

RCW 18.32.677 Interference with licensee's independent clinical judgment. (1) A person that is not licensed under this chapter or an entity that is not a professional entity practices dentistry in violation of this chapter, and subject to enforcement under RCW 18.130.190, if the person or entity interferes with a licensed dentist's independent clinical judgment by:

(a) Limiting or imposing requirements on the length of time a dentist spends with a patient or performing dental services, or otherwise placing conditions on the number of patients a dentist must treat in a certain period of time or the number of certain types of procedures a dentist must complete in a certain time period;

(b) Limiting or imposing requirements on the decision of a dentist regarding a course or alternative course of treatment for a patient or the manner in which a course of treatment is carried out by the dentist;

(c) Limiting or imposing requirements on the manner in which a dentist uses dental equipment or materials for the provision of dental treatment;

(d) Limiting or imposing requirements on the use of a laboratory or the materials, supplies, instruments, or equipment deemed reasonably necessary by a dentist to provide diagnoses and treatment consistent with the standard of care;

(e) Limiting or imposing requirements for the professional training deemed reasonably necessary by a dentist to properly serve the dentist's patients;

(f) Limiting or imposing requirements on the referrals by a dentist to another licensed dentist specialist or any other practitioner the dentist determines is necessary;

(g) Interfering with a dentist's right to access patient records at any time;

(h) Interfering with a dentist's decision to refund any payment made by a patient for dental services performed by the dentist;

(i) Limiting or imposing requirements on the advertising of a dental practice if it would result in a violation of this chapter or *RCW 18.130.020(12)(b) by the dental practice; or

(j) Limiting or imposing requirements on communications with a dentist's patients.

(2) For the purpose of this section, "dentist" means a dentist licensed under this chapter.

(3) Violations of this section shall be enforced pursuant to RCW 18.130.190, including the authority to issue subpoenas pursuant to RCW 18.130.050(4). Communication of complaints or information to a state agency pursuant to RCW 4.24.500 through 4.24.520 are covered by those provisions. [2017 c 320 § 3.]

***Reviser's note:** RCW 18.130.020 was amended by 2018 c 300 § 3, changing subsection (12)(b) to subsection (13)(b).

Finding—Intent—2017 c 320: "The legislature finds that Washington law should allow dentists to determine, based on their individual circumstances, which dental practice model would allow them to best serve the needs of their patients. Dentists should have the option to contract for administrative support services and dentists should also be able to lease real or personal property in a manner that meets their individual business needs. The legislature intends that these contract decisions must not interfere with the independent

clinical judgment of the dentist entering the contract." [2017 c 320 §
1.]