
SENATE BILL 6385

State of Washington

63rd Legislature

2014 Regular Session

By Senators Keiser and Frockt

Read first time 01/23/14. Referred to Committee on Health Care .

1 AN ACT Relating to designating the disciplining authority for
2 dental hygienists; amending RCW 18.29.005, 18.29.021, 18.29.045,
3 18.29.056, 18.29.100, 18.29.110, 18.29.120, 18.29.130, 18.29.140,
4 18.29.150, 18.29.160, 18.29.170, 18.29.180, 18.29.190, 18.29.210,
5 18.29.220, 18.32.0357, and 43.70.650; reenacting and amending RCW
6 18.130.040 and 18.130.040; providing effective dates; and providing an
7 expiration date.

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

9 **Sec. 1.** RCW 18.29.005 and 1969 c 47 s 6 are each amended to read
10 as follows:

11 ~~((The term))~~ The definitions in this section apply throughout this
12 chapter unless the context clearly requires otherwise.

13 (1) "Board" means the board of dental hygiene established in RCW
14 18.29.110.

15 (2) "Department" means the department of health.

16 (3) "Secretary" means the secretary of health.

17 (4) "Surfaces of the teeth" ((as used in this chapter)) means the
18 portions of the crown and root surface to which there is no periodontal
19 membrane attached.

1 **Sec. 2.** RCW 18.29.021 and 1996 c 191 s 10 are each amended to read
2 as follows:

3 (1) The department shall issue a license to any applicant who, as
4 determined by the (~~(secretary)~~) board:

5 (a) Has successfully completed an educational program approved by
6 the (~~(secretary)~~) board. This educational program shall include
7 coursework encompassing the subject areas within the scope of the
8 license to practice dental hygiene in the state of Washington;

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

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

14 (2) Applications for licensure must comply with administrative
15 procedures, administrative requirements, and fees established according
16 to RCW 43.70.250 and 43.70.280.

17 **Sec. 3.** RCW 18.29.045 and 1991 c 3 s 47 are each amended to read
18 as follows:

19 An applicant holding a valid license and currently engaged in
20 practice in another state may be granted a license without examination
21 required by this chapter, on the payment of any required fees, if the
22 (~~(secretary in consultation with the advisory committee)~~) board
23 determines that the other state's licensing standards are substantively
24 equivalent to the standards in this state: PROVIDED, That the
25 (~~(secretary in consultation with the advisory committee)~~) board may
26 require the applicant to: (1) File with the (~~(secretary)~~) board
27 documentation certifying the applicant is licensed to practice in
28 another state; and (2) provide information as the (~~(secretary)~~) board
29 deems necessary pertaining to the conditions and criteria of the
30 uniform disciplinary act, chapter 18.130 RCW and to demonstrate to the
31 (~~(secretary)~~) board a knowledge of Washington law pertaining to the
32 practice of dental hygiene.

33 **Sec. 4.** RCW 18.29.056 and 2013 c 87 s 2 are each amended to read
34 as follows:

35 (1)(a) Subject to RCW 18.29.230 and (e) of this subsection, dental
36 hygienists licensed under this chapter with two years' practical

1 clinical experience with a licensed dentist within the preceding five
2 years may be employed, retained, or contracted by health care
3 facilities and senior centers to perform authorized dental hygiene
4 operations and services without dental supervision.

5 (b) Subject to RCW 18.29.230 and (e) of this subsection, dental
6 hygienists licensed under this chapter with two years' practical
7 clinical experience with a licensed dentist within the preceding five
8 years may perform authorized dental hygiene operations and services
9 without dental supervision under a lease agreement with a health care
10 facility or senior center.

11 (c) Dental hygienists performing operations and services under (a)
12 or (b) of this subsection are limited to removal of deposits and stains
13 from the surfaces of the teeth, application of topical preventive or
14 prophylactic agents, application of topical anesthetic agents,
15 polishing and smoothing restorations, and performance of root planing
16 and soft-tissue curettage, but shall not perform injections of
17 anesthetic agents, administration of nitrous oxide, or diagnosis for
18 dental treatment.

19 (d) The performance of dental hygiene operations and services in
20 health care facilities shall be limited to patients, students, and
21 residents of the facilities.

22 (e) A dental hygienist employed, retained, or contracted to perform
23 services under this section or otherwise performing services under a
24 lease agreement under this section in a senior center must, before
25 providing services:

26 (i) Enter into a written practice arrangement plan, approved by the
27 (~~department~~) board, with a dentist licensed in this state, under
28 which the dentist will provide off-site supervision of the dental
29 services provided. This agreement does not create an obligation for
30 the dentist to accept referrals of patients receiving services under
31 the program;

32 (ii) Collect data on the patients treated by dental hygienists
33 under the program, including age, treatments rendered, insurance
34 coverage, if any, and patient referral to dentists. This data must be
35 submitted to the (~~department of health~~) board at the end of each
36 annual quarter, during the period of time between October 1, 2007, and
37 October 1, 2013; and

1 (iii) Obtain information from the patient's primary health care
2 provider about any health conditions of the patient that would be
3 relevant to the provision of preventive dental care. The information
4 may be obtained by the dental hygienist's direct contact with the
5 provider or through a written document from the provider that the
6 patient presents to the dental hygienist.

7 (f) For dental planning and dental treatment, dental hygienists
8 shall refer patients to licensed dentists.

9 (2) For the purposes of this section:

10 (a) "Health care facilities" are limited to hospitals; nursing
11 homes; home health agencies; group homes serving the elderly,
12 individuals with disabilities, and juveniles; state-operated
13 institutions under the jurisdiction of the department of social and
14 health services or the department of corrections; and federal, state,
15 and local public health facilities, state or federally funded community
16 and migrant health centers, and tribal clinics.

17 (b) "Senior center" means a multipurpose community facility
18 operated and maintained by a nonprofit organization or local government
19 for the organization and provision of a combination of some of the
20 following: Health, social, nutritional, educational services, and
21 recreational activities for persons sixty years of age or older.

22 **Sec. 5.** RCW 18.29.100 and 1991 c 3 s 50 are each amended to read
23 as follows:

24 Any person who shall violate any provision of this chapter shall be
25 guilty of a misdemeanor. It shall be the duty of the prosecuting
26 attorney of each county to prosecute all cases involving a violation of
27 this chapter arising within his or her county. The attorney general
28 may assist in such prosecutions and shall appear at all hearings when
29 requested to do so by the (~~secretary of health~~) board.

30 **Sec. 6.** RCW 18.29.110 and 1991 c 3 s 51 are each amended to read
31 as follows:

32 There shall be a board of dental hygiene (~~examining committee~~)
33 consisting of (~~three~~) four practicing dental hygienists, and one
34 public member, appointed by the (~~secretary~~) governor, to be known as
35 the Washington board of dental hygiene (~~examining committee~~). Each
36 dental hygiene member shall be licensed and have been actively

1 practicing dental hygiene for a period of not less than five years
2 immediately before appointment and shall not be connected with any
3 dental hygiene school. The public member shall not be connected with
4 any dental hygiene program or engaged in any practice or business
5 related to dental hygiene. Members of the ((committee)) board shall be
6 appointed by the ((secretary)) governor to prepare and conduct
7 examinations for dental hygiene licensure and perform other duties as
8 specified in this chapter. Members shall be appointed to serve for
9 terms of three years from October 1 of the year in which they are
10 appointed. Terms of the members shall be staggered. Each member shall
11 hold office for the term of his or her appointment and until his or her
12 successor is appointed and qualified. Any member of the ((committee))
13 board may be removed by the ((secretary)) governor for neglect of duty,
14 misconduct, malfeasance, or misfeasance in office, after being given a
15 written statement of the charges against him or her and sufficient
16 opportunity to be heard thereon. Members of the ((committee)) board
17 shall be compensated in accordance with RCW 43.03.240 and shall be
18 reimbursed for travel expenses in accordance with RCW 43.03.050 and
19 43.03.060.

20 **Sec. 7.** RCW 18.29.120 and 1995 c 198 s 5 are each amended to read
21 as follows:

22 The ((~~secretary in consultation with the Washington dental hygiene~~
23 ~~examining committee~~)) board shall:

24 (1) Adopt rules in accordance with chapter 34.05 RCW necessary to
25 ((~~prepare and conduct examinations for dental hygiene licensure~~))
26 implement this chapter;

27 (2) Require an applicant for licensure to pass an examination
28 consisting of written and practical tests upon such subjects and of
29 such scope as the ((committee)) board determines;

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

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

33 (5) Establish by rule the procedures for an appeal of an
34 examination failure;

35 (6) Establish by rule the minimum education requirements for
36 licensure, including, but not limited to, approval of educational
37 programs; and

1 (7) Establish and implement by rule a continuing education program.

2 **Sec. 8.** RCW 18.29.130 and 1991 c 3 s 53 are each amended to read
3 as follows:

4 In addition to any other authority provided by law, the secretary
5 may:

6 (1) Adopt rules in accordance with chapter 34.05 RCW necessary to
7 implement this chapter;

8 (2) Establish forms necessary to administer this chapter;

9 (3) Issue a license to any applicant who has met the education and
10 examination requirements for licensure and deny a license to applicants
11 who do not meet the minimum qualifications for licensure. Proceedings
12 concerning the denial of licenses based on unprofessional conduct or
13 impaired practice shall be governed by the uniform disciplinary act,
14 chapter 18.130 RCW;

15 (4) Employ clerical, administrative, and investigative staff as
16 needed to implement and administer this chapter and hire individuals,
17 including those licensed under this chapter, to serve as examiners or
18 consultants as necessary to implement and administer this chapter; and

19 (5) Maintain the official departmental record of all applicants and
20 licensees((+

21 ~~(6) Establish, by rule, the minimum education requirements for~~
22 ~~licensure, including but not limited to approval of educational~~
23 ~~programs; and~~

24 ~~(7) Establish and implement by rule a continuing education~~
25 ~~program)).~~

26 **Sec. 9.** RCW 18.29.140 and 1991 c 3 s 54 are each amended to read
27 as follows:

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

1 **Sec. 10.** RCW 18.29.150 and 1991 c 3 s 55 are each amended to read
2 as follows:

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

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

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

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

17 **Sec. 11.** RCW 18.29.160 and 1991 c 3 s 56 are each amended to read
18 as follows:

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

22 **Sec. 12.** RCW 18.29.170 and 1989 c 202 s 9 are each amended to read
23 as follows:

24 The ((~~committee~~)) board shall meet at least ((~~once~~)) four times a
25 year and at such times as may be necessary for the transaction of
26 business.

27 A majority of the ((~~committee~~)) board shall constitute a quorum.

28 A vacancy in the ((~~committee~~)) board membership shall not impair
29 the right of the remaining members of the ((~~committee~~)) board to
30 exercise any power or to perform any duty of the ((~~committee~~)) board,
31 so long as the power is exercised or the duty performed by a quorum of
32 the ((~~committee~~)) board.

33 The board shall meet at least once a year with the dental quality
34 assurance commission to discuss issues of mutual interest to both
35 disciplining authorities.

1 **Sec. 13.** RCW 18.29.180 and 2004 c 262 s 4 are each amended to read
2 as follows:

3 The following practices, acts, and operations are excepted from the
4 operation of this chapter:

5 (1) The practice of dental hygiene in the discharge of official
6 duties by dental hygienists in the United States armed services, coast
7 guard, public health services, veterans' bureau, or bureau of Indian
8 affairs;

9 (2) Dental hygiene programs approved by the ((~~secretary~~)) board and
10 the practice of dental hygiene by students in dental hygiene programs
11 approved by the ((~~secretary~~)) board, when acting under the direction
12 and supervision of persons licensed under chapter 18.29 or 18.32 RCW
13 acting as instructors;

14 (3) The practice of dental hygiene by students in accredited dental
15 hygiene educational programs when acting under the direction and
16 supervision of instructors licensed under chapter 18.29 or 18.32 RCW.

17 **Sec. 14.** RCW 18.29.190 and 2006 c 66 s 1 are each amended to read
18 as follows:

19 (1) The department shall issue an initial limited license without
20 the examination required by this chapter to any applicant who, as
21 determined by the ((~~secretary~~)) board:

22 (a) Holds a valid license in another state that allows a
23 substantively equivalent scope of practice in subsection (3)(a) through
24 (j) of this section;

25 (b) Is currently engaged in active practice in another state. For
26 the purposes of this section, "active practice" means five hundred
27 sixty hours of practice in the preceding twenty-four months;

28 (c) Files with the ((~~secretary~~)) board documentation certifying
29 that the applicant:

30 (i) Has graduated from an accredited dental hygiene school approved
31 by the ((~~secretary~~)) board;

32 (ii) Has successfully completed the dental hygiene national board
33 examination; and

34 (iii) Is licensed to practice in another state;

35 (d) Provides information as the ((~~secretary~~)) board deems necessary
36 pertaining to the conditions and criteria of the uniform disciplinary
37 act, chapter 18.130 RCW;

1 (e) Demonstrates to the ((secretary)) board a knowledge of
2 Washington state law pertaining to the practice of dental hygiene,
3 including the administration of legend drugs;

4 (f) Pays any required fees; and

5 (g) Meets requirements for AIDS education.

6 (2) The term of the initial limited license issued under this
7 section is eighteen months and it is renewable upon:

8 (a) Demonstration of successful passage of a substantively
9 equivalent dental hygiene patient evaluation/prophylaxis examination;

10 (b) Demonstration of successful passage of a substantively
11 equivalent local anesthesia examination; and

12 (c) Demonstration of didactic and clinical competency in the
13 administration of nitrous oxide analgesia.

14 (3) A person practicing with an initial limited license granted
15 under this section has the authority to perform hygiene procedures that
16 are limited to:

17 (a) Oral inspection and measuring of periodontal pockets;

18 (b) Patient education in oral hygiene;

19 (c) Taking intra-oral and extra-oral radiographs;

20 (d) Applying topical preventive or prophylactic agents;

21 (e) Polishing and smoothing restorations;

22 (f) Oral prophylaxis and removal of deposits and stains from the
23 surface of the teeth;

24 (g) Recording health histories;

25 (h) Taking and recording blood pressure and vital signs;

26 (i) Performing subgingival and supragingival scaling; and

27 (j) Performing root planing.

28 (4)(a) A person practicing with an initial limited license granted
29 under this section may not perform the following dental hygiene
30 procedures unless authorized in (b) or (c) of this subsection:

31 (i) Give injections of local anesthetic;

32 (ii) Place restorations into the cavity prepared by a licensed
33 dentist and afterwards carve, contour, and adjust contacts and
34 occlusion of the restoration;

35 (iii) Soft tissue curettage; or

36 (iv) Administer nitrous oxide/oxygen analgesia.

37 (b) A person licensed in another state who can demonstrate
38 substantively equivalent licensing standards in the administration of

1 local anesthetic may receive a temporary endorsement to administer
2 local anesthesia. For purposes of the renewed limited license, this
3 endorsement demonstrates the successful passage of the local anesthesia
4 examination.

5 (c) A person licensed in another state who can demonstrate
6 substantively equivalent licensing standards in restorative procedures
7 may receive a temporary endorsement for restorative procedures.

8 (5)(a) A person practicing with a renewed limited license granted
9 under this section may:

10 (i) Perform hygiene procedures as provided under subsection (3) of
11 this section;

12 (ii) Give injections of local anesthetic;

13 (iii) Perform soft tissue curettage; and

14 (iv) Administer nitrous oxide/oxygen analgesia.

15 (b) A person practicing with a renewed limited license granted
16 under this section may not place restorations into the cavity prepared
17 by a licensed dentist and afterwards carve, contour, and adjust
18 contacts and occlusion of the restoration.

19 **Sec. 15.** RCW 18.29.210 and 1993 c 323 s 4 are each amended to read
20 as follows:

21 The (~~secretary in consultation with the dental hygiene examining~~
22 ~~committee~~) board shall develop rules and definitions to implement this
23 chapter.

24 **Sec. 16.** RCW 18.29.220 and 2009 c 321 s 2 are each amended to read
25 as follows:

26 For low-income, rural, and other at-risk populations and in
27 coordination with local public health jurisdictions and local oral
28 health coalitions, a dental hygienist licensed in this state may assess
29 for and apply sealants and apply fluoride varnishes, and may remove
30 deposits and stains from the surfaces of teeth in community-based
31 sealant programs carried out in schools:

32 (1) Without attending the (~~department's~~) board's school sealant
33 endorsement program if the dental hygienist was licensed as of April
34 19, 2001; or

35 (2) If the dental hygienist is school sealant endorsed under RCW
36 43.70.650.

1 A hygienist providing services under this section must collect data
2 on patients treated, including age, treatment rendered, methods of
3 reimbursement for treatment, evidence of coordination with local public
4 health jurisdictions and local oral health coalitions, and patient
5 referrals to dentists. This data must be submitted to the (~~department~~
6 ~~of health~~) board at the end of each annual quarter, during the period
7 of time between October 1, 2007, and October 1, 2013.

8 **Sec. 17.** RCW 18.32.0357 and 1999 c 364 s 2 are each amended to
9 read as follows:

10 The commission shall elect officers each year. Meetings of the
11 commission are open to the public, except the commission may hold
12 executive sessions to the extent permitted by chapter 42.30 RCW. The
13 secretary of health shall furnish such secretarial, clerical, and other
14 assistance as the commission may require.

15 A majority of the commission members appointed and serving
16 constitutes a quorum for the transaction of commission business. The
17 affirmative vote of a majority of a quorum of the commission is
18 required to carry a motion or resolution, to adopt a rule, or to pass
19 a measure.

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

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

27 The commission may, whenever the workload of the commission
28 requires, request that the secretary appoint pro tempore members.
29 While serving as members pro tempore persons have all the powers,
30 duties, and immunities, and are entitled to the emoluments, including
31 travel expenses, of the commission.

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

34 The commission shall establish continuing dental education
35 requirements.

36 The attorney general shall advise the commission and represent it
37 in all legal proceedings.

1 The commission shall meet at least once a year with the board of
2 dental hygiene to discuss issues of mutual interest to both
3 disciplining authorities.

4 **Sec. 18.** RCW 18.130.040 and 2013 c 171 s 7 and 2013 c 19 s 44 are
5 each reenacted and amended to read as follows:

6 (1) This chapter applies only to the secretary and the boards and
7 commissions having jurisdiction in relation to the professions licensed
8 under the chapters specified in this section. This chapter does not
9 apply to any business or profession not licensed under the chapters
10 specified in this section.

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

13 (i) Dispensing opticians licensed and designated apprentices under
14 chapter 18.34 RCW;

15 (ii) Midwives licensed under chapter 18.50 RCW;

16 (iii) Ocularists licensed under chapter 18.55 RCW;

17 (iv) Massage practitioners and businesses licensed under chapter
18 18.108 RCW;

19 (v) ~~((Dental hygienists licensed under chapter 18.29 RCW;~~

20 ~~(+vi+))~~ East Asian medicine practitioners licensed under chapter
21 18.06 RCW;

22 ~~((+vii+))~~ (vi) Radiologic technologists certified and X-ray
23 technicians registered under chapter 18.84 RCW;

24 ~~((+viii+))~~ (vii) Respiratory care practitioners licensed under
25 chapter 18.89 RCW;

26 ~~((+ix+))~~ (viii) Hypnotherapists and agency affiliated counselors
27 registered and advisors and counselors certified under chapter 18.19
28 RCW;

29 ~~((+x+))~~ (ix) Persons licensed as mental health counselors, mental
30 health counselor associates, marriage and family therapists, marriage
31 and family therapist associates, social workers, social work
32 associates--advanced, and social work associates--independent clinical
33 under chapter 18.225 RCW;

34 ~~((+xi+))~~ (x) Persons registered as nursing pool operators under
35 chapter 18.52C RCW;

36 ~~((+xii+))~~ (xi) Nursing assistants registered or certified or
37 medication assistants endorsed under chapter 18.88A RCW;

1 (~~(xiii)~~) (xii) Health care assistants certified under chapter
2 18.135 RCW;

3 (~~(xiv)~~) (xiii) Dietitians and nutritionists certified under
4 chapter 18.138 RCW;

5 (~~(xv)~~) (xiv) Chemical dependency professionals and chemical
6 dependency professional trainees certified under chapter 18.205 RCW;

7 (~~(xvi)~~) (xv) Sex offender treatment providers and certified
8 affiliate sex offender treatment providers certified under chapter
9 18.155 RCW;

10 (~~(xvii)~~) (xvi) Persons licensed and certified under chapter 18.73
11 RCW or RCW 18.71.205;

12 (~~(xviii)~~) (xvii) Orthotists and prosthetists licensed under
13 chapter 18.200 RCW;

14 (~~(xix)~~) (xviii) Surgical technologists registered under chapter
15 18.215 RCW;

16 (~~(xx)~~) (xix) Recreational therapists registered under chapter
17 18.230 RCW;

18 (~~(xxi)~~) (xx) Animal massage practitioners certified under chapter
19 18.240 RCW;

20 (~~(xxii)~~) (xxi) Athletic trainers licensed under chapter 18.250
21 RCW;

22 (~~(xxiii)~~) (xxii) Home care aides certified under chapter 18.88B
23 RCW;

24 (~~(xxiv)~~) (xxiii) Genetic counselors licensed under chapter 18.290
25 RCW;

26 (~~(xxv)~~) (xxiv) Reflexologists certified under chapter 18.108 RCW;
27 and

28 (~~(xxvi)~~) (xxv) Medical assistants-certified, medical assistants-
29 hemodialysis technician, medical assistants-phlebotomist, and medical
30 assistants-registered certified and registered under chapter 18.360
31 RCW.

32 (b) The boards and commissions having authority under this chapter
33 are as follows:

34 (i) The podiatric medical board as established in chapter 18.22
35 RCW;

36 (ii) The chiropractic quality assurance commission as established
37 in chapter 18.25 RCW;

1 (iii) The dental quality assurance commission as established in
2 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW,
3 licenses and registrations issued under chapter 18.260 RCW, and
4 certifications issued under chapter 18.350 RCW;

5 (iv) The board of hearing and speech as established in chapter
6 18.35 RCW;

7 (v) The board of examiners for nursing home administrators as
8 established in chapter 18.52 RCW;

9 (vi) The optometry board as established in chapter 18.54 RCW
10 governing licenses issued under chapter 18.53 RCW;

11 (vii) The board of osteopathic medicine and surgery as established
12 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and
13 18.57A RCW;

14 (viii) The pharmacy quality assurance commission as established in
15 chapter 18.64 RCW governing licenses issued under chapters 18.64 and
16 18.64A RCW;

17 (ix) The medical quality assurance commission as established in
18 chapter 18.71 RCW governing licenses and registrations issued under
19 chapters 18.71 and 18.71A RCW;

20 (x) The board of physical therapy as established in chapter 18.74
21 RCW;

22 (xi) The board of occupational therapy practice as established in
23 chapter 18.59 RCW;

24 (xii) The nursing care quality assurance commission as established
25 in chapter 18.79 RCW governing licenses and registrations issued under
26 that chapter;

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

29 (xiv) The veterinary board of governors as established in chapter
30 18.92 RCW;

31 (xv) The board of naturopathy established in chapter 18.36A RCW;
32 ((and))

33 (xvi) The board of denturists established in chapter 18.30 RCW; and
34 (xvii) The board of dental hygiene established in chapter 18.29
35 RCW.

36 (3) In addition to the authority to discipline license holders, the
37 disciplining authority has the authority to grant or deny licenses.

1 The disciplining authority may also grant a license subject to
2 conditions.

3 (4) All disciplining authorities shall adopt procedures to ensure
4 substantially consistent application of this chapter, the uniform
5 disciplinary act, among the disciplining authorities listed in
6 subsection (2) of this section.

7 **Sec. 19.** RCW 18.130.040 and 2013 c 171 s 8 and 2013 c 19 s 45 are
8 each reenacted and amended to read as follows:

9 (1) This chapter applies only to the secretary and the boards and
10 commissions having jurisdiction in relation to the professions licensed
11 under the chapters specified in this section. This chapter does not
12 apply to any business or profession not licensed under the chapters
13 specified in this section.

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

16 (i) Dispensing opticians licensed and designated apprentices under
17 chapter 18.34 RCW;

18 (ii) Midwives licensed under chapter 18.50 RCW;

19 (iii) Ocularists licensed under chapter 18.55 RCW;

20 (iv) Massage practitioners and businesses licensed under chapter
21 18.108 RCW;

22 (v) (~~Dental hygienists licensed under chapter 18.29 RCW;~~

23 ~~(vi))~~) East Asian medicine practitioners licensed under chapter
24 18.06 RCW;

25 (~~(vii))~~) (vi) Radiologic technologists certified and X-ray
26 technicians registered under chapter 18.84 RCW;

27 (~~(viii))~~) (vii) Respiratory care practitioners licensed under
28 chapter 18.89 RCW;

29 (~~(ix))~~) (viii) Hypnotherapists and agency affiliated counselors
30 registered and advisors and counselors certified under chapter 18.19
31 RCW;

32 (~~(x))~~) (ix) Persons licensed as mental health counselors, mental
33 health counselor associates, marriage and family therapists, marriage
34 and family therapist associates, social workers, social work
35 associates--advanced, and social work associates--independent clinical
36 under chapter 18.225 RCW;

1 (~~(xi)~~) (x) Persons registered as nursing pool operators under
2 chapter 18.52C RCW;

3 (~~(xii)~~) (xi) Nursing assistants registered or certified or
4 medication assistants endorsed under chapter 18.88A RCW;

5 (~~(xiii)~~) (xii) Dietitians and nutritionists certified under
6 chapter 18.138 RCW;

7 (~~(xiv)~~) (xiii) Chemical dependency professionals and chemical
8 dependency professional trainees certified under chapter 18.205 RCW;

9 (~~(xv)~~) (xiv) Sex offender treatment providers and certified
10 affiliate sex offender treatment providers certified under chapter
11 18.155 RCW;

12 (~~(xvi)~~) (xv) Persons licensed and certified under chapter 18.73
13 RCW or RCW 18.71.205;

14 (~~(xvii)~~) (xvi) Orthotists and prosthetists licensed under chapter
15 18.200 RCW;

16 (~~(xviii)~~) (xvii) Surgical technologists registered under chapter
17 18.215 RCW;

18 (~~(xix)~~) (xviii) Recreational therapists registered under chapter
19 18.230 RCW;

20 (~~(xx)~~) (xix) Animal massage practitioners certified under chapter
21 18.240 RCW;

22 (~~(xxi)~~) (xx) Athletic trainers licensed under chapter 18.250 RCW;

23 (~~(xxii)~~) (xxi) Home care aides certified under chapter 18.88B
24 RCW;

25 (~~(xxiii)~~) (xxii) Genetic counselors licensed under chapter 18.290
26 RCW;

27 (~~(xxiv)~~) (xxiii) Reflexologists certified under chapter 18.108
28 RCW; and

29 (~~(xxv)~~) (xxiv) Medical assistants-certified, medical assistants-
30 hemodialysis technician, medical assistants-phlebotomist, and medical
31 assistants-registered certified and registered under chapter 18.360
32 RCW.

33 (b) The boards and commissions having authority under this chapter
34 are as follows:

35 (i) The podiatric medical board as established in chapter 18.22
36 RCW;

37 (ii) The chiropractic quality assurance commission as established
38 in chapter 18.25 RCW;

1 (iii) The dental quality assurance commission as established in
2 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW,
3 licenses and registrations issued under chapter 18.260 RCW, and
4 certifications issued under chapter 18.350 RCW;

5 (iv) The board of hearing and speech as established in chapter
6 18.35 RCW;

7 (v) The board of examiners for nursing home administrators as
8 established in chapter 18.52 RCW;

9 (vi) The optometry board as established in chapter 18.54 RCW
10 governing licenses issued under chapter 18.53 RCW;

11 (vii) The board of osteopathic medicine and surgery as established
12 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and
13 18.57A RCW;

14 (viii) The pharmacy quality assurance commission as established in
15 chapter 18.64 RCW governing licenses issued under chapters 18.64 and
16 18.64A RCW;

17 (ix) The medical quality assurance commission as established in
18 chapter 18.71 RCW governing licenses and registrations issued under
19 chapters 18.71 and 18.71A RCW;

20 (x) The board of physical therapy as established in chapter 18.74
21 RCW;

22 (xi) The board of occupational therapy practice as established in
23 chapter 18.59 RCW;

24 (xii) The nursing care quality assurance commission as established
25 in chapter 18.79 RCW governing licenses and registrations issued under
26 that chapter;

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

29 (xiv) The veterinary board of governors as established in chapter
30 18.92 RCW;

31 (xv) The board of naturopathy established in chapter 18.36A RCW;
32 ((and))

33 (xvi) The board of denturists established in chapter 18.30 RCW; and
34 (xvii) The board of dental hygiene established in chapter 18.29
35 RCW.

36 (3) In addition to the authority to discipline license holders, the
37 disciplining authority has the authority to grant or deny licenses.

1 The disciplining authority may also grant a license subject to
2 conditions.

3 (4) All disciplining authorities shall adopt procedures to ensure
4 substantially consistent application of this chapter, the uniform
5 disciplinary act, among the disciplining authorities listed in
6 subsection (2) of this section.

7 **Sec. 20.** RCW 43.70.650 and 2001 c 93 s 2 are each amended to read
8 as follows:

9 The (~~secretary~~) board of dental hygiene is authorized to create
10 a school sealant endorsement program for dental hygienists and dental
11 assistants. The (~~secretary of health~~) board, in consultation with
12 the dental quality assurance commission (~~and the dental hygiene~~
13 ~~examining committee~~), shall adopt rules to implement this section.

14 (1) A dental hygienist licensed in this state after April 19, 2001,
15 is eligible to apply for endorsement by the (~~department of health~~)
16 board as a school sealant dental hygienist upon completion of the
17 Washington state school sealant endorsement program. While otherwise
18 authorized to act, currently licensed hygienists may still elect to
19 apply for the endorsement.

20 (2) A dental assistant employed after April 19, 2001, by a dentist
21 licensed in this state, who has worked under dental supervision for at
22 least two hundred hours, is eligible to apply for endorsement by the
23 (~~department of health~~) board as a school sealant dental assistant
24 upon completion of the Washington state school sealant endorsement
25 program. While otherwise authorized to act, currently employed dental
26 assistants may still elect to apply for the endorsement.

27 (3) The department may impose a fee for implementation of this
28 section.

29 (4) The secretary shall provide a report to the legislature by
30 December 1, 2005, evaluating the outcome of chapter 93, Laws of 2001.

31 NEW SECTION. **Sec. 21.** Section 18 of this act expires July 1,
32 2016.

33 NEW SECTION. **Sec. 22.** Section 19 of this act takes effect July 1,
34 2016.

1 NEW SECTION. **Sec. 23.** Sections 1 through 18 and 20 of this act
2 take effect January 1, 2015.

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