



RULE-MAKING ORDER

PERMANENT RULE ONLY

CR-103P (December 2017)
(Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 13, 2023

TIME: 10:36 AM

WSR 23-23-078

Agency: Department of Health - Board of Osteopathic Medicine and Surgery

Effective date of rule:

Permanent Rules

- ☒ 31 days after filing.
☐ Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- ☐ Yes ☒ No If Yes, explain:

Purpose: Health equity continuing competency training for osteopathic physicians. WAC 246-853-075 (new), Health equity continuing education training requirements. The Board of Osteopathic Medicine and Surgery (board) is adopting a new rule, WAC 246-853-075, to implement Engrossed Substitute Senate Bill (ESSB) 5229 (chapter 276, Laws of 2021), codified as RCW 43.70.613. The board has adopted the health equity model rules, WAC 246-12-800 through 246-12-830, for osteopathic physicians to comply with RCW 43.70.613.

RCW 43.70.613(3)(b) directs the rule-making authority for each health profession licensed under Title 18 RCW that is subject to continuing education (CE) to adopt rules requiring a licensee to complete health equity CE training at least once every four years. The statute also directed the Department of Health (department) to create model rules establishing the minimum standards for health equity CE programs. The department filed model rules for health equity CE minimum standards on November 23, 2022, under WSR 22-23-167. Any rules adopted by the Board of Osteopathic Medicine and Surgery (board) must meet or exceed the minimum standards in the model rules in WAC 246-12-800 through 246-12-830.

The adopted rule adds two hours of health equity education, as required in the model rules, to be completed as part of the current CE requirements every four years. The adopted rule does not change the total CE hours but requires two hours in health equity CE every four years which is absorbed into the existing number of CE hours required. The health equity CE requirement is counted under existing, unspecified CE requirements for the profession.

Citation of rules affected by this order:

New: WAC 246-853-075
Repealed: None
Amended: None
Suspended: None

Statutory authority for adoption: RCW 43.70.613, 18.57.005, and 18.130.050

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 23-16-101 on July 31, 2023 (date).

Describe any changes other than editing from proposed to adopted version: None.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

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Other: None

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	0	Amended	0	Repealed	0
Federal rules or standards:	New	0	Amended	0	Repealed	0
Recently enacted state statutes:	New	1	Amended	0	Repealed	0

The number of sections adopted at the request of a nongovernmental entity:

New	0	Amended	0	Repealed	0
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The number of sections adopted on the agency's own initiative:

New	0	Amended	0	Repealed	0
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	0	Amended	0	Repealed	0
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The number of sections adopted using:

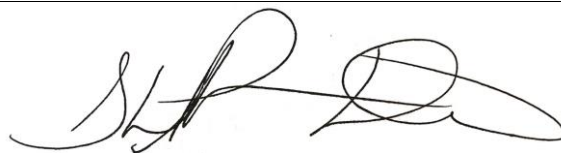
Negotiated rule making:	New	0	Amended	0	Repealed	0
Pilot rule making:	New	0	Amended	0	Repealed	0
Other alternative rule making:	New	1	Amended	0	Repealed	0

Date Adopted: November 6, 2023

Name: Shannon Phipps, DO

Title: Chair, Board of Osteopathic Medicine and Surgery

Signature:



NEW SECTION

WAC 246-853-075 Health equity continuing education training requirements. (1) An osteopathic physician must complete two hours of health equity continuing education training every four years as described in WAC 246-12-800 through 246-12-830.

(2) The two hours of health equity continuing education an osteopathic physician completes count toward meeting applicable continuing education requirements.