

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1177

66th Legislature
2019 Regular Session

Passed by the House March 7, 2019
Yeas 97 Nays 0

Speaker of the House of Representatives

Passed by the Senate April 10, 2019
Yeas 46 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1177** as passed by House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1177

Passed Legislature - 2019 Regular Session

State of Washington

66th Legislature

2019 Regular Session

By Representatives Stonier, Caldier, Cody, and Schmick

Read first time 01/16/19. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to creating the dental laboratory registry within
2 the department of health and establishing minimum standards for
3 dental laboratories serving dentists in Washington state; and adding
4 a new chapter to Title 70 RCW.

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

6 NEW SECTION. **Sec. 1.** For the purposes of this chapter:

7 (1) "Certified dental technician" means a person certified by the
8 national board for certification in dental laboratory technology.

9 (2) "Dental laboratory" means a facility that engages in the
10 making, repairing, altering, or supplying of artificial restorations,
11 substitutions, appliances, or materials for the correction of
12 disease, loss, deformity, malposition, dislocation, fracture, injury
13 to the jaws, teeth, lips, gums, cheeks, palate, or associated tissues
14 or parts.

15 (3) "Dentist" means an individual licensed to practice dentistry
16 pursuant to chapter 18.32 RCW.

17 (4) "Department" means the department of health.

18 (5) "Material content disclosure" means a notice that contains
19 the name, physical address, and registration number of the laboratory
20 that received the dentist's work order and the city, state, and
21 country of origin where the technological work was performed in whole

1 or in part or laboratories that manufactured or repaired the dental
2 prosthesis, either directly or indirectly, and the complete material
3 content information of all patient contact materials used in a dental
4 prosthetic appliance, including whether the United States food and
5 drug administration compliant materials were used. The notice must be
6 provided in a manner that can be easily entered into a patient
7 record.

8 (6) "Work authorization" means a written instrument by which a
9 dental laboratory subcontracts to another dental laboratory all or
10 part of the manufacture or repair of a dental prosthetic appliance
11 authorized by a work order from a licensed dentist.

12 (7) "Work order" means a written instrument prescribed by a
13 licensed dentist directing a dental laboratory to manufacture or
14 repair a dental prosthetic appliance for an individual patient.

15 NEW SECTION. **Sec. 2.** (1) Each dental laboratory operating,
16 doing business, or intending to operate or do business in this state
17 must register with the department and pay the fee established
18 pursuant to sections 3 and 6 of this act.

19 (2) A dental laboratory is considered operating or doing business
20 within this state if its work product is prepared pursuant to a work
21 order or work authorization originating within this state.

22 (3) This chapter does not apply to a dental laboratory operating
23 under the supervision of a practicing dentist licensed under chapter
24 18.32 RCW in a dental office or as a part of a dental practice,
25 provided that the laboratory does not perform work pursuant to
26 prescriptions or work orders originating from outside of the dental
27 practice or supervising dentist's office, or in an educational
28 institution as part of the institution's educational program provided
29 that the laboratory does not routinely perform work pursuant to
30 prescriptions or work orders originating from outside of the
31 educational institution.

32 NEW SECTION. **Sec. 3.** (1) Each dental laboratory operating,
33 doing business, or intending to operate or do business within this
34 state must submit an application for registration of dental
35 laboratory or renewal of registration of dental laboratory to the
36 department on a form provided by the department accompanied with the
37 registration or renewal fee required. The application must include:

1 (a) The name, mailing address, phone number, and email address of
2 the dental laboratory;

3 (b) The physical address of the dental laboratory if different
4 from the mailing address;

5 (c) The name, mailing address, phone number, and email address of
6 the responsible person or the name and license number of the
7 supervising dentist who is licensed under chapter 18.32 RCW;

8 (d) A statement that the dental laboratory meets the infectious
9 control requirements under the occupational safety and health
10 administration and the centers for disease control and prevention of
11 the United States public health service;

12 (e) An acknowledgment by the responsible person or the
13 supervising dentist that the laboratory will provide material
14 disclosure to the prescribing dentist that contains the manufacturer
15 and brand name or the United States food and drug administration
16 registration number of all patient contact materials contained in the
17 prescribed restoration in order that the dentist may include those
18 numbers in the patient's record; and

19 (f) An acknowledgment by the responsible person or the
20 supervising dentist who is licensed in this state that he or she will
21 disclose to the prescribing dentist the point of origin of the
22 manufacture of the prescribed restoration. If the restoration was
23 partially or entirely manufactured by a third-party provider, the
24 point of origin disclosure must identify the portion manufactured by
25 a third-party provider and the city, state, and country of the
26 provider.

27 (2) Each dental laboratory shall pay a registration fee annually
28 as determined by the secretary as provided in RCW 43.70.250.

29 NEW SECTION. **Sec. 4.** (1) Upon granting a registration for a
30 dental laboratory, the department shall assign the dental laboratory
31 a dental registration number. The dental laboratory registration
32 number must appear on all invoices or other correspondence of the
33 dental laboratory.

34 (2) A dentist shall include the registration number of the dental
35 laboratory on the dentist's work order.

36 NEW SECTION. **Sec. 5.** (1) Effective January 31, 2021, to be
37 eligible for dental laboratory registration the applicant must
38 document that the applicant or one of the applicant's employees who

1 works at least thirty hours per week in the applicant's dental
2 laboratory:

3 (a) Has successfully completed at least twelve hours of
4 continuing education in dental laboratory technology approved by the
5 national board for certification in dental laboratory technology
6 during the twelve months immediately preceding their application for
7 registration; or

8 (b) Is certified by the national board for certification in
9 dental laboratory technology as a certified dental technician in good
10 standing.

11 (2) (a) Effective January 31, 2025, the department may not issue a
12 registration to a dental laboratory unless the applying dental
13 laboratory documents that it employs a certified dental technician in
14 good standing with the national board for certification in dental
15 laboratory technology who works at least thirty hours per week in the
16 applying dental laboratory or that the dental laboratory is operated
17 under the supervision of a dentist licensed under chapter 18.32 RCW.

18 (b) Subsection (2) (a) of this section does not apply to a dental
19 laboratory that provides the department with documentation that the
20 dental laboratory has been continuously owned and operated by the
21 same individual since January 1, 1996.

22 (3) A dental laboratory must maintain a qualified owner or
23 employee identified in subsections (1) and (2) of this section.

24 NEW SECTION. **Sec. 6.** Each dental laboratory registered with the
25 department must renew its registration before July 31st each year by
26 completing and submitting a renewal of registration of dental
27 laboratory form and paying a fee determined by the secretary as
28 provided in RCW 43.70.280.

29 NEW SECTION. **Sec. 7.** If a dental laboratory violates any
30 provision of this chapter, the department may, in the manner provided
31 by law and upon the advice of the attorney general who shall
32 represent the department in the proceedings, maintain an action in
33 the name of the state for an injunction or other process against any
34 dental laboratory to restrain or prevent the operation of the
35 establishment without a registration issued under this chapter.

36 NEW SECTION. **Sec. 8.** Sections 1 through 7 of this act do not
37 apply to activities authorized under chapter 18.30 RCW.

1 NEW SECTION. **Sec. 9.** Sections 1 through 8 of this act
2 constitute a new chapter in Title 70 RCW.

--- **END** ---