
SENATE BILL 5159

State of Washington **64th Legislature** **2015 Regular Session**

By Senators McCoy, Frockt, Hasegawa, Fraser, Chase, and Keiser

Read first time 01/15/15. Referred to Committee on Health Care.

1 AN ACT Relating to Indian tribes and dental health aide therapy
2 services; adding a new section to chapter 43.70 RCW; adding a new
3 section to chapter 74.09 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that American
6 Indians and Alaska Natives have very limited access to health care
7 services and are disproportionately affected by oral health
8 disparities. These disparities are directly attributed to the lack of
9 dental health professionals in Indian communities. This has caused a
10 serious access issue and backlog of dental treatment among American
11 Indians and Alaska Natives. The legislature also finds that tribal
12 leaders face a significant challenge in recruiting dental health
13 professionals to work in Indian communities that results in further
14 challenges in ensuring oral health care for tribal members.

15 (2) The legislature finds further that there is a strong history
16 of government-to-government efforts with tribes in Washington to
17 improve oral health among tribal members and to reduce the
18 disproportionate number of American Indians and Alaska Natives
19 affected by oral disease. One of the goals in the 2010-2013 American
20 Indian health care delivery plan developed jointly by the department
21 of health and the American Indian health commission is to improve the

1 oral health of tribal members and the ability of tribes to provide
2 comprehensive dental services in their communities. A critical
3 objective to achieving that goal is "to explore options for the use
4 of trained/certified expanded function personnel in order to increase
5 oral health care services in tribal communities."

6 (3) The legislature finds further that sovereign tribal
7 governments are in the best position to determine which strategies
8 can effectively extend the ability of dental health professionals to
9 provide care for children and others at risk of oral disease and
10 increase access to oral health care for tribal members. The
11 legislature therefore intends to authorize dental health aide
12 services, including those of dental health aide therapists, by Indian
13 tribes, tribal organizations, and urban Indian organizations to
14 promote increased dental care access for persons served in these
15 practice settings in accord with the Indian health care improvement
16 act (25 U.S.C. Sec. 16161).

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.70
18 RCW to read as follows:

19 (1) A federally recognized Indian tribe, tribal organization, or
20 urban Indian organization is authorized to train, employ, or contract
21 with or for the services of a dental health aide, including a dental
22 health aide therapist. Any dental health aide, including a dental
23 health aide therapist, employed or contracted to perform services
24 under this section must be certified by either a federal community
25 health aide program certification board or an Indian tribe that has
26 adopted equivalent or higher standards than those imposed by a
27 federal community health aide program certification board regarding
28 curriculum, training, scope of practice, continuing education, and
29 supervision requirements. A federally recognized Indian tribe, tribal
30 organization, or urban Indian organization is also authorized to
31 supervise a dental health aide, including a dental health aide
32 therapist, trained, employed, or contracted to perform services under
33 this section.

34 (2) A dental health aide, including a dental health aide
35 therapist, employed or contracted to perform services under this
36 section may perform only those procedures permitted under standards
37 adopted by a federal community health aide program certification
38 board or an Indian tribe that has adopted equivalent or higher
39 standards than those imposed by a federal community health aide

1 program certification board regarding scope of practice, continuing
2 education, and supervision requirements. A dental health aide,
3 including a dental health aide therapist, is subject to any service
4 limitations provided by the Indian health care improvement act (25
5 U.S.C. Sec. 16161). A dental health aide, including a dental health
6 aide therapist, is also subject to any applicable limitations written
7 by the supervising dentist of the dental health aide in standing
8 orders.

9 (3) A dental health aide, including a dental health aide
10 therapist, employed or contracted to perform services under this
11 section may do so only in practice settings operated by an Indian
12 health program or an urban Indian organization.

13 (4) For purposes of this section, the terms "Indian tribe,"
14 "Indian health program," "tribal organization," and "urban Indian
15 organization" shall have the meaning given them in the Indian health
16 care improvement act (25 U.S.C. Sec. 1603).

17 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.09
18 RCW to read as follows:

19 The health care authority is directed to coordinate with the
20 centers for medicare and medicaid services to ensure the dental
21 health aide services authorized in section 2 of this act are eligible
22 for maximum federal funding of up to one hundred percent. It is the
23 intent of the legislature to ensure dental health aide services,
24 including those of dental health aide therapists, by Indian tribes,
25 tribal organizations, and urban Indian organizations are eligible for
26 medicaid funding to promote increased dental care access for persons
27 served in these practice settings in accord with the Indian health
28 care improvement act (25 U.S.C. Sec. 16161).

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