
HOUSE BILL 1061

State of Washington

61st Legislature

2009 Regular Session

By Representatives Campbell, Seaquist, Chase, and Moeller

Prefiled 12/30/08. Read first time 01/12/09. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to the composition of the Washington state dental
2 quality assurance commission; amending RCW 18.32.0351, 18.32.0355, and
3 18.32.0357; and adding a new section to chapter 18.32 RCW.

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

5 **Sec. 1.** RCW 18.32.0351 and 2007 c 269 s 16 are each amended to
6 read as follows:

7 (1) The Washington state dental quality assurance commission is
8 established, consisting of sixteen members each appointed by the
9 governor to a four-year term. No member may serve more than two
10 consecutive full terms. In appointing the initial members of the
11 commission, it is the intent of the legislature that, to the extent
12 possible, members of the previous boards and committees regulating
13 these professions be appointed to the commission. Members of the
14 commission hold office until their successors are appointed. The
15 governor may appoint members of the initial commission to staggered
16 terms of from one to four years. Thereafter, all members shall be
17 appointed to full four-year terms. ~~((Twelve))~~ Six members of the
18 commission must be dentists, ~~((two))~~ one member~~((s))~~ must be an

1 expanded function dental (~~auxiliaries~~) auxiliary licensed under
2 chapter 18.260 RCW, and (~~two~~) nine members must be public members.

3 (2) To meet the additional membership requirements established in
4 this act, the commission may temporarily exceed sixteen members subject
5 to the requirements of this subsection. Within thirty days of the
6 effective date of this section, the governor shall appoint an
7 additional seven public members to the commission. The governor may
8 appoint the new public members to staggered terms, but subsequent
9 public members shall be appointed to full four-year terms. The
10 positions on the commission occupied by nonpublic members shall be
11 eliminated as the full terms of the nonpublic members occupying the
12 positions expire until the membership of the commission meets the
13 requirements of subsection (1) of this section.

14 (3) During the period of time in which the membership of the
15 commission exceeds sixteen members, the secretary may temporarily
16 adjust any fee authorized by this chapter by an amount not to exceed
17 any increased costs caused by the increased membership of the
18 commission.

19 **Sec. 2.** RCW 18.32.0355 and 1994 sp.s. c 9 s 206 are each amended
20 to read as follows:

21 Members must be citizens of the United States and residents of this
22 state. Dentist members must be licensed dentists in the active
23 practice of dentistry for a period of five years before appointment.
24 Of the (~~twelve~~) six dentists appointed to the commission, at least
25 (~~four~~) two must reside and engage in the active practice of dentistry
26 east of the summit of the Cascade mountain range. Public members of
27 the commission may not be a member of any other health care licensing
28 board or commission, or have a fiduciary obligation to a facility
29 rendering health services regulated by the commission, or have a
30 material or financial interest in the rendering of health services
31 regulated by the commission.

32 **Sec. 3.** RCW 18.32.0357 and 1999 c 364 s 2 are each amended to read
33 as follows:

34 The commission shall elect officers each year. Meetings of the
35 commission are open to the public, except the commission may hold

1 executive sessions to the extent permitted by chapter 42.30 RCW. The
2 secretary of health shall furnish such secretarial, clerical, and other
3 assistance as the commission may require.

4 A majority of the commission members appointed and serving
5 constitutes a quorum for the transaction of commission business. The
6 affirmative vote of a majority of a quorum of the commission is
7 required to carry a motion or resolution, to adopt a rule, or to pass
8 a measure.

9 The commission may appoint members of panels consisting of not less
10 than three members. A quorum for transaction of any business shall be
11 a minimum of three members. A majority vote of a quorum of the panel
12 is required to transact business delegated to it by the commission.

13 The members of the commission are immune from suit in an action,
14 civil or criminal, based upon its disciplinary proceedings or other
15 official acts performed in good faith as members of the commission.

16 The commission may, whenever the workload of the commission
17 requires, request that the secretary appoint pro tempore members.
18 While serving as members pro tempore persons have all the powers,
19 duties, and immunities, and are entitled to the emoluments, including
20 travel expenses, of the commission.

21 The commission shall prepare or determine the nature of the
22 examinations for applicants to practice dentistry.

23 The commission shall establish continuing dental education
24 requirements.

25 The attorney general shall advise the commission and represent it
26 in all legal proceedings.

27 In any panel used by the commission under chapter 18.130 RCW, the
28 public members must outnumber the nonpublic members.

29 NEW SECTION. Sec. 4. A new section is added to chapter 18.32 RCW
30 to read as follows:

31 (1) Five years after the commission is compromised of sixteen
32 members, nine of whom are public members, the secretary, in
33 consultation with the commission, shall evaluate the commission's
34 ability to carry out its duties under this chapter. In performing the
35 evaluation, the secretary shall consider whether the changes made in
36 this act:

37 (a) Serve the public interest;

1 (b) Increase public safety; and
2 (c) Increase public confidence in the professions regulated under
3 this chapter.
4 (2) The secretary shall report the results of the evaluation to the
5 appropriate committees of the legislature no later than November 15th
6 in the year the evaluation is performed.

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