



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

July 2, 2021

To Whom It May Concern,

The Department of Health (department) adopted amendments to WAC 246-10-109 and WAC 246-11-080, procedural rules applicable to adjudicative proceedings conducted by the department and health professions boards and commissions. Adjudicative proceedings are legal processes used to resolve a dispute.

Chapter 246-10 WAC applies to all adjudicative proceedings conducted by the department. Chapter 246-11 WAC applies to adjudicative proceedings conducted by health professions boards and commissions having disciplining authority under the Uniform Disciplinary Act, chapter 18.130 RCW.

The adopted amendments:

- Allow for the option of electronically filing documents with the Adjudicative Clerk's Office (ACO). Electronic filing may now be done via electronic mail or other secure electronic means as established by the department;
- Continue to allow for the option of hand delivering documents to ACO, however, the amended rule excludes hand delivering documents to the ACO when the office is closed during normal business hours due to exigent circumstances;
- No longer require copies of documents being filed or served by fax to be mailed simultaneously with fax transmission of documents;
- Allow the presiding officer to direct the parties to use other means of filing documents with ACO if necessary; and
- Recognize that in legal matters parties may agree to electronic mail for service of documents between or amongst themselves, and provides that ACO will serve certain documents on the parties electronically when the parties agree to service via electronic mail or other secure electronic means as established by the department.

The adopted amendments will become effective on July 23, 2021. A copy of the adopted rules is attached.

The adopted rules are not different from the text of the proposed rule as it was published in the Washington State Register #21-09-079.

The following is a summary of all comments received and the department's response:

The department received four written comments. No changes to the proposed rule were made as a result of the comments received.

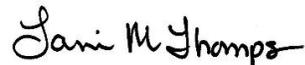
One individual submitted two comments regarding stand-by pay and ability to register for the hearing. The individual was contacted and notified that the comments did not pertain to this rulemaking.

Two individuals submitted comments in support of the proposed rule. One of the individuals provided recommendation for plain-talking notices for public outreach.

Any person may petition the amendment or repeal of these rules in accordance with RCW 34.05.330.

For more information regarding these rules you may contact me by email at tami.thompson@doh.wa.gov or by phone at 360-628-0096.

Cordially,

A handwritten signature in black ink that reads "Tami M. Thompson". The signature is written in a cursive, flowing style.

Tami Thompson
Regulatory Affairs Manager