheduled for the next  
6 examination following the filing of the application. The (~~secretary~~)  
7 board of dental hygiene shall establish by rule the examination  
8 application deadline.

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

12       (3) The (~~committee~~) board of dental hygiene shall establish by  
13 rule the requirements for a reexamination if the applicant has failed  
14 the examination.

15       (4) The (~~committee~~) board of dental hygiene may approve an  
16 examination prepared or administered by a private testing agency or  
17 association of licensing authorities.

18       **Sec. 9.** RCW 18.29.160 and 1991 c 3 s 56 are each amended to read  
19 as follows:

20       The secretary, members of the (~~committee~~) board of dental  
21 hygiene, and individuals acting on their behalf are immune from suit in  
22 any action, civil or criminal, based on any acts performed in the  
23 course of their duties.

24       **Sec. 10.** RCW 18.29.210 and 1993 c 323 s 4 are each amended to read  
25 as follows:

26       The (~~secretary in consultation with the~~) board of dental hygiene  
27 (~~examining committee~~) shall develop rules and definitions to  
28 implement this chapter.

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