



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: December 18, 2023

TIME: 12:56 PM

WSR 24-01-101

Agency: Department of Health – Pharmacy Quality Assurance Commission

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 education (CE) for pharmacists and pharmacy technicians, WAC 246-945-178 and 246-945-220. The Washington State Legislature passed Engrossed Substitute Senate Bill (ESSB) 5229 in 2021, in part adding a new statutory section to chapter 43.70 RCW—RCW 43.70.613—for the purpose of establishing health equity CE requirements for certain health care professions licensed under the Department of Health (department). The stated goal of health equity CE is to equip health care workers with the skills to recognize and reduce health inequities in their daily work. The content of health equity trainings include implicit bias trainings to identify strategies to reduce bias during assessment and diagnosis in an effort to address structural factors, such as bias, racism, and poverty, that manifests as health inequities.

RCW 43.70.613(1) directs the rule-making authority for each health profession licensed under Title 18 RCW that is subject to continuing education to adopt rules requiring a licensee to complete health equity CE training at least once every four years. The statute also directs the 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 which created new sections of rule in chapter 246-12 WAC. Any rules developed by the commission must meet or exceed the model rules minimum standards established in WAC 246-12-800 through 246-12-830.

The commission adopted rule language amending WAC 246-945-178 and 246-945-220 to implement ESSB 5229 and meet the requirements of the department's health equity model rules in WAC 246-12-800 through 246-12-830.

The adopted rules add one hour of health equity education every two years, coinciding with the license renewal cycles for both pharmacists and pharmacy technicians. This satisfies the minimum requirements established in the model rules, which states that two hours of health equity CE must be completed as part of the current continuing education requirements every four years. The rule does not change 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 general CE requirements for the profession.

Citation of rules affected by this order:

New: None
Repealed: None
Amended: WAC 246-945-178 and 246-945-220
Suspended: None

Statutory authority for adoption: ESSB 5229 (chapter 276, Laws of 2021) codified as RCW 43.70.613, RCW 18.64.005, and 18.64A.020

Other authority:

PERMANENT RULE (Including Expedited Rule Making)Adopted under notice filed as WSR 23-16-070 on 7/27/2023 (date).

Describe any changes other than editing from proposed to adopted version: No changes were made from the proposed to the adopted version.

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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Address: PO Box 47852, Olympia, WA 98504-7852

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Other:

**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	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Federal rules or standards:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Recently enacted state statutes:	New	<u>0</u>	Amended	<u>2</u>	Repealed	<u>0</u>

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

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

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

New	<u>0</u>	Amended	<u>2</u>	Repealed	<u>0</u>
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The number of sections adopted using:

Negotiated rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Pilot rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Other alternative rule making:	New	<u>0</u>	Amended	<u>2</u>	Repealed	<u>0</u>

Date Adopted: 12/18/2023**Name:** Kenneth Kenyon, PharmD, BCPS**Title:** Pharmacy Quality Assurance Commission Chair**Signature:**

AMENDATORY SECTION (Amending WSR 21-04-145, filed 2/3/21, effective 12/1/21)

WAC 246-945-178 Pharmacist continuing education. (1) As part of the process to renew a pharmacist license, a pharmacist shall complete ~~((CPE)) continuing education~~ in compliance with this section.

(2) A pharmacist shall complete the equivalent of ~~((3.0 of CPE hours (equal to thirty contact hours) administered by an ACPE accredited provider each license renewal cycle))~~ 30 hours of continuing education each license renewal cycle. The 30 hours of continuing education must be delivered by a continuing education provider accredited by ACPE, except as provided for in subsections (4) and (5) of this section.

(3) A pharmacist shall register with a program designated by the commission for tracking completed CPE hours.

(4) A pharmacist shall complete a one-time training in suicide screening and referral by the end of the first full renewal cycle after initial licensure. The training must meet the following requirements:

(a) Be at least three hours long;

(b) Be from the ~~((department of health's))~~ department's model list of approved suicide prevention training programs, and include content related to imminent harm via lethal means; and

(c) The hours spent completing the training in this subsection may count toward meeting CPE requirements.

(5) ~~((CPE))~~ A pharmacist shall complete at least one hour of health equity training as described in WAC 246-12-830 each license renewal cycle.

(a) Health equity training may be provided by a continuing education provider accredited by ACPE or by a health equity training program contained on the department's list of approved health equity training programs.

(b) The hours spent completing health equity training will count toward meeting continuing education requirements.

(6) Continuing education hours cannot be carried over to the next renewal cycle.

AMENDATORY SECTION (Amending WSR 21-04-145, filed 2/3/21, effective 12/1/21)

WAC 246-945-220 Pharmacy technician—Continuing education. (1) As part of the process to renew a pharmacy technician license, a pharmacy technician shall complete continuing ~~((pharmacy))~~ education ~~((CPE))~~ in compliance with this section.

(2) A pharmacy technician shall complete ~~((2.0 CPE))~~ 20 hours ~~((equal to twenty contact hours) administered by an ACPE accredited program each certification renewal period.~~

~~(3))~~ of continuing education each certification renewal cycle. The 20 hours of continuing education must be presented by a continuing education provider accredited by ACPE, except as provided in subsection (3) of this section.

(3) A pharmacy technician shall complete at least one hour of health equity training as described in WAC 246-12-830 each certification renewal period.

(a) Health equity training may be provided by a continuing education provider accredited by ACPE or by a health equity training program contained on the department's list of approved health equity training programs.

(b) The hours spent completing health equity training will count toward meeting continuing education requirements.

(4) A pharmacy technician shall register with a program designated by the commission for tracking completed CPE hours.

((4) CPE)) (5) Continuing education hours cannot be carried over to the next renewal cycle.