

Individual State Agency Fiscal Note

Bill Number: 2176 HB	Title: Preventive dental care	Agency: 303-Department of Health
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
Health Professions Account-State 02g-1				174,000	291,000
Total \$				174,000	291,000

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.2	0.1	1.4	1.5
Account					
Health Professions Account-State 02G-1	0	29,000	29,000	344,000	328,000
Total \$	0	29,000	29,000	344,000	328,000

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

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Agency Preparation: Donna Compton	Phone: 360-236-4538	Date: 01/18/2024
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OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 01/18/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

This bill establishes a preventive dental assistant license and requires the Dental Quality Assurance Commission (commission) to adopt rules and specify qualifications.

Section 1: Adds a new section to 18.260 RCW (Dental Professions) establishing a new license to practice as a preventive dental assistant to be issued by the Dental Quality Assurance Commission (commission). Fees are to be established by the secretary, along with application forms. The commission must determine the competency requirements.

Section 2: Adds a new section to 18.260 (Dental Professions) requiring the commission adopt rules relating to the scope of preventive dental assistant services.

Section 3: Amends RCW 18.260.090 (Initial or renewal credentials—Issuance and denial) providing the commission authority to adopt rules for renewal requirements, including continuing education requirements, for preventive dental assistants and expanded function dental auxiliary licenses.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

Current law, RCW 43.70.250 (License fees for professions, occupations, and businesses.), requires the department to charge a fee to generate sufficient revenue to fully support the costs of administering its health professions licensing activities. Preventive dental assistants will be part of the Dental Quality Assurance Commission which has a sufficient fund balance to cover the costs of implementing the new preventive dental assistant profession until license fee revenues are generated starting in FY 2026. The department will monitor the program fund balance and adjust fees over a six (6) year period to ensure that fees are sufficient to cover all program expenditures.

As of July 1, 2023, the commission has a fund balance of roughly \$2,000,000.

Applications

The commission assumes it will adopt training and education requirements for preventive dental assistants which are greater than what is required of dental assistants, but less comprehensive and costly than the requirements for expanded function dental auxiliary. The commission therefore assumes that roughly 5.5% of the 17,227 active registered dental assistants will apply for a preventive dental assistant license in the first year. Additionally, the department assumes applications in the second year and each year thereafter will grow at a rate of 2.4%, which is consistent with that of dental assistants.

Renewals

Washington Administration Code (WAC) 246-12-020 (3) states the initial credential will expire on the practitioner's birthday, except for faculty or postgraduate education credentials authorized by law. Initial credentials issued within ninety days of the practitioner's birthday do not expire until the practitioner's next birthday. Based on this WAC, the department assumes a standard 25 percent of first year applications will need to renew their license in the first year as their birthday will fall outside of ninety days from issuance of initial credential. Renewals starting in the second year and each year thereafter will be renewed at a rate of 88.5% which is consistent with that of dental assistants.

For the purpose of this fiscal note, a one-year licensing fee is estimated between \$55 and \$105 to cover the costs of regulation of preventive dental assistants. During the rulemaking process, a fee study will be prepared with proposed fees and provided for stakeholder input. Based on the anticipated rulemaking and implementation timelines, the department

estimates it will begin licensing preventive dental assistants and receiving application and renewal fee revenue in fiscal year (FY) 2026. License and renewal fees will be deposited into the Health Professions Account (02G).

New revenue for Preventative Dental Assistants:

FY 2026 – \$92,000 (947 applications & 209 renewals)
FY 2027 – \$154,000 (970 applications & 959 renewals)
FY 2028 – \$208,000 (993 applications & 1,601 renewals)
FY 2029 – \$254,000 (1,017 applications & 2,153 renewals)
FY 2030 – \$294,000 (1,041 applications & 2,630 renewals)

Loss of revenue for Dental Assistants @ \$25:

FY 2026 – (\$24,000) (947 renewals)
FY 2027 – (\$48,000) (1,917 renewals)
FY 2028 – (\$73,000) (2,910 renewals)
FY 2029 – (\$98,000) (3,927 renewals)
FY 2030 – (\$124,000) (4,968 renewals)

Net revenue for the Dental Quality Assurance Commission:

FY 2026 – \$68,000
FY 2027 – \$106,000
FY 2028 – \$135,000
FY 2029 – \$156,000
FY 2030 – \$170,000

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Rulemaking

Section 2 and 3: The department will develop and adopt rules to create minimum qualifications for the preventive dental assistant licensure. The department anticipates utilizing a team of subject matter experts to implement this bill. This team will consist of the program manager and a community engagement specialist to identify underreached communities and engage them in the rulemaking process. This process will include two meetings with interested parties as well as one formal rules hearing, all held virtually, and will take approximately 12 months to complete. The department anticipates providing the rules hearing announcement and materials in both English and Spanish and providing ASL and Spanish interpretation services at the rules hearing.

Costs include staff, associated expenses (including goods and services, travel, intra-agency, and indirect charges), and Office of Attorney General support in the amount of \$4,000.

FY 2025 one-time costs will total 0.2 FTE and \$29,000 (02G).

Office of Customer Service

Section 1: The department will issue a credential for preventive dental assistants. Costs will include staff time for credentialing employees to review and process applications, conduct background checks by running queries with the National Practitioner Databank and Washington State Patrol, provide technical assistance, and issue certificates for applicants on an estimated 947 new applications in FY 2026 with a 2.4% growth (based on Dental Assistants) in following years.

FY 2026, costs will total 1.1 FTE and \$110,000 (02G).
FY 2027, costs will total 1.2 FTE and \$124,000 (02G).
FY 2028, costs will total 1.2 FTE and \$133,000 (02G).
FY 2029, ongoing costs will total 1.3 FTE and \$141,000 (02G).

Office of Information Technology

Section 4: Configuration in department's Healthcare Enforcement and Licensing Modernization System will require 98 hours from the integration vendor at a rate of \$270 per hour. Work will include the initial vendor configuration and agency staff time for ongoing maintenance of one new credential and one application as well as updating of reports, user defined fields, and workflows. Costs include staff, associated costs (goods and services, intra-agency and indirect charges), and vendor costs of \$27,000.

FY 2026, costs will total 0.2 FTE and \$65,000 (02G).
FY 2027, costs will total 0.2 FTE and \$28,000 (02G).
FY 2028 and ongoing, costs will total 0.1 FTE and \$12,000 (02G) each year.

Office of Investigative and Legal Services

Section 1: Based on the department's work with Dental Assistants the department assumes a complaint rate of 0.46% and 5 complaints each year (1,156 x 0.46%).

The complaint response process includes five steps: 1) intake, 2) assessment, 3) investigation, 4) case disposition, and 5) adjudication. Staff review the complaint, identify the history of the person complained about, and help assess whether an investigation is needed. In more than half the cases, investigation is needed. The investigator obtains information about the complaint and the respondent and prepares a report detailing the findings. After investigation, the disciplining authority decides whether to pursue legal action. Staff attorneys, paralegals, assistant attorney general and other staff work to develop the legal documents and charge the violation. Most cases are settled, and the staff attorney manages that process. If the respondent asks for a hearing, staff must schedule the hearing, and the health law judge considers all legal motions, presides over the hearing, and drafts the final order. Also, the Office of the Attorney General will represent the department at hearing and may provide advice throughout the disciplinary process.

Estimates for the complaint response process associated with this bill were calculated using the department's Disciplinary Workload Model. Costs include staff, associated costs (goods and services, intra-agency and indirect charges).

FY 2027, costs will total 0.1 FTE and \$17,000 (02G).
FY 2028 and ongoing, costs will total 0.1 FTE and \$15,000 (02G).

Total costs to implement this bill are:

FY 2025 – 0.2 FTE and \$29,000 (02G)
FY 2026 – 1.3 FTE and \$175,000 (02G)
FY 2027 – 1.4 FTE and \$169,000 (02G)
FY 2028 – 1.4 FTE and \$160,000 (02G)
FY 2029 – 1.5 FTE and \$168,000 (02G)

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
02G-1	Health Professions Account	State	0	29,000	29,000	344,000	328,000
Total \$			0	29,000	29,000	344,000	328,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.2	0.1	1.4	1.5
A-Salaries and Wages		13,000	13,000	184,000	188,000
B-Employee Benefits		5,000	5,000	72,000	76,000
C-Professional Service Contracts		1,000	1,000	27,000	
E-Goods and Other Services		9,000	9,000	40,000	40,000
T-Intra-Agency Reimbursements		1,000	1,000	21,000	24,000
9-					
Total \$	0	29,000	29,000	344,000	328,000

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Fiscal Analyst 2	53,000				0.1	0.1
FISCAL TECHNICIAN 2	45,552				0.1	0.1
FORMS & RECORDS ANALYST 1	47,688				0.2	0.2
HEALTH SERVICES CONSULTAN 1	58,104				0.3	0.3
HEALTH SERVICES CONSULTAN 2	69,072				0.2	0.2
HEALTH SERVICES CONSULTAN 3	78,120				0.2	0.2
HEALTH SERVICES CONSULTAN 4	86,208		0.2	0.1	0.1	0.2
Health Svcs Conslt 1	53,000				0.1	0.1
WMS02	118,932				0.1	0.1
Total FTEs			0.2	0.1	1.4	1.5

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Section 3: The commission will adopt rules in WAC 246-817 (Dental quality assurance commission) as necessary to implement the bill.



Ten-Year Analysis

Bill Number 2176 HB	Title Preventive dental care	Agency 303 Department of Health
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This ten-year analysis is limited to agency estimated cash receipts associated with the proposed tax or fee increases. The Office of Financial Management ten-year projection can be found at <http://www.ofm.wa.gov/tax/default.asp>.

Estimates

No Cash Receipts

 Partially Indeterminate Cash Receipts

 Indeterminate Cash Receipts

Estimated Cash Receipts

Name of Tax or Fee	Acct Code	Fiscal Year 2024	Fiscal Year 2025	Fiscal Year 2026	Fiscal Year 2027	Fiscal Year 2028	Fiscal Year 2029	Fiscal Year 2030	Fiscal Year 2031	Fiscal Year 2032	Fiscal Year 2033	2024-33 TOTAL
Dental Assistants	02G			(24,000)	(48,000)	(73,000)	(98,000)	(124,000)	(151,000)	(178,000)	(206,000)	(902,000)
Preventive Dental Assistants	02G			92,000	154,000	208,000	254,000	294,000	329,000	360,000	412,000	2,103,000
Total				68,000	106,000	135,000	156,000	170,000	178,000	182,000	206,000	1,201,000
Biennial Totals				174,000	291,000	348,000	388,000	1,201,000				

Narrative Explanation (Required for Indeterminate Cash Receipts)

Current law, RCW 43.70.250 (License fees for professions, occupations, and businesses.), requires the department to charge a fee to generate sufficient revenue to fully support the costs of administering its health professions licensing activities. Preventive dental assistants will be part of the Dental Quality Assurance Commission which has a sufficient fund balance to cover the costs of implementing the new preventive dental assistant profession until license fee revenues are generated starting in FY 2026. The department will monitor the program fund balance and adjust fees over a six (6) year period to ensure that fees are sufficient to cover all program expenditures.

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Narrative Explanation (Required for Indeterminate Cash Receipts)

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Ten-Year Analysis

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Agency Preparation: Donna Compton	Phone: 360-236-4538	Date: 1/18/2024 9:19:24 am
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