



## January 2023 Rules Agenda

This report details current and anticipated rulemaking activities for the Department of Health (DOH) and the State Board of Health (SBOH). If you have any questions regarding this report or DOH rulemaking activities, please contact Tami Thompson at (360) 628-0096. If you have any questions regarding SBOH rulemaking activities, please contact Michelle Davis at (360) 236-4105.

This agenda is for information purposes, and the anticipated rulemaking actions are estimates. Any errors in this agenda do not affect the rules and rulemaking notices filed with the Office of the Code Reviser and published in the Washington State Register. There may be additional rulemaking activities that cannot be forecasted as DOH and SBOH initiates rulemaking to implement new state laws, meet federal requirements, or meet unforeseen circumstances. See the “**Key**” below for explanations of terms and acronyms.

### **KEY**

Blank cells in tables mean the anticipated filing date is not known at the time this rules agenda is filed.

**CR:** “Code Reviser” on the notice forms created by the Office of the Code Reviser for use by all state agencies.

**CR-101:** Preproposal Statement of Inquiry filed under RCW 34.05.310.

**CR-102:** Proposed Rule Making notice filed under RCW 34.05.320 or 34.05.340.

**CR-103:** Rule Making Order permanently adopting a rule and filed under RCW 34.05.360 and 34.05.380.

**CR-105:** Expedited Rule Making filed under RCW 34.05.353.

**RCW:** Revised Code of Washington

**WAC:** Washington Administrative Code

**WSR:** Washington State Register official filing reference number given by the Office of the Code Reviser when a notice is filed.

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: March 22, 2023**

**TIME: 1:25 PM**

**WSR 23-08-001**

## State Board of Health Rulemaking

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR#	CR-103 WSR#	CR-105 WSR#	Program Contact
State Board of Health	<p>Chapter 246-282 WAC, Sanitary control of shellfish.</p> <p>The State Board of Health is considering revisions to the chapter to modify harvest control requirements by setting more proactive measures to prevent illnesses and protect public health. The rule revision may also include updating definitions, seed size and other technical and editorial changes as needed.</p>	22-06-034				<p>Dani Toepelt 360-890-6054</p> <p>Jocelyn Jones 360-236-3020</p> <p>Stuart Glasoe 360-236-4111</p>
State Board of Health	<p>WAC 246-500-055 – Human Remains Reduced Through Natural Organic Reduction.</p> <p>The State Board of Health is proposing administrative edits through exception rulemaking to correct typographical errors in the rule and clarify rule language without changing its intended effect.</p>		23-04-100			Molly Dinardo 564-669-3455
State Board of Health	<p>Chapter 246-650 WAC, Newborn Screening.</p> <p>The State Board of Health is considering adding ornithine transcarbamylase deficiency (OTCD) to the list of mandatory conditions for newborn screening conducted by the Department of Health.</p>	22-05-012				Molly Dinardo 564-669-3455
State Board of Health	Chapter 246-260 WAC, Water recreation facilities; and chapter 246-262 WAC, Recreational water contact facilities.	17-01-048				Stuart Glasoe 360-236-4111

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR#	CR-103 WSR#	CR-105 WSR#	Program Contact
	<p>The State Board of Health will consider adopting requirements from the Centers for Disease Control and Prevention Model Aquatics Health Code (MAHC), modifying the rules to keep pace with changing water recreation technologies, and to improve clarity and usability including possible consolidation of all water recreation rules into a single chapter.</p>					Ashlie Laydon
State Board of Health	<p>Chapter 246-272A WAC On-Site Sewage Systems.</p> <p>The State Board of Health is considering revisions to the chapter. Priority issues include local management plans, property sale inspections, treatment levels, ultraviolet disinfection, and licensing of operations and maintenance providers. The Board may consider other technical and editorial changes as needed.</p>	18-06-082				Stuart Glasoe 360-236-4111 Peter Beaton 360-236-4031

## Department of Health Rulemaking

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Board of Denturists	Chapter 246-812 WAC The Board of Denturist is considering adopting health equity continuing education requirements	23-02-009				Vicki Brown 360-236-4865
Board of Denturists	Chapter 246-812 WAC The Board of Denturists is considering amending the infection control standards purpose statement in WAC 246-812-501 to ensure policies and procedures are maintained. The board is also considering establishing new sections of rules for requirements of prefabricated implant abutments.	22-05-084				Vicki Brown 360-236-4865
Board of Hearing and Speech	WAC 246-828-100, Over-the-counter hearing aids. The Board of Hearing and Speech is considering amending WAC 246-828-100 (Hearing instruments fitting and dispensing – Minimum standards of practice) to be consistent with the Food and Drug Administration (FDA) finalized rule regarding the sale of over-the-counter (OTC) hearing aids. The board may also consider clarifying or technical changes as needed.	23-04-023	Anticipate Filing			Kim-Boi Shadduck 360-236-2912
Board of Hearing and Speech	WAC 246-828-510 The Board of Hearing and Speech is considering amending this rule to include health equity continuing education requirements.	23-04-022	Anticipate Filing			Kim-Boi Shadduck 360-236-2912

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Board of Massage	Chapter 246-830 WAC The Board of Massage is considering adopting health equity continuing education rules.	23-01-132				Megan Maxey 360-236-4945
Board of Massage	WAC 246-830-035 Licensing by endorsement for out-of-state applicants. The Department of Health, in coordination with the Board of Massage, is examining and may consider amending this section of the massage therapist rules related to licensing by endorsement for out-of-state applicants.	Anticipate Filing				Megan Maxey 360-236-4945
Board of Massage	WAC 246-830-201, 246-830-485, 246-830-490, 246-830-500 and 246-830-510 Correcting Massage Exam Names	21-09-038	22-13-179  22-21-123 Supplemental	Anticipate Filing		Megan Maxey 360-236-4945
Board of Massage	WAC 246-830-035 Licensing by endorsement for out-of-state applicants. The The Department of Health, in coordination with the Board of Massage, is examining and may consider amending this section of the massage therapist rules related to licensing by endorsement for out-of-state applicants.	Anticipate Filing				Megan Maxey 360-236-4945

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Board of Naturopathy	<p>WAC 246-836-080, Continuing competency program.</p> <p>The Board of Naturopathy is considering amendments to the continuing education rules for naturopathic physicians to ensure that adequate quantity and quality of continuing education courses are available to meet requirements for each category. Topics that will be considered include pharmacology requirements, accredited organizations, and reporting clarification in response to several rule petitions. Additionally, amendments to address the legislative mandate to create a health equity continuing education requirement will be considered.</p>	21-21-111	Anticipate Filing			Lana Crawford 564-669-1455
Board of Naturopathy	<p>WAC 246-836-210 Authority to use, prescribe, dispense, and order.</p> <p>The Board of Naturopathy is considering rulemaking regarding the practice of nonsurgical cosmetic procedures in naturopathic practice, including, education and training. The board is considering revising WAC 246-836-210 and creating a new section(s) of rule.</p>	20-24-042	Anticipate Filing			Lana Crawford 564-669-1455
Board of Nursing Home Administrators	<p>WAC 246-843-071 (Application), WAC 246-843-090 (Administrator-in-training program), WAC 246-843-130 (Continuing education requirements), and WAC 246-843-231 (Temporary practice permits).</p> <p>The Board of Nursing Home Administrators is considering amending licensure, licensure renewal, health equity continuing education and temporary practice permit rules.</p>	23-03-119	Anticipate Filing			Kendra Pitzler 360-236-4723

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Board of Nursing Home Administrators	Chapter 246-843 WAC. The Board of Nursing Home Administrators is considering creating a new section to establish a retired active status for licensed nursing home administrators and amending existing requirements to renew an expired licenses under WAC 246-843-180.	22-19-058	Anticipate Filing			Kendra Pitzler 360-236-4723
Department of Health in collaboration with the Board of Nursing Home Administrators	WAC 246-843-990 Nursing home administrator fees and renewal cycle. The Department of Health is opening this rule to establish a retired active status fee if that licensure status is first adopted by the Board of Nursing Home Administrators in separate rulemaking	22-13-184	Anticipate Filing			Kendra Pitzler 360-236-4723
Board of Optometry	WAC 246-851-090 through 246-851-230. The Board of Optometry will conduct a review of the continuing education (CE) and related rules to consider increasing the number of allowable online credits. The board may also make clarifications to existing rules and updates to citations as needed. Rulemaking may include creating new rule sections and repealing existing rule sections.	21-24-102	Anticipate Filing			Loralei Walker 360-236-4647
Board of Optometry	WAC 246-851-440 through 246-851-470. The Board of Optometry is considering updating health professional monitoring program terminology as required by Substitute Senate Bill (SSB) 5496 Health professional monitoring programs.	23-01-046	Anticipate Filing			Loralei Walker 360-236-4647

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Board of Optometry	Chapter 246-851 WAC The Board of Optometry is considering adopting health equity continuing education requirements.	23-01-076	Anticipate Filing			Loralei Walker 360-236-4647
Board of Osteopathic Medicine and Surgery	Chapter 246-853 WAC The Board of Osteopathic Medicine and Surgery is considering adopting health equity continuing education requirements.	Anticipate Filing				Becky McElhiney 360-236-4766
Board of Osteopathic Medicine and Surgery	WAC 246-853-290, 246-853-300, 246-853-630, 246-853-640, 246-853-662, 246-853-750 and 246-853-990. The Board of Osteopathic Medicine and Surgery and the Department of Health are proposing updates to remove references to osteopathic physicians' assistants in response to the repeal of chapter 246-854 WAC and chapter 246-855 WAC				Anticipate Filing	Becky McElhiney 360-236-4766
Board of Osteopathic Medicine and Surgery	WAC 246-853-290, 246-853-300, 246-853-310, and 246-853-320. Substance abuse monitoring program for osteopathic physicians. The Board of Osteopathic Medicine and Surgery is proposing amendments to update rules regarding health profession monitoring programs to update language changes made by Substitute Senate Bill (SSB) 5496 (chapter 43, Laws of 2022).				Anticipate Filing	Becky McElhiney 360-236-4766



Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Board of Osteopathic Medicine and Surgery	<p>WAC 246-853-650 Safe and effective analgesia and anesthesia administration in office-based settings.</p> <p>The Board of Osteopathic Medicine and Surgery is considering rule amendments in response to a rule petition requesting changes to the definition of the term "minimal sedation."</p>	21-11-025	22-21-129	Anticipate Filing		Becky McElhiney 360-236-4766
Board of Osteopathic Medicine and Surgery	<p>WAC 246-853-661, Exclusions.</p> <p>The Board of Osteopathic Medicine and Surgery is considering amendments to expand the types of patients who are exempt from certain provisions of rule when being prescribed opioid drugs. The board will consider the Washington Medical Commission's recently adopted rules to ensure consistency and alignment with best practices.</p>	22-17-142	Anticipate Filing			Becky McElhiney 360-236-4766
Board of Physical Therapy	<p>WAC 246-915A-010</p> <p>Physical therapy compact – updating reference to new compact rules.</p>		23-03-106	Anticipate Filing		Allyson McIver 360-236-2878

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Board of Physical Therapy	WAC 246-915-120 - Foreign Educated Applicants. The Board of Physical Therapy is considering updating internet-based Test of English as a Foreign Language (ibTOEFL) scoring requirements to bring them closer in alignment with the Federation of State Boards of Physical Therapy (FSBPT) guidelines. The board is considering creating a pathway for foreign trained applicants who hold an active license and have been practicing in the United States for a certain period of time. Additionally, there are some minor edits needed to clarify the language of the rule without changing its effect.	22-17-143	Anticipate Filing			Allyson McIver 360-236-2878
Board of Physical Therapy	WAC 246-915-085 The Physical Therapy board is considering amending continuing education rules to include health equity continuing education.	23-01-047	Anticipate Filing			Allyson McIver 360-236-2878
Chiropractic Quality Assurance Commission	Chapter 246-808 WAC The Chiropractic Quality Assurance Commission is considering adopting health equity continuing education requirements for chiropractors.	22-22-088				Betty Moe 360-236-2868
Chiropractic Quality Assurance Commission	WAC 246-808-201 and WAC 246-808-215 The Chiropractic Quality Assurance Commission is considering adopting health equity continuing education requirements for chiropractic X-Ray technicians.	Anticipate Filing				Betty Moe 360-236-2868

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Chiropractic Quality Assurance Commission	WAC 246-808-010, 246-808-105 through 246-808-140, 246-808-180 through 246-808-190, 246-808-510, 246-808-535, and 246-808-801 through 246-808-830.  Amending the chiropractic credentialing requirements.	23-05-053				Betty Moe  360-236-2868
Dental Quality Assurance Commission	WAC 246-817-440 (Dental continuing education requirements) and WAC 246-817-445 (Dental anesthesia assistant continuing education).  Dental provider health equity continuing education requirements.	23-04-096	Anticipate Filing			Amber Freeberg  360-236-4893
Dental Quality Assurance Commission	WAC 246-817-801-Intent, 246-817-810-Definitions used relative to substance abuse monitoring, 246-817-820-Approval of substance abuse monitoring programs, and 246-817-830-Participation in approved substance abuse monitoring program.  The Dental Quality Assurance Commission is proposing amendments to update rules regarding health profession monitoring programs in line with the passage of Substitute Senate Bill (SSB) 5496.				Anticipate Filing	Amber Freeberg  360-236-4893
Dental Quality Assurance Commission	WAC 246-817-701 through 790, Administration of anesthetic agents for dental procedures.  The Dental Quality Assurance Commission is considering amendments to update general requirements. In addition to general updates, the commission is also considering amendments to address 24 hour on-call availability after a complex dental procedure, on-site inspections for all	17-17-089	22-23-076 Withdrawn  Anticipate Filing New CR102			Amber Freeberg  360-236-4893

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
	dentists holding sedation permits, and creation of a pediatric sedation endorsement.					
Dental Quality Assurance Commission	WAC 246-817-905 Exclusions. The Dental Quality Assurance Commission is considering adding Residential Habilitation Centers to the list of opioid prescribing exclusions.	22-20-011	Anticipate Filing			Amber Freeberg 360-236-4893
Department of Health	Title 246 WAC. Crisis Call Center Crisis Hubs. The Department of Health is considering creating a new chapter of rules to implement Engrossed Second Substitute House Bill 1477 (chapter 302, Laws of 2021). The rules will establish standards for designation of crisis call centers as crisis call center hubs within the 988 national suicide prevention and mental health crisis hotline system.	22-15-084				Michelle Izumizaki 360-236-2601  Ashley Noble 360-236-3776
Department of Health	Title 246 WAC - Establishing a New Chapter Relating to Rapid Health Information Network Data Reporting (RHINO)	17-21-075	Anticipate Filing			Samantha Fuller 564-669-1964

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Department of Health	<p>WAC 246-803-990, 246-809-990, 246-810-990, 246-815-990, 246-817-990, 246-817-99005, 246-828-990, 246-845-990, 246-915-990, 246-915-99005, 246-930-990, and 246-980-990, Fees amendments for multiple professions.</p> <p>The Department of Health is considering fee amendments for the following professions; Acupuncturist or acupuncture and Eastern Medicine Practitioner, Licensed mental health counselor, Licensed advanced social worker and licensed independent clinical social worker, Certified counselor, Certified adviser, Registered agency affiliated counselor, Dental hygienist, Dentist, Registered dental assistant, Certified dental anesthesia assistant, Licensed expanded function dental auxiliary, Audiologist, Speech-Language pathologist, Hearing aid specialist, Speech-Language pathology assistant, Nursing pool operator, Physical therapist, Physical therapist assistant, Sex offender treatment provider, Affiliate treatment provider certificate, and Home care aide. Additional updates may be considered to ensure clarity and consistency of fees that are standard across all professions.</p>	22-20-067	23-01-133	Anticipate Filing		Heather Cantrell 360-236-4637

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Department of Health	<p>Chapter 246-08 WAC, Practice and Procedure, rules regarding Department of Health adjudicative proceedings for declaratory orders; public record requests; agency indexes; and general agency administrative processes.</p> <p>The Department of Health is reviewing existing rules within the chapter to identify amendments that may be necessary as a result of changes in statutes, changes in internal operations, opportunities to streamline processes to reduce regulatory burden without compromising public health and safety, and to provide clear, concise and reasonable rules.</p> <p>This rulemaking excludes: WAC 246-08-390 Acquisition, security, disclosure and destruction of health information; and WAC 246-08-400, How much can a health care provider charge for searching and duplicating health care records.</p>	19-16-114				Tami Thompson 360-628-0096
Department of Health	Chapter 246-12 WAC Advanced suicide education standards.	21-04-054	Anticipate Filing			Jeff Wise 360-236-4987
Department of Health	<p>Chapter 246-70 WAC, Cannabis Product Compliance.</p> <p>The Department of Health is opening this chapter to consider updating the term "marijuana" to "cannabis," to examine the definition of compliant product, to review compliant product labeling, and align quality assurance standards with the Washington State Liquor and Cannabis Board.</p>	22-23-001	Anticipate Filing			Shannon Angell 360-236-2820

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Department of Health	<p>Chapter 246-220 WAC, Radiation protection - General Provisions, chapter 246-221 WAC, Radiation protection standards, chapter 246-222 WAC, Radiation protection - Worker rights, chapter 246-224 WAC, Radiation protection - Radiation machine assembly and registration, chapter 246-225 WAC, Radiation protection - X-rays in the healing arts, and chapter 246-227 WAC, Radiation protection - Industrial x-ray.</p> <p>The Department of Health (department) will consider amending existing rules and may adopt a new chapter to establish radiation safety standards for the use of body scanners capable of detecting contraband contained under clothing and within body cavities, meeting applicable federal and state radiation and safety standards.</p>	22-17-145				<p>Ashlie Laydon 360-236-3000</p> <p>Richard Montemarano 360-236-3238</p>
Department of Health	Chapter 246-275 WAC. Establishing a new chapter for on-site non-potable water systems	21-17-04				Jocelyn Jones 360-236-3020
Department of Health	WAC 246-254-053, Radiation Machine Facility Fees	23-04-060				Nina Helpling 360-236-3065
Department of Health	WAC 246-282-990(4), Sanitary control of shellfish-Fees, Annual paralytic shellfish poisoning testing fee redistribution	23-04-061				Peter Beaton 360-236-4031
Department of Health	WACs 246-320-010, 246-320-500, 246-320-505, 246-320-600 and other sections of chapter 246-320 WAC relevant to construction standards.	Anticipate Withdrawal 18-17-045				Susan Upton 360-236-2948

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
	The Department of Health (department) is considering amending the hospital licensing regulations to align with the current national construction standards.	Anticipate Filing New CR101				
Department of Health	Chapter 246-329, WAC, Childbirth Centers.  The Department of Health is considering updates to clarify, consolidate and modernize the chapter.	22-06-058	Anticipate Filing			John Hilger 360-236-2929
Department of Health	WAC 246-337-040 Construction review services requirements.  The Department of Health is considering updating residential treatment facility rules to reflect upcoming changes to the Washington State Building Code.	20-07-124				John Hilger 360-236-2929
Department of Health	WAC 246-341-0515 Personnel - Agency staff requirements. The department is considering amending WAC 246-341-0515 and possible other sections in response to a rule petition requesting the addition of board certified psychiatric pharmacists in the definition of mental health professional.	Anticipate Filing				Julie Tomaro 360-236-2937
Department of Health	Chapter 246-341 WAC Behavioral Health Agency Licensing and Certification; Chapter 246-337 WAC Residential Treatment Facility; Chapter 246-320 WAC Hospital Licensing Regulations. Phase three of a multi-phase project to modernize licensing and certification requirements.	Anticipate Filing				Julie Tomaro 360-236-2937



Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Department of Health	Chapter 246-358, Temporary Worker Housing. The Department of Health is considering revisions to increase protections for housing occupants from communicable diseases such as COVID-19.	20-19-047				Juan Gamez 360-236-3074  Nina Helpling 360-236-3065
Department of Health	Chapter 246-453 WAC, Hospital Charity Care. The Department of Health is considering amendments to implement new requirements in Substitute Senate Bill 6273 (chapter 623, Laws of 2018) and Substitute House Bill 1616 (chapter 197, Laws of 2022). Updates may be needed to ensure that the rules are current and align with best practices. The department will also consider adding a new section to address requirements for clarity and conciseness.	22-20-069				Carrie Baranowski 360-236-4210
Department of Health	WAC 246-454-010, 246-454-020, 246-454-090, and 246-454-110, Hospitals – system of accounting, financial reporting, budgeting, cost allocation. The Department of Health is considering amendments to existing rules to implement new requirements in Engrossed 2nd Substitute House Bill 1272. Updates may be needed to ensure that the rules are current and align with best practices. The department will also consider adding a new section to address requirements for clarity and conciseness.	21-23-082				Carrie Baranowski 360-236-4210

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Department of Health	<p>WAC 246-480-010, WAC 246-480-070, WAC 246-480-080, and WAC 246-480-990 within chapter 246-480 WAC, Drug Take-Back Program.</p> <p>The Department of Health is considering rulemaking to align existing rules with Second Substitute House Bill (2SHB) 1161 (Chapter 155, Laws of 2021) and adopt other amendments necessary to regulate the state drug take-back program, also known as the "Safe Medication Return" program. Amendments may include clarifying how multiple program operators participate in the drug take-back program, setting fees, and other changes as appropriate.</p>	22-01-170	Anticipate Filing			Mary Kellington 360-236-2988
Department of Health	<p>Chapter 246-490 WAC (Vital Statistics) and chapter 246-491 (Vital Statistics – Certificates)</p> <p>The Department of Health is considering amending and repealing existing rules, and creating new rules related to vital records. The rules may establish registration and amendment requirements for vital records; update or add program processes to align with statutory changes; adopt fees associated with amendment and delayed birth applications; add or adjust fees associated with the issuance of certifications and informational copies; add or remove data items collected in a vital record; expand use of electronic registration of a vital event; make editorial and technical changes to align with statutory changes; and repeal obsolete sections of rule</p>	23-04-062				Kelly Thomson 360-236-2274

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Department of Health	Chapter 246-720 WAC donor human milk bank standards.  The Department of Health is considering creating a new chapter to adopt safety standards for human milk banks.	22-15-044	Anticipate Filing			Shevonne Tsegaye 564-669-4454  Karen Mullen 360-515-8279  Ashley Noble 360-628-3776
Department of Health	Chapter 246-770 WAC, Fruit and Vegetable Incentives.  The Department of Health is considering creating a new chapter to implement a fruit and vegetable incentives program.	21-01-186	Anticipate Filing			Alyssa Auvinen 360-999-8967  Ashley Noble 360-236-3776
Department of Health	Chapter 246-780 WAC. Electronic benefit payments for farmers market nutrition program, also to be known as e-FMNP.  The Department is considering updating the chapter to allow for electronic benefit payments for the farmers market nutrition program.	Anticipate Filing				Katherine Flores 360-742-4543  Steve Strong 360-742-2930
Department of Health	Chapter 246-805 WAC, Applied behavior analysis. Chapter review.	20-18-067	Anticipate Filing			Kendra Pitzler 360-236-4723

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Department of Health	Chapter 246-809 WAC, licensure for mental health counselors, marriage and family therapists, and social workers.  Amending the topics of education, recordkeeping, mandatory reporting, supervision, approved supervisor, continuing education, and other licensing standards and to make needed clarifications and technical changes	18-11-029	Anticipate Filing			Brandon Williams 360-236-4611
Department of Health	WAC 246-810-010, 246-810-011, 246-810-012, 246-810-015, and 246-810-018.  Implementation of E2SHB 1504 to define “student intern” as part of agency affiliated counselor.	21-21-036	Anticipate Filing			Ted Dale 360-236-2991
Department of Health	Chapter 246-810 WAC  Health equity continuing education requirements for certified counselors and advisors.	22-23-003	Anticipate Filing			Ted Dale 360-236-2991

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Department of Health	<p>WAC 246-811-070, WAC 246-811-076, and WAC 246-811-300</p> <p>Substance Use Disorder Professionals and Substance Use Disorder Professional Trainees.</p> <p>The Department of Health is considering updating the chapter to amend national certification requirements, include pharmacists as a profession eligible for the alternative training program, remove AIDS training from the probationary licensure requirements, and make other housekeeping updates as appropriate.</p>	22-03-052	Anticipate Filing			Ted Dale 360-236-2991
Department of Health	<p>WACs 246-811-220, 246-811-230, 246-811-240, 246-811-250, 246-811-280, and creating a new section in chapter 246-811 WAC.</p> <p>Substance Use Disorder Professionals (SUDP) and Substance Use Disorder Professionals Trainees</p> <p>Health equity continuing education requirements for SUDPs. The department may also consider additional changes to update, clarify, and streamline these rule sections as appropriate.</p>	22-23-002	Anticipate Filing			Ted Dale 360-236-2991
Department of Health	<p>Chapter 246-822 WAC, Dietitians or Nutritionists.</p> <p>The Department of Health is considering rulemaking to amend or repeal several sections of the dietitian and nutritionist chapter. Specific sections focus on mandatory reporting, examinations, and curriculum.</p>	18-10-059	Anticipate Filing			Tommy Simpson 360-402-9423

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Department of Health	Chapter 246-824 WAC. Dispensing Optician health equity continuing education requirements.	23-01-097	Anticipate Filing			Kristina Bell 360-236-4841
Department of Health	Chapter 246-825 WAC. Genetic counselor health equity continuing education requirements.	22-24-002	Anticipate Filing			Kristina Bell 360-236-4841
Department of Health	WAC 246-827-0010, 246-827-0110, 246-827-0120, 246-827-0200, 246-827-0300, 246-827-0400, and 246-827-0610, Medical assistants.  The Department of Health is considering rule amendments to several sections of medical assistant rules to update credentialing requirements and ensure that the rules are current and align with best practices. The department will also consider adding a new section to address telemedicine supervision. This filing supersedes a previous filing on this topic under WSR# 21-18-101, filed on August 31, 2021.	22-04-072	Anticipate Filing			Becky McElhiney 360-236-4766
Department of Health	Chapter 246-834 WAC, Midwives. Limited Prescriptive License  The Department of Health is considering creating new rule sections and amending existing sections to implement Substitute Senate Bill (SSB) 5765 (Chapter 289, Laws of 2022). This bill creates two levels of limited prescriptive license extension for midwives to prescribe, obtain, and administer medications and therapies for the prevention and treatment of common prenatal and postpartum conditions, family planning methods, medical devices and implants. The bill also gives the	22-15-083				Kathy Weed 360-236-4883

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
	Secretary the authority to establish education requirements. The department will also replace gendered terms with gender-neutral terms throughout the chapter. The department intends to open the complete chapter for these potential revisions.					
Department of Health	<p>Chapter 246-835 WAC (New), Birth Doula.</p> <p>The Department of Health is considering establishing a new chapter to implement Engrossed Substitute House Bill (ESHB) 1881 (chapter 217, Laws of 2022).</p> <p>This bill creates a new certified profession, birth doula, under Title 18 RCW. The law requires the department to create rules for the profession, which are needed to establish processes for applicants to meet competency-based requirements for voluntary certification. Additionally, rulemaking is needed to specify various fees such as initial licensure, renewal, late renewal, duplicate license, and verification.</p>	22-14-105	Anticipate Filing			Kathy Weed 360-236-4883
Department of Health	<p>WAC 246-847-991 (New), Occupational Therapy Compact (compact) fees and renewal cycle.</p> <p>The Department of Health is considering establishing a new section of rule to implement Senate Bill (SB) 5518, which creates a new interstate compact for occupational therapy and gives member states the discretion to charge a fee for granting compact privileges. The department is considering adopting rules to specify the fees, as well as to ensure clarity and consistency of fees that are standard across all professions.</p>	22-20-014	Anticipate Filing			Kathy Weed 360-236-4883

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Department of Health	<p>WACs 246-841-520 (expired license), 246-841-720 (mandatory reporting), and 246-841-990 (fees) in new chapter 246-841A WAC and then repealing WAC 246-841-520, 246-841-720, and 246-841-990, as part of an update and consolidation of chapters 246-841 and 246-842 WAC into a new chapter 246-841A WAC.</p> <p>The Department of Health, in consultation with the Nursing Care Quality Assurance Commission, is considering amending and consolidating nursing assistant rules regarding expired licenses, mandatory reporting, and fees.</p> <p>The department may consider amendments to the existing language of WAC 246-841-520 and 246-841-720.</p>	<p>22-08-019 Withdrawn</p> <p>23-04-056 New</p>	Anticipate Filing			Ross Valore 360-236-4531
Department of Health	<p>Chapter 246-850 WAC</p> <p>Orthotics and prosthetics health equity continuing education</p>	23-01-099				Kristina Bell 360-236-4841
Department of Health	<p>Chapter 246-926 WAC, Radiological Technologists.</p> <p>The Department of Health is considering revisions to clarify, streamline, and modernize the rules for cardiovascular invasive specialists, radiologic technologists, radiologist assistants, and X-ray technicians.</p>	19-16-115	Anticipate Filing			Kim-Boi Shadduck 360-236-2912



Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Department of Health	Chapter 246-930 WAC, Sex Offender Treatment Providers.  Chapter rewrite based on recommendations from newly established SOTP Advisory Committee.	22-04-057				Brandon Williams 360-236-4611
Department of Health	WAC 246-930-410  Sex offender treatment provider health equity continuing education requirements, considering adding to existing continuing education requirements.	23-04-058				Brandon Williams 360-236-4611
Department of Health	Chapter 246-803 WAC  Acupuncture and Eastern Medicine practitioner health equity continuing education requirements.	23-02-019				Vicki Brown 360-236-4865
Department of Health	Chapter 246-928 WAC  Respiratory care practitioner health equity continuing education requirements	22-23-005	Anticipate Filing			Ted Dale 360-236-2991
Department of Health	WAC 246-976-010 through 246-976-310, 246-976-330 through 246-976-400, 246-976-890, 246-976-920, 246-976-960 and 246-976-970—Emergency medical services (EMS) and trauma care systems  The Department of Health is considering amending the rules to align with current national standards, make rules more clear, concise, and organized, propose changes to address barriers to initial and renewal application processes, and respond to new legislative requirements. New sections may be added as required.	17-24-013 Withdrawn  22-11-065 New				Catie Holstein 360-236-2841

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Department of Health	Chapter 246-976 WAC Emergency medical services (EMS) and trauma care systems.  The Department of Health is considering updating sections of this chapter relating to EMS data to respond to legislative requirements required by Substitute Senate Bill 5380 Chapter 314 Laws of 2019 section 19. New sections may be added as required.	20-17-011				Jim Jansen 360-236-2821
Department of Health	WAC 246-976-580 and 246-976-700: Trauma Designation Process and Trauma Service Standards - Criteria for minimum and maximum distribution of trauma services.	21-03-011	Anticipate Filing			Anthony Partridge 360-236-2411
Department of Health	WAC 246-980-010, Definitions for home care aide rules.  The Department of Health is considering amending WAC 246-980-010 to redefine "date of hire" for home care aides and to implement Engrossed Substitute House Bill (ESHB) 1120, passed in the 2021 legislative session.	21-16-100	Anticipate Filing			Stacey Saunders 360-236-2813
Department of Health	WAC 246-980-100, Examination and reexamination for home care aide certification.  The Department of Health is considering amending WAC 246-980-100 to: (1) update the home care aide examination process, (2) consider whether the examination must be completed within a certain time period after completing training; and (3) address any other issues identified by the department or interested parties. The department also may consider changes to streamline or clarify the rules as appropriate.	23-04-064				Stacey Saunders 360-236-2813

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Nursing Care Quality Assurance Commission	WAC 246-840-095 Temporary practice permits.	22-06-057				Jessilyn Dagum 360-236-3538
Nursing Care Quality Assurance Commission	WAC 246-840-010, WAC 246-840-700, and WAC 246-840-910 through WAC 246-840-970.  The Nursing Care Quality Assurance Commission is considering amending the blood glucose testing and monitoring rules.	23-02-037				Jessilyn Dagum 360-236-3538
Nursing Care Quality Assurance Commission	WAC 246-840-365 Inactive and reactivating an ARNP license and 246-840-367 Expired license	22-12-090	23-01-134			Jessilyn Dagum 360-236-3538
Nursing Care Quality Assurance Commission	Chapter 246-840 WAC. Practical and Registered Nursing, Advanced practice pain management rules. Opioid Prescribing.	19-15-092	Anticipate Filing			Jessilyn Dagum 360-236-3538
Nursing Care Quality Assurance Commission	Chapter 246-841 and 246-842, Nursing Assistants chapter review	21-05-021	Anticipate Filing			Jessilyn Dagum 360-236-3538
Occupational Therapy Practice Board	WAC 246-847-065, Continuing competency.  The Occupational Therapy Practice Board (board) is considering amendments to include a health equity continuing education requirement.	23-02-040				Kathy Weed 360-236-4883

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Pharmacy Quality Assurance Commission	Chapter 246-945WAC The Pharmacy Quality Assurance Commission is considering a new section of rule to implement Substitute Senate Bill (SSB) 6086, an act relating to increasing access to medications for people with opioid use disorder.	20-17-123	Anticipate Filing			Joshua Munroe 360-236-2987
Pharmacy Quality Assurance Commission	New sections in chapter 246-945 WAC pertaining to medication assistance and the settings in which medication assistance occurs. The Pharmacy Quality Assurance Commission and Department of Health are filing jointly to reinstate rules on medication assistance as permitted under chapter 69.41 RCW.	22-02-015	Anticipate Filing			Joshua Munroe 360-236-2987
Pharmacy Quality Assurance Commission	Chapter 246-945 WAC. The Pharmacy Quality Assurance Commission is considering adding a new section to the chapter to allow retired pharmacists to apply for a retired active pharmacist license status and practice pharmacy under certain conditions. The commission may also amend other sections in chapter 246-945 WAC to correspond to the new section.	21-09-063	22-20-101	Anticipate Filing		Joshua Munroe 360-236-2987
Pharmacy Quality Assurance Commission	WAC 246-945-486 (New) Return and reuse of unexpired medications – Department of corrections and WAC 246-945-488 (New) Safe donation of unexpired prescription drugs. The Pharmacy Quality Assurance Commission is proposing new sections in chapter 246-945 WAC for the implementation of Substitute Senate Bill	20-17-143	22-20-100  23-03-109 Supplemental	Anticipate Filing		Joshua Munroe 360-236-2987

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
	(SSB) 6526, an act relating to the reuse and donation of unexpired prescription drugs.					
Pharmacy Quality Assurance Commission	Chapter 246-945 WAC, Prescription drug label accessibility standards. WAC 246-945-016 and WAC 246-945-417 The Pharmacy Quality Assurance Commission is opening these rules to consider including prescription label accessibility standards and is also considering new sections to chapter 246-945 WAC on the subject of prescription drug label accessibility.	22-09-065	Anticipate Filing			Joshua Munroe 360-236-2987
Pharmacy Quality Assurance Commission	WAC 246-945-162, Pharmacist license qualifications, WAC 246-945-200, Pharmacy assistants, and WAC 246-945-205, Pharmacy technician certification. The Pharmacy Quality Assurance Commission is proposing permanent amendments to remove specific requirements for AIDS education requirements. These amendments are in response to the repeal of statutory authority for specific AIDS education trainings by Engrossed Substitute House Bill (ESHB) 1551 (Chapter 76, Laws of 2020). Other formatting changes are also proposed.			Anticipate Filing	22-22-092	Joshua Munroe 360-236-2987
Pharmacy Quality Assurance Commission	WAC 246-945-178--Pharmacist Continuing Education and WAC 246-945-220 Pharmacy Technician--Continuing Education. The Pharmacy Quality Assurance Commission is considering establish minimum standards for	23-01-113	Anticipate Filing			Joshua Munroe 360-236-2987

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
	health equity continuing education training programs.					
Pharmacy Quality Assurance Commission	WAC 246-945-455 The Pharmacy Quality Assurance Commission reviewing existing rules (WAC 246-945-455) limiting access to drugs stored outside of the pharmacy in a health care facility to licensed health care professionals. The commission will consider adopting new requirements allowing access to drugs outside the pharmacy by unlicensed staff. The commission will also consider if other disruptions within the health care facilities, resulting from requirements within WAC 246-945-455, are necessary.	23-01-111	Anticipate Filing			Joshua Munroe 360-236-2987
Pharmacy Quality Assurance Commission	Chapter 246-861 WAC and WAC 246-901-061 Continuing Education Requirements. The Pharmacy Quality Assurance Commission is seeking to repeal continuing education requirements established in chapter 246-861 WAC and WAC 246-901-061 as such requirements are also in practice in more current sections of rule, WAC 246-945-178 and WAC 246-945-220.			Anticipate Filing	23-05-010	Joshua Munroe 360-236-2987
Podiatric Medical Board	WAC 246-922-300 and WAC 246-922-310 The Podiatric Medical Board is considering amending existing continuing education rules to include health equity continuing education requirements.	23-05-029				Lana Crawford 564-669-1455

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
Podiatric Medical Board	WAC 246-922-400, 246-922-405, 246-922-410, and 246-922-415 Substance abuse monitoring program for podiatric physicians.  The Podiatric Medical Board is proposing amendments to update rules regarding health profession monitoring programs to update language changes made by Substitute Senate Bill (SSB) 5496 (chapter 43, Laws of 2022).				Anticipate Filing	Lana Crawford 564-669-1455
Veterinary Board of Governors	WAC 246-933-010 Definitions and 246-933-200 Veterinary Client Patient Relationship.  The Veterinary Board of Governors is considering rulemaking to amend existing rules and potentially adding a new section of rules to establish additional standards for veterinary telemedicine services.	22-17-101	Anticipate Filing			Loralei Walker 360-236-4647
Veterinary Board of Governors	WAC 246-933-501 through 246-933-550, repealing WAC 246-933-530, and adding a new section. The Veterinary Board of Governors is considering authorizing animal care and control agencies and nonprofit humane societies to provide full veterinary service to low-income households.	20-01-013	22-04-087  23-03-110 Supplemental	Anticipate Filing		Loralei Walker 360-236-4647
Veterinary Board of Governors	WAC 246-933-601 through 246-933-630.  The Veterinarian Board of Governors is considering updating health professional monitoring program terminology as required by Substitute Senate Bill (SSB) 5496 Health professional monitoring programs.	23-01-048	Anticipate Filing			Loralei Walker 360-236-4647
Veterinary Board of Governors	WAC 246-935-060 Eligibility for examination as veterinary technician.	Anticipate Filing				Loralei Walker 360-236-4647

Authority	WAC and Rule Title	CR-101 WSR #	CR-102 WSR #	CR-103 WSR #	CR-105 WSR #	Program Contact
	The Veterinary Board of Governors is considering amending WAC 246-935-060 to clarify that a board-approved apprenticeship program is a pathway for veterinary technician licensure.					
Veterinary Board of Governors	Chapter 246-933 WAC, Veterinarians, and chapter 246-935 WAC, Veterinary Technicians.  The Veterinarian Board of Governors is considering adopting health equity continuing education requirements.	23-01-045	Anticipate Filing			Loralei Walker 360-236-4647
Washington Medical Commission	New sections in chapters 246-918 and 246-919 WAC regarding collaborative drug therapy agreements.	20-16-008				Amelia Boyd 360-918-6336
Washington Medical Commission	Chapter 246-918 WAC and chapter 246-919 WAC.  The Washington Medical Commission is considering adding physician assistant and allopathic physician health equity continuing education requirements.	23-05-054	Anticipate Filing			Amelia Boyd 360-918-6336