



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** Department of Health- Dental Quality Assurance Commission

- Preproposal Statement of Inquiry was filed as WSR 14-15-079 ; 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).

- Original Notice
- Supplemental Notice to WSR
- Continuance of WSR

**Title of rule and other identifying information:** (Describe Subject)

WAC 246-817-187 Temporary practice permit - Military spouse eligibility and issuance. Adding a new section to provide for temporary practice permits to be issued to military spouses or state-registered domestic partners who hold out-of-state credentials as dentists, expanded function dental auxiliaries, dental assistants, or dental anesthesia assistants.

**Hearing location(s):** Department of Health  
Point Plaza East, Room 152/153  
310 Israel Rd, SE  
Tumwater, WA 98501

Date: March 6, 2015

Time: 8:05 a.m.

**Submit written comments to:**

Name: Jennifer Santiago  
Address: PO Box 47852  
Olympia, WA 98504-7852  
e-mail: <http://www3.doh.wa.gov/policyreview/>  
fax 360236-2901 by (date) 02/27/2015

**Assistance for persons with disabilities:** Contact

Jennifer Santiago by 02/27/2015

TTY (800) 833-6388 or ( ) 711

**Date of intended adoption:** 03/06/2015

(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

The proposed rule describes the procedure to issue a temporary practice permit to a military spouse or state-registered domestic partner applicant who moved to Washington State because of the transfer of the military person, and where the applicant must complete specific additional licensing requirements in Washington State. The applicant must be credentialed in another state with substantially equivalent standards and meet other specific criteria.

**Reasons supporting proposal:**

RCW 18.340.020 provides that military spouses may receive temporary permits while completing any specific additional requirements in Washington that are not related to a profession's training or practice standards. The proposed rule describes the requirements to obtain the temporary practice permit. The permit allows the person to work in the full scope of the profession for up to 180 days. RCW 1.12.080 requires that the interpretation of the term spouse be applied equally to state-registered domestic partners.

**Statutory authority for adoption:**

RCW 18.32.0365 and RCW 18.340.020

**Statute being implemented:**

Chapter 18.340 RCW

**Is rule necessary because of a:**

- Federal Law?  Yes  No
  - Federal Court Decision?  Yes  No
  - State Court Decision?  Yes  No
- If yes, CITATION:

**DATE** 01/21/2015

**NAME** (type or print)  
Robert Shaw, DMD

**SIGNATURE**

**TITLE**

Dental Quality Assurance Commission Chair

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE:** January 21, 2015

**TIME:** 7:42 AM

**WSR** 15-03-085

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

None

**Name of proponent:** (person or organization) Washington State Dental Quality Assurance Commission

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Jennifer Santiago	111 Israel Rd SE, Tumwater, WA 98501	360-236-4893
Implementation.... Jennifer Santiago	111 Israel Rd SE, Tumwater, WA 98501	360-236-4893
Enforcement..... Jennifer Santiago	111 Israel Rd SE, Tumwater, WA 98501	360-236-4893

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No. Explain why no statement was prepared.

A small business economic impact statement (SBEIS) was not prepared. Under RCW 19.85.025 and 34.05.310(4)(g)(ii), a SBEIS is not required for proposed rules that adopt, amend, or repeal a filing or related process requirement for applying to an agency for a license or permit.

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No: Please explain: The agency did not complete a cost benefit analysis. The rule is procedural, under RCW 34.05.328(5)(c)(i), that adopts, amends or repeals a filing or related process requirement for making application to an agency for a license or permit.

NEW SECTION

**WAC 246-817-187 Temporary practice permit—Military spouse eligibility and issuance.** A military spouse or state registered domestic partner of a military person may receive a temporary practice permit while completing any specific additional requirements that are not related to training or practice standards for the profession. This section applies to dentists licensed in chapter 18.32 RCW, expanded function dental auxiliaries licensed and dental assistants registered in chapter 18.260 RCW, and dental anesthesia assistants certified in chapter 18.350 RCW.

(1) A temporary practice permit may be issued to an applicant who is a military spouse or state registered domestic partner of a military person and:

(a) Is moving to Washington as a result of the military person's transfer to Washington;

(b) Left employment in another state to accompany the military person to Washington;

(c) Holds an unrestricted, active credential in another state that has substantially equivalent credentialing standards for the same profession to those in Washington; and

(d) Is not subject to any pending investigation, charges, or disciplinary action by the regulatory body of the other state or states.

(2) A temporary practice permit grants the individual the full scope of practice for the profession.

(3) A temporary practice permit expires when any one of the following occurs:

(a) The credential is granted;

(b) A notice of decision on the application is mailed to the applicant, unless the notice of decision on the application specifically extends the duration of the temporary practice permit; or

(c) One hundred eighty days after the temporary practice permit is issued.

(4) To receive a temporary practice permit, the applicant must:

(a) Submit the necessary application, fee(s), fingerprint card if required, and documentation for the credential;

(b) Attest on the application that the applicant left employment in another state to accompany the military person;

(c) Meet all requirements and qualifications for the credential that are specific to the training, education, and practice standards for the profession;

(d) Provide verification of having an active unrestricted credential in the same profession from another state that has substantially equivalent credentialing standards for the profession in Washington;

(e) Submit a copy of the military person's orders and a copy of:

(i) The military-issued identification card showing the military person's information and the applicant's relationship to the military person;

(ii) A marriage license; or

(iii) A state registered domestic partnership; and

(f) Submit a written request for a temporary practice permit.

(5) For the purposes of this section:

(a) "Military person" means a person serving in the United States armed forces, the United States public health service commissioned corps, or the merchant marine of the United States.

(b) "Military spouse" means the husband, wife, or registered domestic partner of a military person.