
SUBSTITUTE HOUSE BILL 2531

State of Washington

66th Legislature

2020 Regular Session

By House Health Care & Wellness (originally sponsored by Representatives Caldier, Leavitt, Harris, Cody, and Davis)

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)(a) Prior to the initial diagnosis and correction of
7 malpositions of human teeth or initial use of orthodontic appliances:

8 (i) A treating dentist must perform an examination that includes
9 the review of the patient's most recent diagnostic digital or
10 conventional radiographs or other equivalent bone imaging suitable
11 for orthodontia. New radiographs or other equivalent bone imaging
12 must be ordered if deemed appropriate by the treating dentist; or

13 (ii) The patient must have received dental clearance within the
14 previous six months from a dentist other than the treating dentist
15 that finds that the patient does not have any cavities, periodontal
16 disease, or other abnormalities, and has been approved for
17 orthodontia services.

18 (b) Following the examination in (a) of this subsection, the
19 treating dentist must perform diagnosis and treatment planning in
20 consultation with the patient.

1 (2) A patient receiving orthodontia services through telemedicine
2 must be provided with the name, direct telephone number, emergency
3 contact telephone number, practice address, and Washington state
4 license number of the dentist who will be involved in the provision
5 of the services, including any dentist providing services related to
6 the interpretation of any dental scans, analysis of impressions, or
7 creation of appliances based on an impression. The information must
8 be provided both prior to the provision of services and during
9 treatment if there is a change in any person providing dental
10 services to the patient.

11 (3) A dentist who provides orthodontia services to a patient
12 through telemedicine must provide the patient with a timely
13 opportunity to have follow-up care to address any concerns regarding
14 the services provided and describe to the patient the protocols for
15 emergencies or follow-up care.

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

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

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

28 (6) For the purposes of this section, "telemedicine" means the
29 delivery of dental care services through the use of interactive audio
30 and video technology, permitting real-time communication between the
31 patient at the originating site and the provider, for the purpose of
32 limited diagnostic services, treatment planning services, or
33 monitoring service for a patient of record.

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