

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

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

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

16 The legislature finds further that there is a strong history of
17 government-to-government efforts with tribes in Washington to improve
18 oral health among tribal members and to reduce the disproportionate
19 number of American Indians and Alaska Natives affected by oral

1 disease. One of the goals in the 2010-2013 American Indian health
2 care delivery plan developed jointly by the department of health and
3 the American Indian health commission is to improve the oral health of
4 tribal members and the ability of tribes to provide comprehensive
5 dental services in their communities. A critical objective to
6 achieving that goal is "to explore options for the use of
7 trained/certified expanded function personnel in order to increase
8 oral health care services in Tribal communities".

9 The legislature finds further that sovereign tribal governments
10 are in the best position to determine which strategies can effectively
11 extend the ability of dental health professionals to provide care for
12 children and others at risk of oral disease and increase access to
13 oral health care for tribal members. The legislature therefore
14 intends to authorize dental health aide services, including those of
15 dental health aide therapists, by Indian tribes, tribal organizations,
16 and urban Indian organizations to promote increased dental care access
17 for persons served in these practice settings in accord with the
18 Indian health care improvement act (25 U.S.C. Sec. 1616l).

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

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

1 therapist, trained, employed, or contracted to perform services under
2 this section.

3 (2) A dental health aide, including a dental health aide
4 therapist, employed or contracted to perform services under this
5 section may perform only those procedures permitted under standards
6 adopted by a federal community health aide program certification board
7 or an Indian tribe that has adopted equivalent or higher standards
8 than those imposed by a federal community health aide program
9 certification board regarding scope of practice, continuing education,
10 and supervision requirements. A dental health aide, including a
11 dental health aide therapist, is subject to any service limitations
12 provided by the Indian health care improvement act (25 U.S.C. Sec.
13 16161). A dental health aide, including a dental health aide
14 therapist, is also subject to any applicable limitations written by
15 the supervising dentist of the dental health aide in standing orders.

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

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

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

27 The health care authority is directed to coordinate with the
28 centers for medicare and medicaid services to ensure the dental health
29 aide services authorized in section 2 of this act are eligible for
30 maximum federal funding of up to one hundred percent. It is the
31 intent of the legislature to ensure dental health aide services,
32 including those of dental health aide therapists, by Indian tribes,
33 tribal organizations, and urban Indian organizations are eligible for
34 medicaid funding to promote increased dental care access for persons

1 served in these practice settings in accord with the Indian health
2 care improvement act (25 U.S.C. Sec. 16161).

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