



# PROPOSED RULE MAKING

## CR-102 (July 2022) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: September 20, 2023

TIME: 8:47 AM

WSR 23-19-088

**Agency:** Department of Health – Board of Denturists

**Original Notice**

**Supplemental Notice to WSR**

**Continuance of WSR**

**Preproposal Statement of Inquiry was filed as WSR** 22-05-084 ; or

**Expedited Rule Making--Proposed notice was filed as WSR** \_\_\_\_\_; or

**Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or**

**Proposal is exempt under RCW** \_\_\_\_\_.

**Title of rule and other identifying information:** (describe subject) Denturist rules regarding prefabricated implant abutments and infection control standards.

The Board of Denturists (board) is proposing a new section of rule, WAC 246-812-462 - Prefabricated implant abutments, to set out the requirements for the placement of prefabricated implant abutments. The board is also proposing amending the infection control standards purpose statement in WAC 246-812-50 to ensure written policies and procedures are maintained.

### Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
10/25/2023	12:00 p.m.	Physical Location: Department of Health Town Center 2, Room 145 111 Israel Rd SE Tumwater, WA 98501  Participants can also attend by webinar.  You must register in advance for this webinar: <a href="https://events.gcc.teams.microsoft.com/event/39c2347f-767d-44a8-813d-0771e6a4eb14@11d0e217-264e-400a-8ba0-57dcc127d72d">https://events.gcc.teams.microsoft.com/event/39c2347f-767d-44a8-813d-0771e6a4eb14@11d0e217-264e-400a-8ba0-57dcc127d72d</a>  After registering, you will receive a confirmation email containing information about joining the webinar.	The Board of Denturist will hold a hybrid hearing with both the option to attend in-person or virtually.

**Date of intended adoption:** 10/25/2023 (Note: This is **NOT** the **effective** date)

### Submit written comments to:

Name: Vicki Brown  
Address: P.O. Box 47852, Olympia, WA 98504-7852

### Assistance for persons with disabilities:

Contact: Vicki Brown  
Phone: 360-236-4865

Email: <https://fortress.wa.gov/doh/policyreview>  
Fax: 360-236-2901  
Other:  
By (date) 10/18/2023

Fax: 360-236-4902  
TTY: 711  
Email: [vicki.brown@doh.gov](mailto:vicki.brown@doh.gov)  
Other: None  
By (date) 10/18/2023

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The board is proposing amendments to WAC 246-812-501 to ensure that a licensed denturist develop and maintain written infection control policies, procedures, and requirements for infection prevention and control that are appropriate for the denturist services provided by the facility.

The board is proposing new WAC 246-812-462 regarding the use and placement of prefabricated implant abutments to set out the requirements that are to be followed in order for a licensed denturist to place an abutment on an implant for the purpose of fabricating, repairing, relining, or rebasing a denture.

**Reasons supporting proposal:** WAC 246-812-501 currently does not require a licensed denturist to have written policies, procedures, and requirements for infection prevention and control in denturist offices to protect the health and well-being of the people of the state of Washington. During an infection control investigation, written policies and procedures are necessary for the investigator to review to ensure the denturist has a plan for complying with the infection prevention and control in their facility.

The board determined that the placement of an abutment would fall under RCW 18.30.010(5)(a) as this is considered to be part on the making, placing, constructing, altering, reproducing, or repairing of a denture. WAC 246-812-462 sets out the process and requirements that must be followed prior to a licensed denturist placing an abutment on an implant for the purpose of fabricating, repairing, or rebasing a denture.

**Statutory authority for adoption:** RCW 18.30.065 and 18.130.040

**Statute being implemented:** RCW 18.30.005 and RCW 18.30.065

**Is rule necessary because of a:**

Federal Law?  Yes  No  
Federal Court Decision?  Yes  No  
State Court Decision?  Yes  No

If yes, CITATION:

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:** None

**Type of proponent:**  Private  Public  Governmental

**Name of proponent:** (person or organization) Board of Denturists

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Vicki Brown	111 Israel Road SE, Tumwater, WA 98501	360-236-4865
Implementation:	Vicki Brown	111 Israel Road SE, Tumwater, WA 98501	360-236-4865
Enforcement:	Vicki Brown	111 Israel Road SE, Tumwater, WA 98501	360-236-4865

**Is a school district fiscal impact statement required under [RCW 28A.305.135](#)?**  Yes  No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:  
Address:  
Phone:  
Fax:  
TTY:  
Email:  
Other:

**Is a cost-benefit analysis required under [RCW 34.05.328](#)?**

- Yes: A preliminary cost-benefit analysis may be obtained by contacting:  
Name: Vicki Brown  
Address: Department of Health  
PO Box 47852  
Olympia, WA 98504-7852  
Phone: 360-236-4865  
Fax: 360-236-2901  
TTY: 711  
Email: vicki.brown@doh.wa.gov  
Other:
- No: Please explain:

**Regulatory Fairness Act and Small Business Economic Impact Statement**

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

**(1) Identification of exemptions:**

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:

- |   |   |
|---|---|
| <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(b)<br>(Internal government operations) | <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(e)<br>(Dictated by statute)  |
| <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(c)<br>(Incorporation by reference)     | <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(f)<br>(Set or adjust fees)   |
| <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(d)<br>(Correct or clarify language)    | <input type="checkbox"/> <a href="#">RCW 34.05.310</a> (4)(g)<br>(i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#) (does not affect small businesses).

This rule proposal, or portions of the proposal, is exempt under RCW \_\_\_\_\_.

Explanation of how the above exemption(s) applies to the proposed rule: The proposed rules establish requirements for licensed denturist to obtain and maintain their credentials.

**(2) Scope of exemptions: Check one.**

- The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.
- The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

**(3) Small business economic impact statement: Complete this section if any portion is not exempt.**

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs.
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

**Date:** September 14, 2023

**Name:** Trina Crawford

**Title:** Executive Director, Board of Denturists

**Signature:**

A handwritten signature in cursive script that reads "Trina Crawford".

NEW SECTION

**WAC 246-812-462 Prefabricated implant abutments.** A licensed denturist, prior to placing an abutment on an implant for the purpose of fabricating, repairing, relining, or rebasing a denture, must have documented proof that a licensed dentist has examined the patient clinically. The documented proof from the licensed dentist must include a report that the implant is sufficiently osseointegrated, the surrounding soft tissues are stable and healthy, and provide a documented diagnosis that the implant is ready to restore. The abutment seat shall be verified by radiographic assessment by a licensed dentist prior to delivery of the denture.

AMENDATORY SECTION (Amending WSR 98-20-068, filed 10/2/98, effective 11/2/98)

**WAC 246-812-501 Purpose.** The purpose of WAC 246-812-501 through 246-812-520 is to establish that a licensed denturist must have written policies, procedures, and requirements for infection prevention and control in denturist offices to protect the health and well-being of the people of the state of Washington. For purposes of infection control, all denturist staff members and all patients shall be considered potential carriers of communicable diseases. Infection control procedures are required to prevent disease transmission from patient to denturist and staff, denturist and staff to patient, and from patient to patient. Every denturist is required to comply with the applicable standard of care in effect at the time of treatment. At a minimum, the denturist must comply with the requirements defined in WAC 246-812-520.