

1 (3) "Dental anesthesia assistant" means a dental assistant or
2 expanded function dental auxiliary who is authorized to perform
3 functions under sections 3 and 4 of this act under the direct visual
4 supervision of a oral and maxillofacial surgeon or dental anesthetist.

5 (4) "Dental assistant" means a person who is registered by the
6 commission to provide supportive services to a licensed dentist to the
7 extent provided in this chapter and under the close supervision of a
8 dentist.

9 (~~(4)~~) (5) "Dentist" means an individual who holds a license to
10 practice dentistry under chapter 18.32 RCW.

11 (~~(5)~~) (6) "Department" means the department of health.

12 (~~(6)~~) (7) "Direct visual supervision" means supervision by an
13 oral and maxillofacial surgeon or dental anesthesiologist by verbal
14 command and under direct line of sight.

15 (8) "Expanded function dental auxiliary" means a person who is
16 licensed by the commission to provide supportive services to a licensed
17 dentist to the extent provided in this chapter and under the specified
18 level of supervision of a dentist.

19 (~~(7)~~) (9) "General supervision" means that a supervising dentist
20 has examined and diagnosed the patient and provided subsequent
21 instructions to be performed by the assistive personnel, but does not
22 require that the dentist be physically present in the treatment
23 facility.

24 (~~(8)~~) (10) "Oral and maxillofacial surgeon" has the same meaning
25 as in RCW 18.32.020.

26 (11) "Secretary" means the secretary of health.

27 (~~(9)~~) (12) "Supervising dentist" means a dentist licensed under
28 chapter 18.32 RCW that is responsible for providing the appropriate
29 level of supervision for dental assistants and expanded function dental
30 auxiliaries.

31 NEW SECTION. Sec. 2. A new section is added to chapter 18.260 RCW
32 to read as follows:

33 No person may practice or represent himself or herself as a
34 certified dental anesthesia assistant by use of any title or
35 description without being certified by the commission as having met the
36 standards established for certification under this chapter.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.260 RCW
2 to read as follows:

3 (1) The commission shall certify as a dental anesthesia assistant
4 any dental assistant or expanded function dental auxiliary who provides
5 the commission with:

6 (a) An application, on a form provided by the department, with the
7 applicant's name, address, and name and location of the oral and
8 maxillofacial surgeon or dental anesthesiologist where the assistant
9 will be performing his or her services;

10 (b) An application fee, as determined by the secretary of health as
11 provided in RCW 43.70.250 and 43.70.280; and

12 (c) Satisfactory evidence of:

13 (i) Completion of a commission-approved dental anesthesia assistant
14 training course, to include intravenous access or phlebotomy;

15 (ii) Completion of a commission-approved basic life support/cardiac
16 pulmonary resuscitation course; and

17 (iii) The valid general anesthesia permit of the oral and
18 maxillofacial surgeon or dental anesthesiologist where the assistant
19 will be performing his or her services.

20 (2) The commission may adopt rules for the requirements for renewal
21 of the certification, including continuing education requirements
22 consistent with national oral and maxillofacial surgery requirements.

23 (3) The secretary shall establish the administrative procedures,
24 administrative requirements, and fees for renewal of registrations as
25 provided in RCW 43.70.250 and 43.70.280.

26 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.260 RCW
27 to read as follows:

28 (1) Any dental anesthesia assistant certified pursuant to this
29 chapter shall perform the functions authorized in this chapter only by
30 delegation of authority from the oral and maxillofacial surgeon or
31 dental anesthesiologist and under the supervision, as described in
32 subsections (2) and (3) of this section, of the oral and maxillofacial
33 surgeon or dental anesthesiologist acting within the scope of his or
34 her license.

35 (2) Under close supervision, the dental anesthesia assistant may:

36 (a) Initiate and discontinue an intravenous line for a patient

1 being prepared to receive intravenous medications, sedation, or general
2 anesthesia; and

3 (b) Adjust the rate of intravenous fluids infusion.

4 (3) Under direct visual supervision, the dental anesthesia
5 assistant may:

6 (a) Draw up and prepare medications;

7 (b) Follow instructions to deliver medications into an intravenous
8 line upon verbal command;

9 (c) Adjust an electronic device to provide medications, such as an
10 infusion pump;

11 (d) Administer emergency medications to a patient in order to
12 assist the oral and maxillofacial surgeon or dental anesthesiologist in
13 an emergency.

14 (4) Any oral and maxillofacial surgeon or dental anesthesiologist
15 delegating duties under this section must have a valid general
16 anesthesia permit.

17 (5) The responsibility for monitoring a patient and determining the
18 selection of the drug, dosage, and timing of all anesthetic medications
19 rests solely with the oral and maxillofacial surgeon or dental
20 anesthesiologist.

21 **Sec. 5.** RCW 18.32.030 and 2007 c 269 s 15 are each amended to read
22 as follows:

23 The following practices, acts, and operations are excepted from the
24 operation of the provisions of this chapter:

25 (1) The rendering of dental relief in emergency cases in the
26 practice of his or her profession by a physician or surgeon, licensed
27 as such and registered under the laws of this state, unless the
28 physician or surgeon undertakes to or does reproduce lost parts of the
29 human teeth in the mouth or to restore or to replace in the human mouth
30 lost or missing teeth;

31 (2) The practice of dentistry in the discharge of official duties
32 by dentists in the United States federal services on federal
33 reservations, including but not limited to the armed services, coast
34 guard, public health service, veterans' bureau, or bureau of Indian
35 affairs;

36 (3) Dental schools or colleges approved under RCW 18.32.040, and

1 the practice of dentistry by students in accredited dental schools or
2 colleges approved by the commission, when acting under the direction
3 and supervision of Washington state-licensed dental school faculty;

4 (4) The practice of dentistry by licensed dentists of other states
5 or countries while appearing as clinicians at meetings of the
6 Washington state dental association, or component parts thereof, or at
7 meetings sanctioned by them, or other groups approved by the
8 commission;

9 (5) The use of roentgen and other rays for making radiographs or
10 similar records of dental or oral tissues, under the supervision of a
11 licensed dentist or physician;

12 (6) The making, repairing, altering, or supplying of artificial
13 restorations, substitutions, appliances, or materials for the
14 correction of disease, loss, deformity, malposition, dislocation,
15 fracture, injury to the jaws, teeth, lips, gums, cheeks, palate, or
16 associated tissues or parts; providing the same are made, repaired,
17 altered, or supplied pursuant to the written instructions and order of
18 a licensed dentist which may be accompanied by casts, models, or
19 impressions furnished by the dentist, and the prescriptions shall be
20 retained and filed for a period of not less than three years and shall
21 be available to and subject to the examination of the secretary or the
22 secretary's authorized representatives;

23 (7) The removal of deposits and stains from the surfaces of the
24 teeth, the application of topical preventative or prophylactic agents,
25 and the polishing and smoothing of restorations, when performed or
26 prescribed by a dental hygienist licensed under the laws of this state;

27 (8) A qualified and licensed physician and surgeon or osteopathic
28 physician and surgeon extracting teeth or performing oral surgery
29 pursuant to the scope of practice under chapter 18.71 or 18.57 RCW;

30 (9) The performing of dental operations or services by registered
31 dental assistants, certified dental anesthesia assistants, and licensed
32 expanded function dental auxiliaries holding a credential issued under
33 chapter 18.260 RCW when performed under the supervision of a licensed
34 dentist, or by other persons not licensed under this chapter if the
35 person is licensed pursuant to chapter 18.29, 18.57, 18.71, or 18.79
36 RCW as it applies to registered nurses and advanced registered nurse
37 practitioners, each while acting within the scope of the person's
38 permitted practice under the person's license: PROVIDED HOWEVER, That

1 such persons shall in no event perform the following dental operations
2 or services unless permitted to be performed by the person under this
3 chapter or chapters 18.29, 18.57, 18.71, 18.79 as it applies to
4 registered nurses and advanced registered nurse practitioners, and
5 18.260 RCW:

6 (a) Any removal of or addition to the hard or soft tissue of the
7 oral cavity;

8 (b) Any diagnosis of or prescription for treatment of disease,
9 pain, deformity, deficiency, injury, or physical condition of the human
10 teeth or jaws, or adjacent structure;

11 (c) Any administration of general or injected local anaesthetic of
12 any nature in connection with a dental operation, including intravenous
13 sedation;

14 (d) Any oral prophylaxis;

15 (e) The taking of any impressions of the teeth or jaw or the
16 relationships of the teeth or jaws, for the purpose of fabricating any
17 intra-oral restoration, appliance, or prosthesis.

18 **Sec. 6.** RCW 18.120.020 and 2010 c 286 s 14 are each amended to
19 read as follows:

20 The definitions in this section apply throughout this chapter
21 unless the context clearly requires otherwise.

22 (1) "Applicant group" includes any health professional group or
23 organization, any individual, or any other interested party which
24 proposes that any health professional group not presently regulated be
25 regulated or which proposes to substantially increase the scope of
26 practice of the profession.

27 (2) "Certificate" and "certification" mean a voluntary process by
28 which a statutory regulatory entity grants recognition to an individual
29 who (a) has met certain prerequisite qualifications specified by that
30 regulatory entity, and (b) may assume or use "certified" in the title
31 or designation to perform prescribed health professional tasks.

32 (3) "Grandfather clause" means a provision in a regulatory statute
33 applicable to practitioners actively engaged in the regulated health
34 profession prior to the effective date of the regulatory statute which
35 exempts the practitioners from meeting the prerequisite qualifications
36 set forth in the regulatory statute to perform prescribed occupational
37 tasks.

1 (4) "Health professions" means and includes the following health
2 and health-related licensed or regulated professions and occupations:
3 Podiatric medicine and surgery under chapter 18.22 RCW; chiropractic
4 under chapter 18.25 RCW; dental hygiene under chapter 18.29 RCW;
5 dentistry under chapter 18.32 RCW; denturism under chapter 18.30 RCW;
6 dispensing opticians under chapter 18.34 RCW; hearing instruments under
7 chapter 18.35 RCW; naturopaths under chapter 18.36A RCW; embalming and
8 funeral directing under chapter 18.39 RCW; midwifery under chapter
9 18.50 RCW; nursing home administration under chapter 18.52 RCW;
10 optometry under chapters 18.53 and 18.54 RCW; ocularists under chapter
11 18.55 RCW; osteopathic medicine and surgery under chapters 18.57 and
12 18.57A RCW; pharmacy under chapters 18.64 and 18.64A RCW; medicine
13 under chapters 18.71 and 18.71A RCW; emergency medicine under chapter
14 18.73 RCW; physical therapy under chapter 18.74 RCW; practical nurses
15 under chapter 18.79 RCW; psychologists under chapter 18.83 RCW;
16 registered nurses under chapter 18.79 RCW; occupational therapists
17 licensed under chapter 18.59 RCW; respiratory care practitioners
18 licensed under chapter 18.89 RCW; veterinarians and veterinary
19 technicians under chapter 18.92 RCW; health care assistants under
20 chapter 18.135 RCW; massage practitioners under chapter 18.108 RCW;
21 East Asian medicine practitioners licensed under chapter 18.06 RCW;
22 persons registered under chapter 18.19 RCW; persons licensed as mental
23 health counselors, marriage and family therapists, and social workers
24 under chapter 18.225 RCW; dietitians and nutritionists certified by
25 chapter 18.138 RCW; radiologic technicians under chapter 18.84 RCW;
26 dental anesthesia assistants certified under chapter 18.260 RCW; and
27 nursing assistants registered or certified under chapter 18.88A RCW.

28 (5) "Inspection" means the periodic examination of practitioners by
29 a state agency in order to ascertain whether the practitioners'
30 occupation is being carried out in a fashion consistent with the public
31 health, safety, and welfare.

32 (6) "Legislative committees of reference" means the standing
33 legislative committees designated by the respective rules committees of
34 the senate and house of representatives to consider proposed
35 legislation to regulate health professions not previously regulated.

36 (7) "License," "licensing," and "licensure" mean permission to
37 engage in a health profession which would otherwise be unlawful in the

1 state in the absence of the permission. A license is granted to those
2 individuals who meet prerequisite qualifications to perform prescribed
3 health professional tasks and for the use of a particular title.

4 (8) "Professional license" means an individual, nontransferable
5 authorization to carry on a health activity based on qualifications
6 which include: (a) Graduation from an accredited or approved program,
7 and (b) acceptable performance on a qualifying examination or series of
8 examinations.

9 (9) "Practitioner" means an individual who (a) has achieved
10 knowledge and skill by practice, and (b) is actively engaged in a
11 specified health profession.

12 (10) "Public member" means an individual who is not, and never was,
13 a member of the health profession being regulated or the spouse of a
14 member, or an individual who does not have and never has had a material
15 financial interest in either the rendering of the health professional
16 service being regulated or an activity directly related to the
17 profession being regulated.

18 (11) "Registration" means the formal notification which, prior to
19 rendering services, a practitioner shall submit to a state agency
20 setting forth the name and address of the practitioner; the location,
21 nature and operation of the health activity to be practiced; and, if
22 required by the regulatory entity, a description of the service to be
23 provided.

24 (12) "Regulatory entity" means any board, commission, agency,
25 division, or other unit or subunit of state government which regulates
26 one or more professions, occupations, industries, businesses, or other
27 endeavors in this state.

28 (13) "State agency" includes every state office, department, board,
29 commission, regulatory entity, and agency of the state, and, where
30 provided by law, programs and activities involving less than the full
31 responsibility of a state agency.

32 **Sec. 7.** RCW 18.130.040 and 2010 c 286 s 18 and 2010 c 65 s 3 are
33 each reenacted and amended to read as follows:

34 (1) This chapter applies only to the secretary and the boards and
35 commissions having jurisdiction in relation to the professions licensed
36 under the chapters specified in this section. This chapter does not

1 apply to any business or profession not licensed under the chapters
2 specified in this section.

3 (2)(a) The secretary has authority under this chapter in relation
4 to the following professions:

5 (i) Dispensing opticians licensed and designated apprentices under
6 chapter 18.34 RCW;

7 (ii) Naturopaths licensed under chapter 18.36A RCW;

8 (iii) Midwives licensed under chapter 18.50 RCW;

9 (iv) Ocularists licensed under chapter 18.55 RCW;

10 (v) Massage operators and businesses licensed under chapter 18.108
11 RCW;

12 (vi) Dental hygienists licensed under chapter 18.29 RCW;

13 (vii) East Asian medicine practitioners licensed under chapter
14 18.06 RCW;

15 (viii) Radiologic technologists certified and X-ray technicians
16 registered under chapter 18.84 RCW;

17 (ix) Respiratory care practitioners licensed under chapter 18.89
18 RCW;

19 (x) Hypnotherapists and agency affiliated counselors registered and
20 advisors and counselors certified under chapter 18.19 RCW;

21 (xi) Persons licensed as mental health counselors, mental health
22 counselor associates, marriage and family therapists, marriage and
23 family therapist associates, social workers, social work associates--
24 advanced, and social work associates--independent clinical under
25 chapter 18.225 RCW;

26 (xii) Persons registered as nursing pool operators under chapter
27 18.52C RCW;

28 (xiii) Nursing assistants registered or certified under chapter
29 18.88A RCW;

30 (xiv) Health care assistants certified under chapter 18.135 RCW;

31 (xv) Dietitians and nutritionists certified under chapter 18.138
32 RCW;

33 (xvi) Chemical dependency professionals and chemical dependency
34 professional trainees certified under chapter 18.205 RCW;

35 (xvii) Sex offender treatment providers and certified affiliate sex
36 offender treatment providers certified under chapter 18.155 RCW;

37 (xviii) Persons licensed and certified under chapter 18.73 RCW or
38 RCW 18.71.205;

1 (xix) Denturists licensed under chapter 18.30 RCW;
2 (xx) Orthotists and prosthetists licensed under chapter 18.200 RCW;
3 (xxi) Surgical technologists registered under chapter 18.215 RCW;
4 (xxii) Recreational therapists;
5 (xxiii) Animal massage practitioners certified under chapter 18.240
6 RCW;
7 (xxiv) Athletic trainers licensed under chapter 18.250 RCW;
8 (xxv) Home care aides certified under chapter 18.88B RCW; and
9 (xxvi) Genetic counselors licensed under chapter 18.290 RCW.
10 (b) The boards and commissions having authority under this chapter
11 are as follows:
12 (i) The podiatric medical board as established in chapter 18.22
13 RCW;
14 (ii) The chiropractic quality assurance commission as established
15 in chapter 18.25 RCW;
16 (iii) The dental quality assurance commission as established in
17 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW and
18 licenses, certifications, and registrations issued under chapter 18.260
19 RCW;
20 (iv) The board of hearing and speech as established in chapter
21 18.35 RCW;
22 (v) The board of examiners for nursing home administrators as
23 established in chapter 18.52 RCW;
24 (vi) The optometry board as established in chapter 18.54 RCW
25 governing licenses issued under chapter 18.53 RCW;
26 (vii) The board of osteopathic medicine and surgery as established
27 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and
28 18.57A RCW;
29 (viii) The board of pharmacy as established in chapter 18.64 RCW
30 governing licenses issued under chapters 18.64 and 18.64A RCW;
31 (ix) The medical quality assurance commission as established in
32 chapter 18.71 RCW governing licenses and registrations issued under
33 chapters 18.71 and 18.71A RCW;
34 (x) The board of physical therapy as established in chapter 18.74
35 RCW;
36 (xi) The board of occupational therapy practice as established in
37 chapter 18.59 RCW;

1 (xii) The nursing care quality assurance commission as established
2 in chapter 18.79 RCW governing licenses and registrations issued under
3 that chapter;

4 (xiii) The examining board of psychology and its disciplinary
5 committee as established in chapter 18.83 RCW; and

6 (xiv) The veterinary board of governors as established in chapter
7 18.92 RCW.

8 (3) In addition to the authority to discipline license holders, the
9 disciplining authority has the authority to grant or deny licenses.
10 The disciplining authority may also grant a license subject to
11 conditions.

12 (4) All disciplining authorities shall adopt procedures to ensure
13 substantially consistent application of this chapter, the Uniform
14 Disciplinary Act, among the disciplining authorities listed in
15 subsection (2) of this section.

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