



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

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STATE OF WASHINGTON
FILED

DATE: April 08, 2021

TIME: 8:28 AM

WSR 21-09-009

Agency: Department of Health- Dental Quality Assurance Commission

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify)

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

- Yes
 - No
- If Yes, explain:

Purpose: WAC 246-817-120 Examination content - Emergency Rule. This adopted emergency rule will extend WSR 21-01-048 filed on December 8, 2020. The Dental Quality Assurance Commission (commission) adopted WSR 20-17-038 on August 10, 2020 and WSR 21-01-048 on December 8, 2020 to add the Joint Commission on National Dental Examination's Dental Licensure Objective Structured Clinical Examination (DLOSCE) to the list of allowable practical/clinical examinations and to allow an applicant to pass components of the practical examination using one or more testing agencies, rather than only one agency.

Citation of rules affected by this order:

New: none
 Repealed: none
 Amended: WAC 246-817-120
 Suspended: none

Statutory authority for adoption: RCW 18.32.0365

Other authority: RCW 18.32.040 and RCW 18.32.002

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: In response to the novel coronavirus disease (COVID-19), all regional, patient-based clinical dentist examinations were cancelled for 2020 in the United States. Examination restrictions have continued into 2021.

The commission received a request from the University of Washington School of Dentistry and other dental organizations to approve a new non-patient based clinical exam. The DLOSCE is a practical/clinical examination that is computer-based and does not use live patients. Adding DLOSCE to the list of allowable practical/clinical examinations will allow current graduates the opportunity to obtain Washington State dentist licensure while other examinations are temporarily unavailable.

On June 5, 2020, the commission also determined additional change was necessary to WAC 246-817-120 to allow graduates to obtain manikin-based clinical examination from more than one testing agency. Regional examination testing agencies have developed manikin-based clinical dentist examinations to replace patient-based. However, one or more of the testing agencies are unable to offer all required sections through manikin-based examination. Removing the requirement for all examination content sections to be passed with a single testing agency will provide additional options for new graduates to obtain clinical examinations for Washington State dentist licensure.

Standard rulemaking takes approximately nine to 12 months. The commission is proceeding with permanent rule making under WSR 21-04-024 filed on January 25, 2021. Patient-based clinical dentist examinations in the United States were cancelled for 2020 due to the COVID-19 pandemic. Examination restrictions have continued into 2021. The continuance of this emergency rule allowing computer-based and manikin-based examinations is needed until the permanent rule can be adopted so that 2020 and 2021 dentist student graduates have the opportunity to obtain Washington state dentist licensure.

**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>0</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 on the agency's own initiative:

New	<u>0</u>	Amended	<u>1</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>0</u>	Amended	<u>1</u>	Repealed	<u>0</u>

Date Adopted: April 8, 2021

Name: Aaron Stevens, D.M.D.

Title: Dental Quality Assurance Commission Chairperson

Signature:

