RULE-MAKING ORDER

Agency: Department of Health - Dental Quality Assurance Commission

CR-103P (May 2009)
(Implements RCW 34.05.360)
Permanent Rule Only

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Purpose: WAC 246-817-135 (amended) and 246-817-130 and 140 (repealed). The adopted rule: eliminates conflict with RCW 18.32.215 by eliminating reference to clinical examination requirement; provides a single rule to eliminate confusion with the current three rules; defines "state" and "currently engaged in the practice of dentistry;" removes the unnecessary requirements and adds two standard licensure requirements.

Citation of existing rules affected by this order:
Repealed: WAC 246-817-130 and 246-817-140
Amended: WAC 246-817-135
Suspended: None

Statutory authority for adoption: RCW 18.32.0365

Other authority: RCW 18.32.215

PERMANENT RULE (Including Expedited Rule Making)
Adopted under notice filed as WSR 16-09-101 on 04/19/2016 (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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Date adopted: 06/03/2016

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED
DATE: July 26, 2016
TIME: 12:05 PM
WSR 16-16-039

(COMPLETE REVERSE SIDE)
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:

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<th>New</th>
<th>Amended</th>
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<td>Federal rules or standards:</td>
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<td>Recently enacted state statutes:</td>
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The number of sections adopted at the request of a nongovernmental entity:

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The number of sections adopted in the agency's own initiative:

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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

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The number of sections adopted using:

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<td>Pilot rule making:</td>
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<td>Other alternative rule making:</td>
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WAC 246-817-135 Dental licensure without examination (for dentists)—Eligibility and application (procedure) requirements.
(The applicant is responsible for obtaining and furnishing to the DQAC all materials required to establish eligibility for a) For individuals holding a dentist credential in another U.S. state or territory, to be eligible for Washington state dental license without examination((. In addition to the requirements defined in WAC 246-817-110 the following documentation must be provided)), the applicant must provide:

(1) ((A statement by the applicant as to whether the applicant has been the subject of any disciplinary action in the state(s) of licensure and whether the applicant has engaged in unprofessional conduct as defined in RCW 18.130.180.

(2) A statement by the applicant that they are not an impaired practitioner as defined in RCW 18.130.170.)) A completed application on forms provided by the secretary;

(2) Applicable fees under WAC 246-817-990;

(3) A ((certification by the state board(s))) verification by a U.S. state or territory board of dentistry (or equivalent authority) ((that the applicant was issued a license, registration, certificate or privilege) of an active credential to practice dentistry, without restrictions, and whether the applicant has been the subject of final or pending disciplinary action(.-));

(4) ((Documentation to substantiate that standards defined in WAC 246-817-140 have been met.)) Proof of graduation from an approved dental school under WAC 246-817-110 (2)(a):

(a) The only acceptable proof is an official, posted transcript sent directly from such school;

(b) Graduates of nonapproved dental schools must meet the requirements under RCW 18.32.215 (1)(b).

(5) Proof that the applicant is currently engaged in the practice of dentistry((, in another state as demonstrated by the following information):

(a) Address of practice location(s);

(b) Length of time at the location(s);

(c) A letter from all malpractice insurance carrier(s) defining years when insured and any claims history;

(d) Federal or state tax numbers;

(e) DEA numbers if any;

(a) Dentists serving in the United States federal services as described in RCW 18.32.030(2) (for the period of such service, need not provide (a) through (e) of this subsection, but)) must provide documentation from their commanding officer regarding length of service, duties and responsibilities ((including)), and any adverse actions or restrictions ((. Such dental service, including service within the state of Washington, shall be credited toward the dental practice requirement.));

(b) Dentists employed by a dental school ((approved by the DQAC for the period of such dental practice, need not provide (a) through (e) of this subsection, but)) approved under WAC 246-817-110 (2)(a) must provide documentation from the dean or appropriate administrator of the institution regarding the length and terms of employment ((and
their duties and responsibilities, and any adverse actions or restrictions. Such dental practice, including practice within the state of Washington, shall be credited toward the dental practice requirement. Dental practice within a residency program shall be credited toward the dental practice requirement. A license may be revoked upon evidence of misinformation or substantial omission.

All information must be completed and received within one hundred eighty days of receipt of the initial application. Only completed applications will be reviewed by the DQAC, or its designee(s) at the next scheduled DQAC meeting or at other intervals as determined by the DQAC.

(c) Dentists in a dental residency program must provide documentation from the director or appropriate administrator of the residency program regarding length of residency, duties and responsibilities, and any adverse actions or restrictions; or

(d) Dentists practicing dentistry for a minimum of twenty hours per week for the four consecutive years preceding application, in another U.S. state or territory must provide:

(i) Address of practice location(s);

(ii) Length of time at the location(s);

(iii) A letter from all malpractice insurance carrier(s) defining years when insured and any claims history;

(iv) Federal or state tax numbers; and

(v) DEA numbers if any.

(6) Proof of seven clock hours of AIDS education and training as required by chapter 246-12 WAC, Part 8;

(7) Proof of successful completion of a commission approved written jurisprudence examination;

(8) A recent 2" x 2" photograph, signed, dated, and attached to the application; and

(9) Authorization for background inquiries to other sources may include, but are not limited to, the national practitioner data bank and drug enforcement agency.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 246-817-130 Licensure without examination for dentists—Eligibility.

WAC 246-817-140 Licensure without examination for dentists—Licensing examination standards.