



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017)
(Implements RCW 34.05.310)

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DATE: October 18, 2023

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WSR 23-22-004

Agency: Washington State Board of Health

Subject of possible rule making: Auditory screening of school-age children. The Washington State Board of Health (Board) is considering amending the auditory screening sections of chapter 246-760 WAC, Auditory and Visual Standards – School Districts, to align with current national evidence-based practices and assess potential options regarding whether to include otoacoustic emission (OAE) screening technology in the Board's rules. The Board may also consider other technical or editorial changes as needed.

Statutes authorizing the agency to adopt rules on this subject: RCW 28A.210.020

Reasons why rules on this subject may be needed and what they might accomplish: The Board sets standards in chapter 246-760 WAC for the auditory and visual screening of children attending schools in Washington under the authority provided in RCW 28A.210.020. The purpose of these standards is to screen and identify students in Washington who may be experiencing hearing or vision impairments and refer them for diagnostic evaluation and care by an appropriate healthcare provider. Hearing screenings provide the opportunity to help detect a student's hearing loss or previously unrecognized hearing loss and intervene to limit further loss or otherwise address the loss and improve learning.

In response to a petition for rulemaking, the Board, in consultation with the Office of Superintendent of Public Instruction (OSPI), will consider revisions to the auditory screening sections of the chapter, specifically, regarding the potential inclusion of otoacoustic emission (OAE) screening technology. The auditory screening sections of the rule haven't been updated since 2002. As such, other possible revisions may include aligning Washington standards with national school childhood hearing screening guidelines; for example, the American Academy of Audiology (AAA) Clinical Practice Guidelines and the American Speech-Language-Hearing Association (ASHA) Childhood Hearing Screening Guidelines, and making other technical or editorial changes as needed.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: Per RCW 28A.210.020, the Board must seek the recommendations of the Superintendent of Public Instruction (OSPI) regarding the administration of school auditory screening before revising the rules. The Board will conduct this rulemaking in consultation with OSPI. In addition, the Department of Children, Youth, and Families (DCYF) has authority over screenings in early learning facilities. The Board will invite DCYF to participate in this rulemaking to ensure coordination, as applicable.

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe) The Board will use a collaborative rulemaking approach in developing the proposed rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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(If necessary)

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Additional comments: The Board will work with partner agencies and may convene listening sessions or an advisory group for additional input. The Board will keep interested parties informed of the rulemaking through email, the Board's listserv and rulemaking website, and notices in the Washington State Register. Interested parties, including those who implement Chapter 246-760 WAC, will have opportunities to provide comments through the rulemaking process, including informal review of the draft rule, formal review and comment on the proposed rule, and at the Board's public hearing.

Date: October 18, 2023

Name: Michelle A. Davis

Title: State Board of Health Executive Director

Signature:

A handwritten signature in black ink that reads "Michelle A. Davis". The signature is written in a cursive, flowing style.