Significant Legislative Rule Analysis

WAC 246-815-155
a Rule Concerning Dental Hygiene
Suicide Prevention Education

May 08, 2018
SECTION 1:
Describe the proposed rule, including a brief history of the issue, and explain why the proposed rule is needed.

The Department of Health (department) – Dental Hygiene Program proposes new rules to implement Engrossed Second Substitute House Bill (E2SHB) 1612 (chapter 262, Laws of 2017). The bill amended RCW 43.70.442 adding dental hygienists to the list of professionals required to complete a one-time continuing education course in suicide prevention. RCW 43.70.442 requires the department to determine either a three or six hour education requirement based on a profession’s scope of practice. The department determined three hours was sufficient for dental hygienists to include content related to the screening and referral of patients based on the dental hygiene scope of practice. The proposed rule will require dental hygienists take a one-time, three-hour training in suicide assessment that includes screening, and referral.

The education will increase a dental hygienists knowledge related to suicidal ideation and better prepare dental hygienists if they encounter suicidal patients. It is the ultimate goal that this requirement will help save the lives of Washington residents.

SECTION 2:
Is a Significant Analysis required for this rule?

Yes, as described by RCW 34.05.328(5)(c)(iii)(C), the proposed rules require a significant analysis because it adopts new, or make significant amendments to, a policy or regulatory program. The proposed new rule creates a requirement for dental hygienists to complete a one-time, three-hour continuing education course in suicide prevention.

SECTION 3:
Clearly state in detail the general goals and specific objectives of the statute that the rule implements.

The intent of E2SHB 1612, now codified in RCW 43.70.443 is to reduce the suicide rate in Washington State. Suicide prevention education will increase dental hygienist’s knowledge related to suicidal ideation and better prepare dental hygienists if they encounter suicidal patients.

The goals and objectives of chapter 18.29 RCW are to regulate the competency and conduct of licensed dental hygienists. More specifically, the department is mandated under RCW
18.29.130 to regulate the competency and quality of professional health care providers, including but not limited to continuing education. RCW 18.29.210 authorizes the department to develop rules to implement the chapter. RCW 18.29.210 – Rules “The secretary in consultation with the dental hygiene examining committee shall develop rules and definitions to implement this chapter.”

The proposed rule implements the statutes objectives by:

A. Maintaining patient quality of care through ensuring licensed dental hygienists receive suicide prevention education that includes screening, and referral.
B. Supporting the overarching goal of RCW 43.70.442 and chapter 18.32 RCW by clearly indicating acceptable one-time suicide prevention continuing education for licensed dental hygienists.

SECTION 4:

Explain how the department determined that the rule is needed to achieve these general goals and specific objectives. Analyze alternatives to rulemaking and the consequences of not adopting the rule.

The goals and objectives of the statute are being met by providing a clear rule. RCW 43.70.442 indicate that the department may require either a three or six hour suicide prevention education requirement based on a professions. The department determined a rule is needed to identify the specific hour requirements for dental hygienists. The department, in conjunction with the Dental Collaboration Committee, determined three hours was sufficient to include content related screening and referral of patients based on the dental hygiene scope of practice.

The department has determined that there are no feasible alternatives to rulemaking. In order to be enforceable, suicide prevention education requirements must be in rule. If the proposed rules are not adopted, the department will be hampered in its ability to provide clear requirements for acceptable suicide prevention education for licensed dental hygienists.

SECTION 5:

Explain how the department determined that the probable benefits of the rule are greater than the probable costs, taking into account both the qualitative and quantitative benefits and costs and the specific directives of the statute being implemented.
Rule Overview

The proposed rule requires that effective August 1, 2020, dental hygienists must take a one-time, three-hour training in suicide assessment that includes screening, and referral. The training must be on the department's model list of suicide prevention training programs. Dental hygienists who take the training before August 2020 meet the requirement if the training meets the requirements of RCW 43.70.442. Dental hygienists were not previously required to take suicide prevention training, however they have had a continuing education requirement since 1990.

Rule Cost/Benefit Analysis

There are currently thirteen education programs on the departments model list that match the specific requirements for licensed dental hygienists and the cost range is $0 to $79.

The proposed rule implements RCW 43.70.442 which requires a new one-time suicide prevention education requirement. A licensed dental hygienist may count hours earned completing the one-time suicide prevention education as part of their annual 15 hours of continuing education. Ultimately, no additional costs are incurred by licensed dental hygienists. The benefit of the proposed rule is that it provides clear requirements for licensed dental hygienists to comply with RCW 43.70.442.

SECTION 6:
Identify alternative versions of the rule that were considered, and explain how the department determined that the rule being adopted is the least burdensome alternative for those required to comply with it that will achieve the general goals and specific objectives state previously.

Description of alternatives considered

The department considered a six hour education requirement. The department determined a three hour education course contained sufficient content related to the assessment of issues related to imminent harm since dental hygienists will only screen and refer patients based on dental hygiene scope of practice.

Least burdensome determination

The proposed rule is the least burdensome option as it provides clear one-time suicide prevention education requirements. Dental hygienists have several already department approved no or low-cost education courses available to meet the requirement. A licensed
dental hygienist may count hours earned completing the one-time suicide prevention education as part of their annual 15 hours of continuing education. Ultimately, no additional costs are incurred by licensed dental hygienists. The education will increase dental hygienist’s knowledge related to suicidal ideation and better prepare dental hygienists if they encounter suicidal patients. It is the ultimate goal that this requirement helps save the lives of Washington residents.

SECTION 7:
Determine that the rule does not require those to whom it applies to take an action that violates requirements of another federal or state law.

The rule does not require those to whom it applies to take an action that violates requirements of federal or state law.

SECTION 8:
Determine that the rule does not impose more stringent performance requirements on private entities than on public entities unless required to do so by federal or state law.

The rule does not impose more stringent performance requirements on private entities than on public entities.

SECTION 9:
Determine if the rule differs from any federal regulation or statute applicable to the same activity or subject matter and, if so, determine that the difference is justified by an explicit state statute or by substantial evidence that the difference is necessary.

The rule does not differ from any applicable federal regulation or statute.
SECTION 10:
Demonstrate that the rule has been coordinated, to the maximum extent practicable, with other federal, state, and local laws applicable to the same activity or subject matter.

There are no other applicable laws.