



RULE-MAKING ORDER PERMANENT RULE ONLY

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

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STATE OF WASHINGTON
FILED

DATE: December 22, 2021

TIME: 2:06 PM

WSR 22-02-005

Agency: Department of Health- Dental Quality Assurance Commission

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 246-817-581 Novel coronavirus disease 2019 vaccination by licenses dental hygienist. The Dental Quality Assurance Commission (commission) adopted rules allowing dentists to delegate administration of novel coronavirus disease 2019 (COVID-19) vaccination to licensed dental hygienists with close supervision and demonstration of competency. The adopted rule also provides for acceptance of approved vaccination protocols and screening to meet the dentist's requirement to diagnose and authorize treatment.

In response to the COVID-19 pandemic, dentists are among the essential health providers who can safely administer vaccinations and help address this public health emergency. Mass vaccination across the state has taken cooperation and coordination across the entire health system. Dentists and delegated dental hygienists can increase capacity for priority populations who may not otherwise be connected to the traditional health care system and will establish additional avenues and opportunities for future need. Permanent rulemaking allows dentists to continue delegating COVID-19 vaccinations to dental hygienists after the Governor ends the state of emergency. Vaccinations and potential booster vaccinations will be necessary to prevent another outbreak. Efforts to prevent another outbreak, including increased health care worker capacity and vaccination availability in new settings, need to continue to preserve public health, safety, and the general welfare of patients and dental staff.

The commission filed emergency rulemaking as WSR 21-06-012 on February 19, 2021 and extended emergency rulemaking as WSR 21-13-091 on June 18, 2021 and WSR 21-21-052 on October 15, 2021 for COVID-19 vaccination delegation. This permanent rule will replace the emergency rule. The commission will rescind the emergency rule once the permanent rule becomes effective.

Citation of rules affected by this order:

- New: WAC 246-817-581
- Repealed: None
- Amended: None
- Suspended: None

Statutory authority for adoption: RCW 18.29.050 and 18.32.0365

Other authority: RCW 18.32.002

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 21-18-005 on 08/18/2021 (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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**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> |
|-----|----------|---------|----------|----------|----------|

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

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

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> |
|-----|----------|---------|----------|----------|----------|

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

Date Adopted: 10/22/2021

Name: David Carsten, DDS

Title: Dental Quality Assurance Commission Chairperson

Signature:



NEW SECTION

WAC 246-817-581 Novel coronavirus disease 2019 vaccination. (1)

A supervising dentist may delegate the administration of a vaccination of novel coronavirus disease 2019 to a licensed dental hygienist under the dentist's close supervision, provided the licensed dental hygienist has demonstrated skills necessary to perform the task competently.

(2) For the purpose of administering vaccination for the novel coronavirus disease 2019, a dentist's approval of the vaccination protocol and screening meets the dentist's requirement to diagnose the condition to be treated and personal authorization of the procedure as required by close supervision under WAC 246-817-510(1).