
HOUSE BILL 1950

State of Washington

67th Legislature

2022 Regular Session

By Representatives Caldier and Walen

Read first time 01/12/22. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to protecting patients from certain unsafe dental
2 practices; and adding a new section to chapter 18.32 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.32
5 RCW to read as follows:

6 (1) Prior to the diagnosis and correction of malpositions of
7 human teeth or initial use of orthodontic appliances, a treating
8 dentist shall:

9 (a) Perform a physical examination of the patient that includes
10 the review of the patient's most recent diagnostic digital or
11 conventional radiographs or other equivalent bone imaging suitable
12 for orthodontia and that meets the standard of care. New radiographs
13 or other equivalent bone imaging must be ordered if deemed
14 appropriate by the treating dentist; and

15 (b) Perform diagnosis and treatment planning in consultation with
16 the patient.

17 (2) A patient receiving orthodontia services through
18 teledentistry must be provided with the name, direct telephone
19 number, emergency contact telephone number, physical practice
20 address, and Washington state license number of the dentist who will
21 be involved in the teledentistry services, including any dentist

1 providing services related to the interpretation of any dental scans,
2 analysis of impressions or digital images, or creation of appliances
3 based on an impression or digital image. The information must be
4 provided to the patient both prior to the provision of services and
5 during treatment.

6 (3) A dentist who provides orthodontia services to a patient
7 through teledentistry must provide the patient with a timely
8 opportunity to have follow-up care to address any concerns regarding
9 the services provided and describe to the patient the protocols for
10 emergencies or follow-up care where the patient needs to be seen by
11 the treating dentist in person.

12 (4) A provider of dental services may not require a patient to
13 sign an agreement that limits the patient's ability to file a
14 complaint with the commission or file a lawsuit seeking civil
15 damages.

16 (5) (a) Violation of this section constitutes unprofessional
17 conduct for purposes of chapter 18.130 RCW.

18 (b) Any dental services provided under this section through
19 teledentistry must be performed by a dentist who is licensed under
20 this chapter and subject to the jurisdiction of the commission. The
21 commission is authorized to investigate complaints and issue cease
22 and desist orders related to the practice of dentistry or the
23 coordination of dental services in violation of this section.

24 (6) For the purposes of this section, "teledentistry" means the
25 delivery of dental care services through the use of interactive audio
26 and video technology, permitting real-time communication between the
27 patient at the originating site and the provider to provide health
28 care services, within their scope of practice including, but not
29 limited to, assessment, diagnosis, consultation, treatment, and
30 monitoring of a patient; transfer of medical data; patient and
31 professional health-related education; public health services; and
32 health administration. "Teledentistry" does not include internet
33 questionnaires, email messages, or facsimile transmissions. The
34 standard of care for treatment provided through teledentistry shall
35 be the same standard of care as treatment provided in person.

36 (7) For any patient receiving dental treatment, in order for the
37 patient's informed consent to be treated to be valid and effective,
38 the treating dentist must provide the patient with an opportunity to
39 directly communicate with the treating dentist, whether in person, by
40 telephone, or through synchronous teledentistry technology, so that

1 the patient may ask the treating dentist questions about the
2 treatment to be provided.

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