



PREPROPOSAL STATEMENT OF INQUIRY

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

Do NOT use for expedited rule making

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DATE: September 23, 2021

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WSR 21-20-011

Agency: Department of Health

Subject of possible rule making: Chapter 246-12 WAC, Administrative procedures and requirements for credentialed health care providers. The Department of Health (department) is considering creating model rules establishing minimum standards for health equity continuing education (CE) programs for health professions licensed under Title 18 RCW to implement Engrossed Second Substitute Bill (ESSB) 5229 (Chapter 276, Laws 2021). The department is also considering adopting the health equity CE requirements for all professions under the Secretary's authority.

Statutes authorizing the agency to adopt rules on this subject: RCW 43.70.040, RCW 18.130.040, ESSB 5229 (Chapter 276, Laws of 2021)

Reasons why rules on this subject may be needed and what they might accomplish: ESSB 5229 adds a new section to chapter 43.70 RCW to require the rulemaking authority for each health profession licensed under Title 18 RCW and subject to CE requirements to adopt rules requiring a licensee to complete health equity CE training at least once every four years. ESSB 5229 also requires the department, in consultation with health profession boards and commissions, to adopt model rules establishing the minimum standards for continuing education programs meeting the requirements of the bill.

The department is considering model rules establishing minimum standards for health equity CE programs to meet the requirements of ESSB 5229. Establishing the minimum standards and content for CE programs in rule will allow for the monitoring and enforcement of conditions that protect patient safety.

To meet the requirements that licensees must complete health equity CE training at least once every four years, the department will also consider adopting a single set of health equity CE rules for all professions under the Secretary's authority subject to CE requirements. These professions will have the option to conduct separate rulemaking to add any profession-specific requirements deemed necessary. Boards and commissions will conduct separate rulemaking to adopt requirements that allow licensees to complete health equity CE requirements specific to each license type.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The Department of Social and Health Services (DSHS). While the department has regulatory authority for Home Care Aides, DSHS has authority for the profession's CE requirements.

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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Collaborative Rule Making

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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Additional comments: Interested parties can participate in the drafting of the proposed rules. The department will be conducting rules workshops with interested parties and subject matter experts. The department will use existing GovDelivery lists and other known contact information to inform interested parties of opportunities to provide input on proposed rule language. To find out more information about our rulemaking, visit www.doh.wa.gov. To subscribe to GovDelivery, please visit www.doh.wa.gov, and select the "Subscribe" button at the bottom of the page.

Date: 09/22/2021

Signature:

Name: Kristin Peterson, JD for Umair A. Shah, MD, MPH

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

Title: Deputy Secretary for Policy and Planning for Secretary of Health