

HOUSE BILL REPORT

SHB 1271

As Passed Legislature

Title: An act relating to the practice of denturism.

Brief Description: Concerning the practice of denturism.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Jinkins, Johnson, Morrell, Green, Harris, Cody, Ryu and Tharinger).

Brief History:

Committee Activity:

Health Care & Wellness: 2/5/13, 2/15/13 [DPS].

Floor Activity:

Passed House: 3/5/13, 90-7.

Passed Senate: 4/16/13, 46-0.

Passed Legislature.

Brief Summary of Substitute Bill

- Expands the types of services a licensed dentist may provide to include certain non-orthodontic removable oral devices and teeth whitening.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel, Clibborn, Green, Harris, Morrell, Riccelli, Short, Tharinger and Van De Wege.

Minority Report: Do not pass. Signed by 2 members: Representatives Manweller and Ross.

Staff: Jim Morishima (786-7191).

Background:

Licensed denturists are authorized to:

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- make, place, construct, alter, reproduce, or repair a denture; and
- take impressions and furnish or supply a denture directly to a person or advise the use of a denture, and maintain a facility for the same.

To be licensed, a denturist must either:

- graduate from an approved educational program and pass an examination; or
- be licensed in another state and provide proof of passage of examination.

In 2012 the Department of Health (DOH) conducted a sunrise review to determine whether the scope of practice of denturists should be broadened to include:

- making, placing, constructing, altering, reproducing, or repairing all non-orthodontic removable oral devices; and
- teeth whitening using bleaching solutions of 20 percent or less.

The DOH concluded that denturists should be allowed to fabricate and fit mouth guards for teeth grinding (bruxism) or sports mouth guards if:

- adequate training standards are set in law;
- a dentist examines the patient prior to the fitting or fabrication of a bruxism device to ensure that there is no temporomandibular disorder;
- a patient fitted with a mouth guard for bruxism is required to visit a dentist for follow-up; and
- a patient fitted with a mouth guard for bruxism is encouraged in writing to have regular dental checkups and to identify any adverse effects of bruxism or from the device.

The DOH also concluded that:

- denturists should be allowed to provide teeth whitening trays and over-the-counter solutions for the patient's use at home if the patient is encouraged in writing to have regular dental checkups; and
- denturists should be allowed to take impressions and order removable cosmetic appliances regardless of whether the patient is missing teeth.

The DOH was opposed to any other non-orthodontic removable oral devices because they may lead to denturists treating obstructive sleep apnea.

Summary of Substitute Bill:

A licensed denturist may:

- make, place, construct, alter, reproduce, or repair all the following non-orthodontic removal oral devices, excluding devices to treat obstructive sleep apnea or temporomandibular joint dysfunction, when accompanied by written encouragement to have regular dental checkups with a licensed dentist:
 - bruxism devices;
 - sports mouth guards;
 - removable cosmetic appliances, regardless of whether the patient is missing teeth; and
 - snoring devices, only after a physician has ruled out snoring associated with sleep breathing disorders, including obstructive sleep apnea; and

- provide teeth whitening services, including fabricating whitening trays, providing whitening solutions determined to be safe for public use, and providing required follow-up care and instructions for use of the trays and solutions at home.

Prior to being allowed to provide any of these services, a licensed dentist must provide documentation of education and training in providing the services, to be determined by rules adopted by the Board of Denturists.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on July 1, 2014.

Staff Summary of Public Testimony:

(In support) This bill is based on the recommendations in the sunrise review. The services authorized by this bill are similar to services denturists are already providing. The products that may be offered by denturists under this bill are already available to consumers over-the-counter. This bill does not apply to devices that will move teeth. This bill will lower costs and provide easier access to consumers.

(Opposed) Any device resting on the teeth can cause movement. Tooth movement caused by the devices allowed in this bill can lead to expensive orthodontic corrections. The definition of "non-orthodontic removable devices" is too broad. An examination by a dentist should be required before these devices can be distributed by denturists. This bill will adversely affect public safety.

Persons Testifying: (In support) Carolyn Logue, William Disantis, Vallan Charron, and Joseph Vize, Washington Denturist Association.

(Opposed) Bracken Killpack, and Rob Merrill, Washington State Dental Association.

Persons Signed In To Testify But Not Testifying: None.