

(2) of this section. It is a defense to an eviction under subsection (1)(a) or (2) of this section that a landlord did not participate in the mediation process in good faith.

**NEW SECTION.** Sec. 13. Any unit of local government may, with the director's approval, give or loan moneys to the fund if insufficient moneys are available to pay the fund's share of relocation assistance under section 2 of this act. When sufficient moneys exist in the fund, the director shall approve the repayment of the loaned moneys to the local government.

**NEW SECTION.** Sec. 14. A tenant may, with the written approval of his or her attorney at law, waive or compromise their right to relocation assistance under this chapter.

**NEW SECTION.** Sec. 15. Any person who intentionally violates, intentionally attempts to evade, or intentionally evades the provisions of this act is guilty of a misdemeanor.

**NEW SECTION.** Sec. 16. Sections 1 through 6, 10, 11, 13, 14, and 15 of this act constitute a new chapter in Title 59 RCW.

**NEW SECTION.** Sec. 17. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION.** Sec. 18. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House April 19, 1989.

Passed the Senate April 13, 1989.

Approved by the Governor April 28, 1989.

Filed in Office of Secretary of State April 28, 1989.

## CHAPTER 202

[Substitute House Bill No. 1894]

### DENTISTS AND DENTAL HYGIENISTS—LICENSING AND SCOPE OF PRACTICE

AN ACT Relating to technical changes in chapters 18.29 and 18.32 RCW; amending RCW 18.29.060, 18.32.030, 18.32.035, 18.32.037, 18.32.040, 18.32.050, 18.32.100, 18.32.110, 18.32.120, 18.32.160, 18.32.180, 18.32.220, 18.32.500, 18.32.520, 18.32.530, and 18.32.600; adding new sections to chapter 18.29 RCW; adding new sections to chapter 18.32 RCW; re-codifying RCW 18.32.085, 18.32.290, 18.32.310, 18.32.320, 18.32.322, 18.32.324, 18.32.326, 18.32.328, 18.32.330, 18.32.340, 18.32.350, and 18.32.360; repealing RCW 18.29.020, 18.29.031, 18.29.040, 18.29.070, 18.32.070, 18.32.210, and 18.32.225; and making an appropriation.

Be it enacted by the Legislature of the State of Washington:

**NEW SECTION. Sec. 1. REQUIREMENTS FOR LICENSURE.**

(1) The department shall issue a license to any applicant who, as determined by the director:

(a) Has successfully completed an educational program approved by the director. This educational program shall include course work encompassing the subject areas within the scope of the license to practice dental hygiene in the state of Washington;

(b) Has successfully completed an examination administered by the dental hygiene examining committee; and

(c) Has not engaged in unprofessional conduct or is not unable to practice with reasonable skill and safety as a result of a physical or mental impairment.

(2) Applications for licensure shall be submitted on forms provided by the department. The department may require any information and documentation necessary to determine if the applicant meets the criteria for licensure as provided in this chapter and chapter 18.130 RCW. Each applicant shall pay a fee determined by the director as provided in RCW 43.24.086. The fee shall be submitted with the application.

**NEW SECTION. Sec. 2. RENEWALS.** The director shall establish by rule the requirements for renewal of licenses. The director shall establish a renewal and late renewal penalty fee as provided in RCW 43.24.086. Failure to renew invalidates the license and all privileges granted by the license. The director shall determine by rule whether a license shall be canceled for failure to renew and shall establish procedures and requirements for relicensure.

**NEW SECTION. Sec. 3. DENTAL HYGIENE EXAMINING COMMITTEE—CREATION—MEMBERSHIP—TERMS—REMOVAL.** There shall be a dental hygiene examining committee consisting of three practicing dental hygienists and one public member appointed by the director, to be known as the Washington dental hygiene examining committee. Each dental hygiene member shall be licensed and have been actively practicing dental hygiene for a period of not less than five years immediately before appointment and shall not be connected with any dental hygiene school. The public member shall not be connected with any dental hygiene program or engaged in any practice or business related to dental hygiene. Members of the committee shall be appointed by the director to prepare and conduct examinations for dental hygiene licensure. Members shall be appointed to serve for terms of three years from October 1 of the year in which they are appointed. Terms of the members shall be staggered. Each member shall hold office for the term of his or her appointment and until his or her successor is appointed and qualified. Any member of the committee may be removed by the director for neglect of duty, misconduct, malfeasance, or misfeasance in office, after being given a written statement of the charges against him or her and sufficient opportunity to be heard

thereon. Members of the committee shall be compensated in accordance with RCW 43.03.240 and shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

**NEW SECTION.** Sec. 4. COMMITTEE'S AUTHORITY. The director in consultation with the Washington dental hygiene examining committee shall:

- (1) Adopt rules in accordance with chapter 34.05 RCW necessary to prepare and conduct examinations for dental hygiene licensure;
- (2) Require an applicant for licensure to pass an examination consisting of written and practical tests upon such subjects and of such scope as the committee determines;
- (3) Set the standards for passage of the examination;
- (4) Administer at least two examinations each calendar year in conjunction with examinations for licensure of dentists under chapter 18.32 RCW. Additional examinations may be given as necessary; and
- (5) Establish by rule the procedures for an appeal of an examination failure.

**NEW SECTION.** Sec. 5. DIRECTOR'S AUTHORITY. In addition to any other authority provided by law, the director may:

- (1) Adopt rules in accordance with chapter 34.05 RCW necessary to implement this chapter;
- (2) Establish forms necessary to administer this chapter;
- (3) Issue a license to any applicant who has met the education and examination requirements for licensure and deny a license to applicants who do not meet the minimum qualifications for licensure. Proceedings concerning the denial of licenses based on unprofessional conduct or impaired practice shall be governed by the uniform disciplinary act, chapter 18.130 RCW;
- (4) Employ clerical, administrative, and investigative staff as needed to implement and administer this chapter and hire individuals, including those licensed under this chapter, to serve as examiners or consultants as necessary to implement and administer this chapter;
- (5) Maintain the official departmental record of all applicants and licensees;
- (6) Establish, by rule, the minimum education requirements for licensure, including but not limited to approval of educational programs; and
- (7) Establish and implement by rule a continuing education program.

**NEW SECTION.** Sec. 6. APPROVAL OF EDUCATIONAL PROGRAMS. The director shall establish by rule the standards and procedures for approval of educational programs and may contract with individuals or organizations having expertise in the profession or in education to report to the director information necessary for the director to evaluate the educational programs. The director may establish a fee for educational program

evaluation. The fee shall be set to defray the administrative costs for evaluating the educational program, including, but not limited to, costs for site evaluation.

**NEW SECTION. Sec. 7. EXAMINATIONS.** (1) The director shall establish the date and location of the examination. Applicants who meet the education requirements for licensure shall be scheduled for the next examination following the filing of the application. The director shall establish by rule the examination application deadline.

(2) The examination shall contain subjects appropriate to the scope of practice and on laws in the state of Washington regulating dental hygiene practice.

(3) The committee shall establish by rule the requirements for a reexamination if the applicant has failed the examination.

(4) The committee may approve an examination prepared or administered by a private testing agency or association of licensing authorities.

**NEW SECTION. Sec. 8. IMMUNITY.** The director, members of the committee, and individuals acting on their behalf are immune from suit in any action, civil or criminal, based on any acts performed in the course of their duties.

**NEW SECTION. Sec. 9. COMMITTEE MEETINGS—QUORUM—EFFECT OF VACANCY.** The committee shall meet at least once a year and at such times as may be necessary for the transaction of business.

A majority of the committee shall constitute a quorum.

A vacancy in the committee membership shall not impair the right of the remaining members of the committee to exercise any power or to perform any duty of the committee, so long as the power is exercised or the duty performed by a quorum of the committee.

**NEW SECTION. Sec. 10. EXEMPTIONS FROM CHAPTER.** The following practices, acts, and operations are excepted from the operation of this chapter:

(1) The practice of dental hygiene in the discharge of official duties by dental hygienists in the United States armed services, coast guard, public health services, veterans' bureau, or bureau of Indian affairs;

(2) Dental hygiene programs approved by the director and the practice of dental hygiene by students in dental hygiene programs approved by the director, when acting under the direction and supervision of persons licensed under chapter 18.29 or 18.32 RCW acting as instructors.

**NEW SECTION. Sec. 11. CAPTIONS NOT LAW.** Section headings as used in this act do not constitute any part of the law.

Sec. 12. Section 31, chapter 16, Laws of 1923 as last amended by section 21, chapter 7, Laws of 1985 and RCW 18.29.060 are each amended to read as follows:

Upon passing an examination and meeting the requirements as provided in (~~RCW 18.29.031~~) section 1 of this 1989 act, the director of licensing shall issue to the successful applicant a license as dental hygienist. The license shall be displayed in a conspicuous place in the operation room where such licensee shall practice.

Sec. 13. Section 1, chapter 130, Laws of 1951 as last amended by section 35, chapter 158, Laws of 1979 and RCW 18.32.030 are each amended to read as follows:

The following practices, acts, and operations are excepted from the operation of the provisions of this chapter:

(1) The rendering of dental relief in emergency cases in the practice of his or her profession by a physician or surgeon, licensed as such and registered under the laws of this state, unless (~~he~~) the physician or surgeon undertakes to or does reproduce lost parts of the human teeth in the mouth or to restore or to replace in the human mouth lost or missing teeth;

(2) The practice of dentistry in the discharge of official duties by dentists in the United States (~~army, navy~~) federal services on federal reservations, including but not limited to the armed services, coast guard, public health service, veterans' bureau, or bureau of Indian affairs;

(3) Dental schools or colleges approved (~~by the board~~) under RCW 18.32.040, and the practice of dentistry by students in Washington state dental schools or colleges approved by the board, when acting under the direction and supervision of (~~registered and~~) Washington state-licensed (~~dentists acting as instructors~~) dental school faculty;

(4) The practice of dentistry by licensed dentists of other states or countries while appearing as clinicians at meetings of the Washington state dental association, or component parts thereof, or at meetings sanctioned by them, or other groups approved by the board of dental examiners;

(5) The use of roentgen and other rays for making (~~radiograms~~) radiographs or similar records of dental or oral tissues, under the supervision of a licensed dentist or physician;

(6) The making, repairing, altering, or supplying of artificial restorations, substitutions, appliances, or materials for the correction of disease, loss, deformity, malposition, dislocation, fracture, injury to the jaws, teeth, lips, gums, cheeks, palate, or associated tissues or parts; providing the same are made, repaired, altered, or supplied pursuant to the written instructions and order of a licensed dentist which may be accompanied by casts, models, or impressions furnished by (~~said~~) the dentist, and (~~said~~) the prescriptions shall be retained and filed for a period of not less than three years and shall be available to and subject to the examination of the director of licensing or (~~his~~) the director's authorized representatives;

(7) The removal of deposits and stains from the surfaces of the teeth, the application of topical preventative or prophylactic agents, and the polishing and smoothing of restorations, when performed or prescribed by a dental hygienist licensed under the laws of this state;

(8) A qualified and licensed physician and surgeon extracting teeth or performing oral surgery pursuant to the scope of practice under chapter 18.71 or 18.57 RCW;

~~(9) ((A legal practitioner of another state making a clinical demonstration before a medical or dental society, or at a convention approved by the Washington state medical or dental association or Washington progressive dental society;~~

~~(10) Students practicing or performing dental operations, under the supervision of competent instructors, in any reputable dental college;~~

~~((11)) The performing of dental operations or services by persons not licensed under this chapter when performed under the supervision of a licensed dentist: PROVIDED HOWEVER, That such nonlicensed person shall in no event perform the following dental operations or services unless permitted to be performed by ((him)) the person under ~~((other provisions of))~~ this chapter or chapters 18.29, 18.57, 18.71, and 18.88 RCW:~~

~~(a) Any removal of or addition to the hard or soft tissue of the oral cavity;~~

~~(b) Any diagnosis of or prescription for treatment of disease, pain, deformity, deficiency, injury, or physical condition of the human teeth or jaws, or adjacent structure;~~

~~(c) Any administration of general or injected local anaesthetic of any nature in connection with a dental operation, including intravenous sedation;~~

~~(d) Any oral prophylaxis;~~

~~(e) The taking of any impressions of the teeth or jaw or the relationships of the teeth or jaws, for the purpose of fabricating any intra-oral restoration, appliance, or prosthesis.~~

Sec. 14. Section 2, chapter 112, Laws of 1935 as last amended by section 50, chapter 279, Laws of 1984 and RCW 18.32.035 are each amended to read as follows:

There shall be a board of dental examiners consisting of nine practicing dentists, at least three of whom reside east of the summit of the Cascade range, and one consumer member, to be known as the Washington state board of dental examiners.

The members shall be appointed by the governor in the manner hereinafter set forth and at the time of their appointment upon said board must be actual residents of the state in active practice of dentistry ~~((or dental surgery as hereinafter))~~ as defined in this chapter and must have been for a period of five years or more legally licensed to practice dentistry ~~((or dental surgery))~~ in this state ~~((PROVIDED, HOWEVER, That))~~. No person

~~((shall be))~~ is eligible to appointment to ~~((said))~~ the board who is in any way connected with or interested in any dental college or dental department of any institution of learning. Members shall be appointed to the board to serve for terms of five years from ~~((July 1))~~ January 1st of the year in which they are appointed, and shall hold office until their successors are appointed.

In case of a vacancy occurring on ~~((said))~~ the board, ~~((such))~~ the vacancy shall be filled by the governor as ~~((herein))~~ provided in this section for the remainder of the term of the vacancy and the appointee shall hold office until a successor is appointed.

The board ~~((shall have the power to employ))~~ may contract with competent persons on a temporary basis to assist in ~~((conducting))~~ developing or administering examinations for licensure.

The board ~~((shall have the authority to))~~ may enter into compacts and agreements with other states and with organizations formed by several states, for the purpose of conducting multi-state licensing examinations. The board may enter into such compacts and agreements even though they would result in the examination of a candidate for a license in this state by an examiner or examiners from another state or states, and even though ~~((they))~~ the compacts and agreements would result in the examination of a candidate or candidates for a license in another state or states by an examiner or examiners from this state.

The board of dental examiners may adopt rules in accordance with chapter 34.05 RCW to implement this chapter and chapter 18.130 RCW.

Sec. 15. Section 3, chapter 112, Laws of 1935 and RCW 18.32.037 are each amended to read as follows:

The board shall ~~((choose))~~ designate one of its members ~~((president))~~ as chairperson and one as secretary ~~((thereof)),~~ and it shall meet at least once in each year, and ~~((oftener))~~ more often if necessary, ~~((in))~~ at the discretion of the director or board, and at such times and places as ~~((he or it may))~~ the director or the board deems proper. A majority of the members of ~~((said))~~ the board ~~((shall, at all times,))~~ currently serving constitutes a quorum for the transaction of the business of the board ~~((and the proceedings thereof shall, at all reasonable times, be open to public inspection)).~~

Sec. 16. Section 5, chapter 112, Laws of 1935 as amended by section 2, chapter 38, Laws of 1979 and RCW 18.32.040 are each amended to read as follows:

~~((Said board shall make rules and regulations to establish a uniform and reasonable standard of educational requirements to be observed by dental schools, colleges, or dental departments of universities, and said board may determine the reputability of these by reference to their compliance with said rules or regulations:))~~

The board shall ~~((demand))~~ require that every applicant for a license to practice dentistry shall:

~~(1) ((Be a graduate or have fifteen units of high school work in acceptable subjects from a high or other secondary school approved by the board;~~

~~(2)) Present satisfactory evidence of ((completion of pre dental and dental education under one of the following plans:~~

~~(a) Completion of a minimum of thirty semester hours of collegiate credit in acceptable subjects from a college or university approved by the board, and graduation from a dental college, school, or dental department of an institution requiring four courses of instruction of at least eight months each, approved by the board;~~

~~(b) Completion of a minimum of sixty semester hours of collegiate credit in acceptable subjects from a college or university approved by the board, and graduation from a dental school, college, or dental department of an institution requiring three courses of at least eight months each, approved by the board;~~

~~(3)) graduation from a dental college, school, or dental department of an institution approved by the board;~~

~~(2) Submit, for the files of the board, a recent picture duly identified and attested((-)); and~~

~~((4) Pass an examination given by the board of dental examiners in the theory and practice of the science of dentistry. PROVIDED, That the board may recognize a certificate granted by the national board of dental examiners in lieu of, or subject to, such examination as may be required. PROVIDED FURTHER, That the board may recognize passage of an examination given by another state or states, or by an organization formed by several states, with which the board has entered into a formal compact or agreement for the purpose of conducting a multi-state license examination. PROVIDED, HOWEVER, That nothing in this chapter shall be construed to prevent any dental school which may desire to do so from establishing for admission a higher standard of preliminary education than specified in this chapter.)~~

(3) Pass an examination prepared or approved by and administered under the direction of the board. The dentistry licensing examination shall consist of practical and written tests upon such subjects and of such scope as the board determines. The board may accept, in lieu of all or part of a written examination, a certificate granted by a national or regional testing organization approved by the board. The board shall set the standards for passing the examination. The director of licensing shall keep on file the examination papers and records of examination for at least one year. This file shall be open for inspection by the applicant or the applicant's agent unless the disclosure will compromise the examination process as determined by the board or is exempted from disclosure under RCW 42.17.250 through 42.17.340.



**\*Sec. 17. Section 3, chapter 93, Laws of 1953 as last amended by section 30, chapter 287, Laws of 1984 and RCW 18.32.050 are each amended to read as follows:**

**The members of the board shall each be compensated in accordance with RCW (~~43.03.240~~) 43.03.250 and shall be reimbursed for travel expenses incurred in attending the meetings of the board in accordance with RCW 43.03.050 and 43.03.060. Board members shall be compensated and reimbursed pursuant to this section for their activities in administering a multi-state licensing examination pursuant to the board's compact or agreement with another state or states or with organizations formed by several states: PROVIDED, That any compensation or reimbursement received by a board member from another state, or organization formed by several states, for such member's services in administering a multi-state licensing examination, shall be deposited in the health professions account of the state general fund.**

**\*Sec. 17 was vetoed, see message at end of chapter.**

**Sec. 18. Section 4, chapter 112, Laws of 1935 as last amended by section 28, chapter 52, Laws of 1957 and RCW 18.32.100 are each amended to read as follows:**

**The applicant for a dentistry license shall file an application on a form furnished by the director, (~~and therein state his~~) stating the applicant's name, age, place of residence, (~~citizenship~~) the name of the school or schools attended by (~~him~~) the applicant, the period of such attendance, the date of (~~his~~) the applicant's graduation, whether (~~he~~) the applicant has ever been (~~suspended or disbarred from~~) the subject of any disciplinary action related to the practice of dentistry, and shall include a statement of all of (~~his~~) the applicant's dental activities (~~for the previous five years~~). This shall include any other information deemed necessary by the board.**

**The application shall be signed by the applicant and sworn to by (~~him~~) the applicant before some person authorized to administer oaths, and shall be accompanied by (~~testimonials of his moral character, and~~) proof of (~~his~~) the applicant's school attendance and graduation.**

**(~~Said applicant at the time of making application must, in addition to other requisites, be a citizen of the United States or have first papers for naturalization.~~)**

**Sec. 19. Section 29, chapter 52, Laws of 1957 as last amended by section 23, chapter 7, Laws of 1985 and RCW 18.32.110 are each amended to read as follows:**

**Except as otherwise provided in RCW 18.32.210, (~~as now or hereafter amended~~) each applicant shall pay a fee determined by the director as provided in RCW 43.24.086, which shall accompany (~~his~~) the application(~~: PROVIDED, That applicants not licensed in another state and not~~**

~~residents of this state for at least six consecutive months shall pay an additional investigation fee determined by the director as provided in RCW 43.24.086).~~

Sec. 20. Section 5, chapter 93, Laws of 1953 as last amended by section 24, chapter 7, Laws of 1985 and RCW 18.32.120 are each amended to read as follows:

When the application and the accompanying proof are found satisfactory, the director shall notify the applicant to appear before the board at a time and place to be fixed by the ~~((director, which time shall be not less than sixty days after the receipt of such application by the director.~~

~~Examination shall be made in writing in all theoretic subjects. Both theoretic and practical examinations shall be of a character to give a fair test of the qualifications of the applicant to practice dentistry or dental surgery))~~ board.

The examination papers, and all grading thereon, and the grading of the practical work, shall be ~~((deemed public documents, and))~~ preserved for a period of not less than ~~((three years))~~ one year after the board has made and published its decisions thereon. All examinations shall be conducted by the board under fair and wholly impartial methods.

Any applicant who fails to make the required grade ~~((in his first examination is entitled to take as many subsequent examinations as he desires upon the prepayment of a fee determined by the director as provided in RCW 43.24.086 for each subsequent examination. At least two examinations shall be given in each calendar year))~~ by his or her fourth examination may be reexamined only under rules adopted by the board.

Applicants for examination or reexamination shall pay a fee as determined by the director as provided in RCW 43.24.086.

Sec. 21. Section 17, chapter 112, Laws of 1935 as amended by section 3, chapter 130, Laws of 1951 and RCW 18.32.160 are each amended to read as follows:

All licenses issued by the director on behalf of the board shall be signed by ~~((him and by all members))~~ the director or chairperson and secretary of the board~~((; provided that all licenses issued to applicants who are not naturalized citizens of the United States shall be conditioned upon full citizenship being acquired within a period of six years from issuance of said licenses, and any holder failing to so qualify shall not be eligible for renewal of his license until full citizenship is acquired. This limitation shall not apply to dentists fully registered and licensed at the effective date of this act)).~~

Sec. 22. Section 24, chapter 112, Laws of 1935 as last amended by section 26, chapter 7, Laws of 1985 and RCW 18.32.180 are each amended to read as follows:

(1) Every person ((granted a license under this chapter shall pay to the director a license renewal)) licensed to practice dentistry in this state shall

register with the director of licensing, and pay a renewal registration fee determined by the director as provided in RCW 43.24.086 ((for the year commencing with the first day of October next following the issuance of his license, and annually thereafter. Payment must be made within thirty days following the commencement of the year for which the same accrues. The license renewal certificate issued by the director shall be indispensable evidence that the same has been made:

The failure of any licensed dentist to pay his annual license renewal fee by the first day of November following the date on which the fee was due shall work a forfeiture of his license. It shall not be)). Any failure to register and pay the renewal registration fee renders the license invalid, and the practice of dentistry shall not be permitted. The license shall be reinstated ((except)) upon written application to the director and ((the)) payment to the state of a penalty fee determined by the director as provided in RCW 43.24.086, together with all ((annual)) delinquent license renewal fees ((delinquent at the time of the forfeiture, and those for each year thereafter up to the time of reinstatement)).

(2) A person who fails to renew the license for a period of three years may not renew the license under subsection (1) of this section. In order to obtain a license to practice dentistry in this state, such a person shall file an original application as provided for in this chapter, along with the requisite fees. The board, in its sole discretion, may permit the applicant to be licensed without examination, and with or without conditions, if it is satisfied that the applicant meets all the requirements for licensure in this state and is competent to engage in the practice of dentistry.

Sec. 23. Section 14, chapter 112, Laws of 1935 and RCW 18.32.220 are each amended to read as follows:

Anyone who is a ((legal and competent practitioner of dentistry or dental surgery)) licensed dentist in the state of Washington((, and of good moral character and known to the board of dental examiners of this state as such,)) who desires to change ((his or her)) residence to another state or territory, shall, upon application to the ((board of dental examiners)) director and payment of a fee as determined by the director under RCW 43.24.086, receive a certificate over the signature of the ((president and secretary of said board)) director or the director's designee, which shall attest to the facts ((above)) mentioned in this section, and giving the date upon which ((he was registered and)) the dentist was licensed.

Sec. 24. Section 37, chapter 5, Laws of 1977 ex. sess. as amended by section 39, chapter 259, Laws of 1986 and RCW 18.32.500 are each amended to read as follows:

RCW 18.32.510 through ((18.32.620)) 18.32.— (RCW 18.32.360 as recodified by this 1989 act) shall be known and may be cited as the "Dental Disciplinary Board Act".

Sec. 25. Section 2, chapter 5, Laws of 1977 ex. sess. as last amended by section 40, chapter 259, Laws of 1986 and RCW 18.32.520 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions contained in this section shall apply throughout RCW 18.32.510 through ~~((18.32.620))~~ 18.32.— (RCW 18.32.360 as recodified by this 1989 act).

(1) "Board" means the dental disciplinary board created in RCW 18.32.560.

(2) "License" means a certificate or license to practice dentistry in this state as provided for in this chapter.

(3) "Member" means member of the dental disciplinary board.

(4) "Secretary" means the secretary of the dental disciplinary board.

(5) "Director" means the director of licensing of the state of Washington.

(6) "To practice dentistry" means to engage in the practice of dentistry as defined in RCW 18.32.020.

Sec. 26. Section 3, chapter 5, Laws of 1977 ex. sess. as amended by section 41, chapter 259, Laws of 1986 and RCW 18.32.530 are each amended to read as follows:

In addition to those acts defined in chapter 18.130 RCW, the term "unprofessional conduct" as used in RCW 18.32.530 through ~~((18.32.620))~~ 18.32.— (RCW 18.32.360 as recodified by this 1989 act) includes gross, willful, or continued overcharging for professional services.

*\*Sec. 27. Section 10, chapter 5, Laws of 1977 ex. sess. as amended by section 31, chapter 287, Laws of 1984 and RCW 18.32.600 are each amended to read as follows:*

*Members of the board shall be compensated in accordance with RCW ~~((43.03.240))~~ 43.03.250 and shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 while engaged in business of the board.*

*\*Sec. 27 was vetoed, see message at end of chapter.*

**NEW SECTION.** Sec. 28. A new section is added to chapter 18.32 RCW, to be codified between RCW 18.32.030 and 18.32.050, to read as follows:

A member of the board of dental examiners may be removed by the governor for neglect of duty, misconduct, or malfeasance or misfeasance in office. Whenever the governor is satisfied that a member of the board has been guilty of neglect of duty, misconduct, or malfeasance or misfeasance in office, the governor shall file with the secretary of state a statement showing the governor's reasons, with the order of removal. The secretary of state shall immediately send a certified copy of the order of removal and statement of causes by certified mail to the last known address of the member in question.

NEW SECTION. Sec. 29. A new section is added to chapter 18.29 RCW to read as follows:

An applicant holding a valid license and and currently engaged in practice in another state may be granted a license without examination required by this chapter, on the payment of any required fees, if the director in consultation with the advisory committee determines that the other state's licensing standards are substantively equivalent to the standards in this state: **PROVIDED**, That the director in consultation with the advisory committee may require the applicant to: (1) File with the director documentation certifying the applicant is licensed to practice in another state; and (2) provide information as the director deems necessary pertaining to the conditions and criteria of the uniform disciplinary act, chapter 18.130 RCW and to demonstrate to the director a knowledge of Washington law pertaining to the practice of dental hygiene.

NEW SECTION. Sec. 30. A new section is added to chapter 18.32 RCW to read as follows:

An applicant holding a valid license and currently engaged in practice in another state may be granted a license without examination required by this chapter, on the payment of any required fees, if the board determines that the other state's licensing standards are substantively equivalent to the standards in this state: **PROVIDED**, That the board may require the applicant to: (1) File with the board documentation certifying the applicant is licensed to practice in another state; and (2) provide information as the board deems necessary pertaining to the conditions and criteria of the uniform disciplinary act, chapter 18.130 RCW and to demonstrate to the board a knowledge of Washington law pertaining to the practice of dentistry.

NEW SECTION. Sec. 31. There is appropriated from the health professions account to the department of licensing for the biennium ending June 30, 1991, the sum of one hundred nineteen thousand nine hundred sixty-nine dollars, or as much thereof as may be necessary, to carry out the purposes of this act.

NEW SECTION. Sec. 32. The following sections are recodified within the dental disciplinary board act in chapter 18.32 RCW:

- (1) RCW 18.32.085;
- (2) RCW 18.32.290;
- (3) RCW 18.32.310;
- (4) RCW 18.32.320;
- (5) RCW 18.32.322;
- (6) RCW 18.32.324;
- (7) RCW 18.32.326;
- (8) RCW 18.32.328;
- (9) RCW 18.32.330;

- (10) RCW 18.32.340;
- (11) RCW 18.32.350; and
- (12) RCW 18.32.360.

NEW SECTION. Sec. 33. The following acts or parts of acts are each repealed:

(1) Section 28, chapter 16, Laws of 1923, section 1, chapter 47, Laws of 1969, section 21, chapter 292, Laws of 1971 ex. sess., section 24, chapter 30, Laws of 1975 1st ex. sess., section 30, chapter 158, Laws of 1979, section 19, chapter 7, Laws of 1985 and RCW 18.29.020;

(2) Section 14, chapter 168, Laws of 1983, section 29, chapter 287, Laws of 1984 and RCW 18.29.031;

(3) Section 33, chapter 16, Laws of 1923, section 3, chapter 47, Laws of 1969, section 25, chapter 30, Laws of 1975 1st ex. sess., section 20, chapter 7, Laws of 1985 and RCW 18.29.040;

(4) Section 32, chapter 16, Laws of 1923, section 5, chapter 47, Laws of 1969, section 26, chapter 30, Laws of 1975 1st ex. sess., section 33, chapter 158, Laws of 1979, section 22, chapter 7, Laws of 1985 and RCW 18.29.070;

(5) Section 21, chapter 112, Laws of 1935 and RCW 18.32.070;

(6) Section 13, chapter 112, Laws of 1935, section 4, chapter 49, Laws of 1969, section 32, chapter 30, Laws of 1975 1st ex. sess., section 27, chapter 7, Laws of 1985 and RCW 18.32.210; and

(7) Section 15, chapter 112, Laws of 1935, section 33, chapter 30, Laws of 1975 1st ex. sess., section 28, chapter 7, Laws of 1985 and RCW 18.32.225.

NEW SECTION. Sec. 34. Sections 1 through 11 of this act are each added to chapter 18.29 RCW.

Passed the House April 15, 1989.

Passed the Senate April 6, 1989.

Approved by the Governor May 3, 1989, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State May 3, 1989.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to sections 17 and 27, Substitute House Bill No. 1894, entitled:

"AN ACT Relating to technical changes in chapter 18.29 and 18.32 RCW."

RCW 43.03.240 specifically designates all part-time boards which perform regulatory or licensing functions with respect to a specific profession, occupation, business, or industry as Class Three Groups for purposes of compensation. Members of boards classified as Class Three Groups receive up to \$50 for each day during which the member attends an official meeting or performs statutorily prescribed duties. Both the Board of Dental Examiners and the Dental Disciplinary Board are included in the definition of the part-time boards under RCW 43.03.240 which is the Class Three reimbursement and compensation statute.

Sections 17 and 27 of Substitute House Bill No. 1894 attempt to change the compensation of the Board of Dental Examiners and the Dental Disciplinary Board

by amending their respective practice acts to refer to RCW 43.03.250 which authorizes reimbursement of \$100 per day. Enactment of these two sections would clearly be in conflict with the statutory criteria contained in RCW 43.03.240 which says a Class Three Board "performs regulatory or licensing functions with respect to a specific profession". Both boards fit within their existing Class Three ranking. Additionally, the Office of Financial Management, pursuant to a statutory requirement, reviewed all part-time board's compensation and reported to the legislature in November 1988. This report is under consideration by the respective legislative committees.

With the exception of sections 17 and 27, Substitute House Bill No. 1894 is approved."

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## CHAPTER 203

[Senate Bill No. 6076]

### MOTORCYCLE ENDORSEMENT EXAMINATION AND RENEWAL FEES

AN ACT Relating to motorcycle public awareness campaign; amending RCW 46.20.505; adding a new section to chapter 46.20 RCW; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

**\*NEW SECTION. Sec. 1.** *A new section is added to chapter 46.20 RCW to read as follows:*

*(1) Beginning July 1, 1989, the director of licensing shall develop a motorcycle public awareness program, provided funds are appropriated for this purpose. The director may contract with public and private entities for the operation of this program.*

*(2) There is created a motorcycle public awareness advisory board to assist the director of licensing in the development of a public awareness program. The board shall monitor this program following implementation and report to the director of licensing as necessary with recommendations including, but not limited to, administration, application, and substance of the public awareness program.*

*The board shall consist of nine members appointed by the director of licensing, one of whom shall be appointed chairperson. Three members of the board shall be members of nonprofit motorcycle organizations which actively support and promote motorcycle safety education. One member of the board shall represent motorcycle dealerships or motorcycle related shops. One member shall be a currently employed Washington state patrol motorcycle officer with at least five years experience and at least one year cumulative experience as a motorcycle officer. One member shall be a member of the public. One member shall be a current motorcycle safety instructor with no less than two years teaching experience. One member shall be the director of licensing or the director's designee. One member shall be a member of the legislative transportation committee or the committee's designee. The term of appointment shall be two years. The board shall meet at the call of the director, but not less than three times annually and not less than six times*