

CHAPTER 93.

[H. B. 207.]

DENTISTRY.

AN ACT relating to the practice of dentistry; providing procedure for the preparation and alteration of dentures; increasing the membership and the terms of members of the state board of dental examiners; increasing the compensation of the state board of dental examiners; providing for applications to take the dental examination and the time thereof; authorizing the director of licenses to make rules and regulations in the enforcement of the dental code; prescribing penalties; amending sections 18.32.030, 43.68.010, 18.32.050, 18.32.100, 18.32.120, 18.32.260, and 18.32.350, RCW; and amending chapter 18.32, RCW, by adding thereto a new section.

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

SECTION 1. Section 18.32.030, RCW, as derived from sections 6 and 25, chapter 112, Laws of 1935, as last amended by section 1, chapter 130, Laws of 1951, is amended to read as follows: Amendment.

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

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

(2) The practice of dentistry in the discharge of official duties by dentists in the United States army, navy, public health service, veterans bureau, or bureau of Indian affairs; U. S. army, etc.

(3) Dental schools or colleges approved by the board, and the practice of dentistry by students in dental schools or colleges approved by the board, when acting under the direction and supervision of registered and licensed dentists acting as instructors; Dental schools and students.

Dentists
licensed in
other states.

(4) The practice of dentistry by licensed dentists of other states or counties while appearing as clinicians at meetings of the Washington State Dental Association, or component parts thereof, or at meetings sanctioned by them;

Use of rays.

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

Correction of
diseases, etc.

(6) The making, repairing, altering or supplying of artificial restorations, substitutes, 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 dentist, and said 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 licenses or his authorized representatives;

Cleaning and
prescrip-
tions.

(7) The removal of calcareous deposits, accretions and stains from the exposed surfaces of the teeth and prescription or application of ordinary mouth washes of soothing character when performed or prescribed by a dental hygienist licensed under the laws of this state;

Physicians
and
surgeons.

(8) A qualified and licensed physician and surgeon extracting teeth or performing oral surgery;

Clinical dem-
onstrations.

(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.

Students.

SEC. 2. Section 43.68.010, RCW, as derived from section 1, chapter 92, Laws of 1941, is amended to read as follows:

Amendment.

There shall be a board of dental examiners consisting of five practicing dentists, to be known as the Washington State board of dental examiners.

Board of examiners created.

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 defined 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 eligible to appointment to said board who is in any way connected with or interested in any dental college or dental department of any institution of learning. The term for which the members of said board shall hold office shall be three years: *And provided further,* That the members who shall first be appointed to said board shall hold office for one, two, three, four and five years respectively and their term of office shall be designated by the governor in his appointment: *And provided further,* That the first appointments to said board shall be made by the governor as soon as practicable after the expiration of one hundred days from the date this act becomes effective.

Appointment and qualifications.

Terms of office.

First appointments.

In case of a vacancy occurring on said board, such vacancy shall be filled by the governor as herein provided.

Vacancies.

SEC. 3. Section 18.32.050, RCW, as derived from section 11, chapter 112, Laws of 1935, is amended to read as follows:

Amendment.

The members of the board shall each receive as

Board of examiners; compensation.

compensation the sum of fifteen dollars for each day actually engaged in the duties of the office, and all legitimate and necessary expenses incurred in attending the meetings of the board.

Amendment.

SEC. 4. Section 18.32.100, RCW, as derived from section 4, chapter 112, Laws of 1935, as last amended by section 2, chapter 130, Laws of 1951, is amended to read as follows:

Application for license; contents.

The applicant for a dentistry license shall file an application on a form furnished by the director, and therein state his name, age, place of residence, citizenship, the name of the school or schools attended by him, the period of such attendance, the date of his graduation, whether he has ever been suspended or disbarred from the practice of dentistry, and shall include a statement of all of his dental activities for the previous five years.

Signed and sworn to.

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

Testimonials.

Citizenship requirements.

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.

Amendment.

SEC. 5. Section 18.32.120, RCW, as derived from section 4, chapter 112, Laws of 1935, as last amended by section 2, chapter 92, Laws of 1941, is amended to read as follows:

Examination; notice to appear.

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.

Type of examination.

Examination shall be made in writing in all theoretic subjects. Both theoretic and practical ex-

aminations shall be of a character to give a fair test of the qualifications of the applicant to practice dentistry or dental surgery.

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 after the board has made and published its decisions thereon. All examinations shall be conducted by the board under fair and wholly impartial methods.

Papers and
grading
public
documents.

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 of twenty-five dollars for each subsequent examination. At least two examinations shall be given in each calendar year.

Reexamina-
tion.

SEC. 6. Section 18.32.260, RCW, as derived from section 9, chapter 112, Laws of 1935, is amended to read as follows:

Amendment.

The committee appointed for that purpose shall hear and determine the charges, make findings and conclusions upon the evidence produced, and file them in the director's office, together with a transcript of all of the evidence, and serve upon the accused a copy of such findings and conclusions.

Refusal, rev-
ocation and
suspension
of licenses;
hearing,
findings,
conclusions,
and tran-
script of
evidence.

SEC. 7. Section 18.32.350, RCW, as derived from section 18, chapter 112, Laws of 1935, is amended to read as follows:

Amendment.

No manager, proprietor, partnership, or association owning, operating, or controlling any room, office, or dental parlors, where dental work is done, provided, or contracted for, shall employ or retain any unlicensed person or dentist as an operator; nor shall fail, within ten days after demand made by the director or board in writing sent by registered mail, addressed to any such manager, proprietor, partnership, or association at said room, office, or dental parlör, to furnish the director or board with the

Employment
of unlicensed
dentists
prohibited.

List of
employed
dentists.

names and addresses of all persons practicing or assisting in the practice of dentistry in his place of business or under his control, together with a sworn statement showing by what license or authority said persons are practicing dentistry.

Sworn statement.

The sworn statement shall not be used as evidence in any subsequent court proceedings, except in a prosecution for perjury connected with its execution.

Penalty.

Any violation of the provisions of this section shall constitute improper, unprofessional, and dishonorable conduct; it shall also constitute grounds for injunction proceedings as provided by this chapter and in addition shall constitute a gross misdemeanor, except that the failure to furnish the information as may be requested in accordance with this section shall constitute a misdemeanor.

New section.

SEC. 8. Chapter 18.32, RCW, as derived from chapter 112, Laws of 1935, as last amended by chapter 130, Laws of 1951, is amended by adding thereto a new section to read as follows:

The director of licenses shall have the power and it shall be his duty to:

Laboratory referral instructions; copies required.

(1) Require licensed dentists to keep and maintain a copy of each laboratory referral instruction, describing detailed services rendered, for a period to be determined by the director but not more than three (3) years, and to require the production of all such records for examination by the director of licenses or his authorized representatives; and

Other records may be required.

(2) Promulgate reasonable rules and regulations requiring licensed dentists to make, maintain and produce for examination by the director of licenses or his authorized representatives such other records as may be reasonable and proper in the performance of his duties and enforcing the provisions of this chapter.

Severability clause.

SEC. 9. If any provision of this act or the application thereof to any person or circumstance shall be

held invalid, such invalidity shall not affect the provisions or applications of this act which can be given effect without the invalid provisions or application, and to this end the provisions of this act are declared to be severable.

Passed the House March 2, 1953.

Passed the Senate March 9, 1953.

Approved by the Governor March 17, 1953.

CHAPTER 94.

[H. B. 218.]

EXCISE TAX ON REAL ESTATE SALES.

AN ACT relating to revenue and taxation and amending sections 28.45.010 and 28.45.050, RCW.

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

SECTION 1. Section 28.45.010, RCW, as derived from section 7, chapter 11, Laws of 1951, first extraordinary session, as amended by section 1, chapter 19, Laws of 1951, second extraordinary session, is amended to read as follows: Amendment.

As used in this chapter, the term "sale" shall have its ordinary meaning and shall include any conveyance, grant, assignment, quitclaim, or transfer of the ownership of or title to real property, including standing timber, or any estate or interest therein for a valuable consideration, and any contract for such conveyance, grant, assignment, quitclaim, or transfer, and any lease with an option to purchase real property, including standing timber, or any estate or interest therein or other contract under which possession of the property is given to the purchaser, or any other person by his direction, which title is retained by the vendor as security for the payment of the purchase price. "Sale" defined.