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HOUSE BILL 1384

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State of Washington                      64th Legislature                      2015 Regular Session

By Representatives Harris, Cody, Tharinger, and Buys

Read first time 01/19/15. Referred to Committee on Health Care & Wellness.

1            AN ACT Relating to regulating dental professionals by permitting  
2 dental hygienists and dental assistants to take impressions under  
3 certain circumstances and by authorizing the issuance of a limited  
4 license to dental hygienists who actively practice or are licensed in  
5 Canada; and amending RCW 18.29.050, 18.29.190, and 18.260.040.

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

7            **Sec. 1.** RCW 18.29.050 and 2013 c 87 s 1 are each amended to read  
8 as follows:

9            Any person licensed as a dental hygienist in this state may  
10 remove deposits and stains from the surfaces of the teeth, may apply  
11 topical preventive or prophylactic agents, may polish and smooth  
12 restorations, may perform root planing and soft-tissue curettage, and  
13 may perform other dental operations and services delegated to them by  
14 a licensed dentist. Any person licensed as a dental hygienist in this  
15 state may apply topical anesthetic agents under the general  
16 supervision, as defined in RCW 18.260.010, of a dentist: PROVIDED  
17 HOWEVER, That licensed dental hygienists shall in no event perform  
18 the following dental operations or services:

- 19            (1) Any surgical removal of tissue of the oral cavity;  
20            (2) Any prescription of drugs or medications requiring the  
21 written order or prescription of a licensed dentist or physician,

1 except that a hygienist may place antimicrobials pursuant to the  
2 order of a licensed dentist and under the dentist's required  
3 supervision;

4 (3) Any diagnosis for treatment or treatment planning; or

5 (4) The taking of any impression of the teeth or jaw, or the  
6 relationships of the teeth or jaws, for the purpose of fabricating  
7 any intra-oral restoration, appliance, or prosthesis, except that a  
8 dental hygienist may take an impression for any purpose that is  
9 either allowed:

10 (a) For a dental assistant registered under chapter 18.260 RCW;  
11 or

12 (b) As a delegated duty for dental hygienists pursuant to rules  
13 adopted by the dental quality assurance commission.

14 Such licensed dental hygienists may perform dental operations and  
15 services only under the supervision of a licensed dentist, and under  
16 such supervision may be employed by hospitals, boards of education of  
17 public or private schools, county boards, boards of health, or public  
18 or charitable institutions, or in dental offices.

19 **Sec. 2.** RCW 18.29.190 and 2006 c 66 s 1 are each amended to read  
20 as follows:

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

24 (a) Holds a valid license in another state or Canadian province  
25 that allows a substantively equivalent scope of practice in  
26 subsection (3)(a) through (j) of this section;

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

31 (c) Files with the secretary documentation certifying that the  
32 applicant:

33 (i) Has graduated from an accredited dental hygiene school  
34 approved by the secretary;

35 (ii) Has successfully completed the dental hygiene national board  
36 examination; and

37 (iii) Is licensed to practice in another state or Canadian  
38 province;

1 (d) Provides information as the secretary deems necessary  
2 pertaining to the conditions and criteria of the uniform disciplinary  
3 act, chapter 18.130 RCW;

4 (e) Demonstrates to the secretary a knowledge of Washington state  
5 law pertaining to the practice of dental hygiene, including the  
6 administration of legend drugs;

7 (f) Pays any required fees; and

8 (g) Meets requirements for AIDS education.

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

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

13 (b) Demonstration of successful passage of a substantively  
14 equivalent local anesthesia examination; and

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

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

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

21 (b) Patient education in oral hygiene;

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

23 (d) Applying topical preventive or prophylactic agents;

24 (e) Polishing and smoothing restorations;

25 (f) Oral prophylaxis and removal of deposits and stains from the  
26 surface of the teeth;

27 (g) Recording health histories;

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

29 (i) Performing subgingival and supragingival scaling; and

30 (j) Performing root planing.

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

35 (i) Give injections of local anesthetic;

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

39 (iii) Soft tissue curettage; or

40 (iv) Administer nitrous oxide/oxygen analgesia.

1 (b) A person licensed in another state or Canadian province who  
2 can demonstrate substantively equivalent licensing standards in the  
3 administration of local anesthetic may receive a temporary  
4 endorsement to administer local anesthesia. For purposes of the  
5 renewed limited license, this endorsement demonstrates the successful  
6 passage of the local anesthesia examination.

7 (c) A person licensed in another state or Canadian province who  
8 can demonstrate substantively equivalent licensing standards in  
9 restorative procedures may receive a temporary endorsement for  
10 restorative procedures.

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

13 (i) Perform hygiene procedures as provided under subsection (3)  
14 of this section;

15 (ii) Give injections of local anesthetic;

16 (iii) Perform soft tissue curettage; and

17 (iv) Administer nitrous oxide/oxygen analgesia.

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

22 **Sec. 3.** RCW 18.260.040 and 2013 c 87 s 4 are each amended to  
23 read as follows:

24 (1)(a) The commission shall adopt rules relating to the scope of  
25 dental assisting services related to patient care and laboratory  
26 duties that may be performed by dental assistants.

27 (b) In addition to the services and duties authorized by the  
28 rules adopted under (a) of this subsection, a dental assistant may  
29 apply topical anesthetic agents.

30 (c) All dental services performed by dental assistants under (a)  
31 or (b) of this subsection must be performed under the close  
32 supervision of a supervising dentist as the dentist may allow.

33 (2) In addition to any other limitations established by the  
34 commission, dental assistants may not perform the following  
35 procedures:

36 (a) Any scaling procedure;

37 (b) Any oral prophylaxis, except coronal polishing;

38 (c) Administration of any general or local anesthetic, including  
39 intravenous sedation;

1 (d) Any removal of or addition to the hard or soft tissue of the  
2 oral cavity;

3 (e) Any diagnosis of or prescription for treatment of disease,  
4 pain, deformity, deficiency, injury, or physical condition of the  
5 human teeth, jaw, or adjacent structures; and

6 (f) The taking of any impressions of the teeth or jaw or the  
7 relationships of the teeth or jaws, for the purpose of fabricating  
8 any intra-oral restoration, appliance, or prosthesis, other than  
9 impressions allowed as a delegated duty for dental assistants  
10 pursuant to rules adopted by the commission.

11 (3) A dentist may not assign a dental assistant to perform duties  
12 until the dental assistant has demonstrated skills necessary to  
13 perform competently all assigned duties and responsibilities.

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