

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1330

63rd Legislature
2013 Regular Session

Passed by the House March 5, 2013
Yeas 95 Nays 0

Speaker of the House of Representatives

Passed by the Senate April 16, 2013
Yeas 47 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1330** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1330

Passed Legislature - 2013 Regular Session

State of Washington

63rd Legislature

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By Representatives Moeller, Harris, Green, Cody, Tharinger, Pettigrew, Appleton, Springer, Roberts, Kagi, Pollet, Moscoso, and Morrell

Read first time 01/23/13. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to allowing dental hygienists and dental assistants
2 to provide certain services under the supervision of a dentist;
3 amending RCW 18.29.050, 18.29.056, and 18.260.040; and adding a new
4 section to chapter 18.29 RCW.

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

6 **Sec. 1.** RCW 18.29.050 and 2003 c 257 s 1 are each amended to read
7 as follows:

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

18 (1) Any surgical removal of tissue of the oral cavity;

1 (2) Any prescription of drugs or medications requiring the written
2 order or prescription of a licensed dentist or physician, except that
3 a hygienist may place antimicrobials pursuant to the order of a
4 licensed dentist and under the dentist's required supervision;

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

6 (4) The taking of any impression of the teeth or jaw, or the
7 relationships of the teeth or jaws, for the purpose of fabricating any
8 intra-oral restoration, appliance, or prosthesis.

9 Such licensed dental hygienists may perform dental operations and
10 services only under the supervision of a licensed dentist, and under
11 such supervision may be employed by hospitals, boards of education of
12 public or private schools, county boards, boards of health, or public
13 or charitable institutions, or in dental offices.

14 **Sec. 2.** RCW 18.29.056 and 2009 c 321 s 1 are each amended to read
15 as follows:

16 (1)(a) Subject to RCW 18.29.230 and (e) of this subsection, dental
17 hygienists licensed under this chapter with two years' practical
18 clinical experience with a licensed dentist within the preceding five
19 years may be employed, retained, or contracted by health care
20 facilities and senior centers to perform authorized dental hygiene
21 operations and services without dental supervision.

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

28 (c) Dental hygienists performing operations and services under (a)
29 or (b) of this subsection are limited to removal of deposits and stains
30 from the surfaces of the teeth, application of topical preventive or
31 prophylactic agents, application of topical anesthetic agents,
32 polishing and smoothing restorations, and performance of root planing
33 and soft-tissue curettage, but shall not perform injections of
34 anesthetic agents, administration of nitrous oxide, or diagnosis for
35 dental treatment.

36 (d) The performance of dental hygiene operations and services in

1 health care facilities shall be limited to patients, students, and
2 residents of the facilities.

3 (e) A dental hygienist employed, retained, or contracted to perform
4 services under this section or otherwise performing services under a
5 lease agreement under this section in a senior center must, before
6 providing services:

7 (i) Enter into a written practice arrangement plan, approved by the
8 department, with a dentist licensed in this state, under which the
9 dentist will provide off-site supervision of the dental services
10 provided. This agreement does not create an obligation for the dentist
11 to accept referrals of patients receiving services under the program;

12 (ii) Collect data on the patients treated by dental hygienists
13 under the program, including age, treatments rendered, insurance
14 coverage, if any, and patient referral to dentists. This data must be
15 submitted to the department of health at the end of each annual
16 quarter, during the period of time between October 1, 2007, and October
17 1, 2013; and

18 (iii) Obtain information from the patient's primary health care
19 provider about any health conditions of the patient that would be
20 relevant to the provision of preventive dental care. The information
21 may be obtained by the dental hygienist's direct contact with the
22 provider or through a written document from the provider that the
23 patient presents to the dental hygienist.

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

26 (2) For the purposes of this section:

27 (a) "Health care facilities" are limited to hospitals; nursing
28 homes; home health agencies; group homes serving the elderly,
29 individuals with disabilities, and juveniles; state-operated
30 institutions under the jurisdiction of the department of social and
31 health services or the department of corrections; and federal, state,
32 and local public health facilities, state or federally funded community
33 and migrant health centers, and tribal clinics.

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

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.29 RCW
2 to read as follows:

3 (1)(a) Any person licensed in this state as a dental hygienist with
4 two years of practical clinical experience within the preceding five
5 years may perform delegated acts specified in (b) of this subsection on
6 a homebound patient under the general supervision of a dentist licensed
7 under chapter 18.32 RCW if the patient has first been examined by the
8 supervising dentist within a time frame deemed appropriate by the
9 supervising dentist.

10 (b) The acts that may be performed under (a) of this subsection are
11 limited to the acts, specified in rule by the dental quality assurance
12 commission, that a dental hygienist is authorized to perform under the
13 general supervision of a dentist.

14 (2) Prior to performing acts under this section, the dental
15 hygienist shall:

16 (a) Obtain information from the patient's primary health care
17 provider about any health conditions of the patient that would be
18 relevant to the provision of preventive dental care. The dental
19 hygienist shall review and discuss any changes in health condition with
20 the supervising dentist prior to treatment;

21 (b) Discuss appropriateness of care with the supervising dentist;
22 and

23 (c) Obtain written consent from the supervising dentist.

24 (3) For purposes of this section:

25 (a) "General supervision" has the same meaning as in RCW
26 18.260.010; and

27 (b) "Homebound patient" means a patient incapable of travel due to
28 age or disability.

29 **Sec. 4.** RCW 18.260.040 and 2007 c 269 s 5 are each amended to read
30 as follows:

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

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

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

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

6 (a) Any scaling procedure;

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

8 (c) Administration of any general or local anesthetic, including
9 intravenous sedation;

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

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

15 (f) The taking of any impressions of the teeth or jaw or the
16 relationships of the teeth or jaws, for the purpose of fabricating any
17 intra-oral restoration, appliance, or prosthesis.

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

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