

# SENATE BILL REPORT

## SHB 1782

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As Reported by Senate Committee On:  
Health Care  
Health & Long Term Care, February 22, 2018

**Title:** An act relating to dental laboratories.

**Brief Description:** Concerning dental laboratories.

**Sponsors:** House Committee on Health Care & Wellness (originally sponsored by Representatives Stonier, Harris, Cody, Schmick and Caldier).

**Brief History:** Passed House: 3/03/17, 96-1; 1/22/18, 94-1.

**Committee Activity:** Health Care: 3/20/17.

Health & Long Term Care: 2/15/18, 2/22/18 [DPA].

### Brief Summary of Amended Bill

- Creates a registration program for dental laboratories.

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#### SENATE COMMITTEE ON HEALTH CARE

**Staff:** Evan Klein (786-7483)

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#### SENATE COMMITTEE ON HEALTH & LONG TERM CARE

**Majority Report:** Do pass as amended.

Signed by Senators Cleveland, Chair; Kuderer, Vice Chair; Rivers, Ranking Member; Bailey, Becker, Conway, Fain, Keiser, Mullet and Van De Wege.

**Staff:** Greg Attanasio (786-7410)

**Background:** The Dental Quality Assurance Commission (DQAC) regulates the practice of dentists, expanded function dental auxiliaries, and dental assistants in the state. In order to be a licensed dentist, an individual must have graduated from an approved dental school, submit a recent picture, and pass an examination.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

A licensed dentist may perform a variety of services, including diagnosing, treating, removing stains or concentrations from the teeth; operating or prescribing for any oral disease, pain, injury, deficiency, deformity, or physical condition; and furnishing, supplying, constructing, reproducing, or repairing any prosthetic denture, bridge, appliance, or other structure to be worn in the human mouth.

A dental laboratory is a facility that makes, repairs, alters, or supplies artificial restorations, substitutions, appliances, or materials for the correction of issues in the mouth, including bridges, crowns, and dentures.

**Summary of Amended Bill:** Dental laboratories operating in Washington must register with the Department of Health (DOH), pay an established fee, and renew their registration annually. A dental laboratory is considered operating or doing business in Washington, if its work product is prepared pursuant to a work order or work authorization originating in Washington. Dental laboratories operated under the direct supervision of a licensed dentist in-office or as part of an educational institution are not required to register, but must provide DOH with the name and contact information of the supervising dentist.

The registration and renewal applications must include relevant contact information and acknowledgements that:

- the lab will provide a disclosure to the prescribing dentist that contains the manufacturer and brand name of all patient contact materials contained in the prescribed restoration; and
- the lab will disclose to the prescribing dentist the point of origin of the manufacture of the prescribed restoration.

Following registration, the dental laboratory must use its dental registration number on all invoices or other lab correspondence. A dentist must include the registration number of the lab on their work order.

Beginning January 31, 2018, to be eligible for registration or renewal, a dental laboratory must have one employee who works at least 30 hours per week and has either: (1) completed 12 hours of continuing education in dental laboratory technology; or (2) is certified by the national board for certification in dental laboratory technology as a certified dental technician.

Beginning January 31, 2023, DOH may not issue a dental lab registration to a lab unless the lab employs a certified dental technician.

#### **EFFECT OF HEALTH & LONG TERM CARE COMMITTEE AMENDMENT(S):**

- Shifts regulatory authority of dental laboratories from DQAC to the Department of Health.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony (Health Care):** *Testimony from 2017 Regular Session.*

PRO: This bill comes from the dental labs who are asking to regulate themselves for the purpose of patient safety. There is no reporting currently on the manufacture of these products or materials used. Dentists are ultimately responsible to their patients for the appliances they install. However, without regulatory provisions for dental labs, there is the possibility of counterfeiting to occur. The dental lab industry is in support of this bill. This is a transparency bill. Ten other states have some form of regulatory provisions for dental labs.

**Persons Testifying (Health Care):** PRO: Representative Monica Jurado Stonier, Prime Sponsor; Brad Tower, Washington State Dental Laboratory Association; Matthew Chapman, President, Washington State Dental Laboratory Association.

**Persons Signed In To Testify But Not Testifying (Health Care):** No one.

**Staff Summary of Public Testimony on Substitute House Bill (Health & Long Term Care):** *The committee recommended a different version of the bill than what was heard.*

PRO: There are currently no regulations on products produced by dental laboratories. Regulation is necessary for patient safety and dental laboratories are in favor of the bill. The DQAC should be the regulating agency so all complaints against dental laboratories and dentists concerning dental appliances would be handled by the same regulatory authority.

CON: There should be a registration system for dental laboratories, but the Department of Health should be the regulatory authority. DQAC regulates licensed professionals and not businesses such as dental laboratories. The Uniform Disciplinary Act cannot be used to discipline a business.

**Persons Testifying (Health & Long Term Care):** PRO: Representative Monica Jurado Stonier, Prime Sponsor; Brad Tower, Washington State Dental Laboratory Association; Matt Chapman, Chapman Dental Laboratory; Mellani McAleenan, Washington State Dental Association.

CON: Lisa Thatcher, Association of Dental Support Organizations; Roman Daniels-Brown, Pacific Dental.

**Persons Signed In To Testify But Not Testifying (Health & Long Term Care):** No one.