



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: December 03, 2020

TIME: 2:00 PM

WSR 21-01-019

Agency: Department of Health

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: Chapter 246-315 WAC, Dental Laboratories. The Department of Health has adopted a new chapter to establish registration, regulation and fees for dental laboratories as required by House Bill (HB) 1177 (Chapter 68, Laws of 2019).

Citation of rules affected by this order:

New: WAC 246-315-001, 246-315-010, 246-315-020, 246-315-030, 246-315-040, 246-315-990

Repealed: none

Amended: none

Suspended: none

Statutory authority for adoption: RCW 43.70.250, RCW 43.70.280, HB 1177 (chapter 68, Laws of 2019)

Other authority: HB 1177 (chapter 68, Laws of 2019)

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 20-19-103 on 09/18/2020 (date).

Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

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Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Federal rules or standards:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Recently enacted state statutes:	New	<u>6</u>	Amended	<u>0</u>	Repealed	<u>0</u>

The number of sections adopted at the request of a nongovernmental entity:

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted in the agency's own initiative:

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted using:

Negotiated rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Pilot rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Other alternative rule making:	New	<u>6</u>	Amended	<u>0</u>	Repealed	<u>0</u>

Date Adopted: 12/03/2020

Name: Jessica Todorovich for John Wiesman, DrPH, MPH

Title: Chief of Staff for Secretary of Health

Signature:



**Chapter 246-315 WAC
DENTAL LABORATORIES**

NEW SECTION

WAC 246-315-001 Purpose. The purpose of these rules is to further clarify and define chapter 70.352 RCW, Dental laboratories.

NEW SECTION

WAC 246-315-010 Definitions. The definitions in this section apply throughout the chapter unless the context clearly requires otherwise.

(1) "Department" means the Washington state department of health.

(2) "Responsible person" means an owner or employee who meets the requirements listed in RCW 70.352.050 (1) and (2).

(3) "Supervising dentist" means an individual licensed to practice dentistry pursuant to chapter 18.32 RCW, and who has personally authorized the procedures to be performed.

NEW SECTION

WAC 246-315-020 Registration required. As of January 31, 2021, each dental laboratory operating, doing business, or intending to operate or do business in this state must possess a current registration issued by the department, unless exempt under RCW 70.352.020(3) or 70.352.900.

NEW SECTION

WAC 246-315-030 Registration application requirements. An applicant for a dental laboratory registration shall submit to the department the following:

(1) An application on forms provided by the department;

(2) A verification that the dental laboratory meets the requirements listed in RCW 70.352.050;

(3) An acknowledgment by the responsible person or supervising dentist who is licensed in this state attesting that the dental laboratory will provide written material disclosure to the prescribing dentist that contains the information required in RCW 70.352.030 (1)(e);

(4) An acknowledgment by the responsible person or supervising dentist who is licensed in this state attesting that the dental laboratory will disclose in writing to the prescribing dentist the point

of origin of the manufacture of each prescribed restoration as required in RCW 70.352.030 (1)(f); and
(5) The fee required under WAC 246-315-990.

NEW SECTION

WAC 246-315-040 Denial of registration and disciplinary action.

(1) Under RCW 70.352.070 and chapter 34.05 RCW the department may deny a registration to any applicant who does not comply with the requirements or standards listed in chapter 70.352 RCW or the rules adopted in this chapter.

(2) Pursuant to chapter 34.05 RCW, the department may impose conditions, suspend or revoke the registration of any dental laboratory which fails or refuses to comply with the requirements of chapter 70.352 RCW or the rules adopted in this chapter.

NEW SECTION

WAC 246-315-990 Registration renewal and fees. Dental laboratory registration fees, renewal requirements and renewal cycle.

(1) Registration must be renewed annually prior to July 31st of each year as provided in RCW 70.352.060.

(2) The department will renew the dental laboratory registration when the responsible person or supervising dentist submits:

- (a) A completed renewal form, provided by the department;
- (b) The designated renewal fee; and

(c) A signed attestation verifying that the dental laboratory continues to meet the registration requirements listed in RCW 70.352.030 and 70.352.050(3).

(3) The following nonrefundable fees will be charged:

Title of Fee	Fee
Application	\$250.00
Renewal	250.00
Late renewal penalty	125.00
Expired registration reissuance	125.00
Registration verification	25.00
Duplicate registration	15.00