



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: January 23, 2024

TIME: 1:04 PM

WSR 24-03-139

Agency: Department of Health

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: Substance Use Disorder Professional Certification - Reducing barriers for pharmacists and applicants with a national certification.

The Department of Health (department) is adopting amendments to WAC 246-811-070, 246-811-076, and 246-811-300 in chapter 246-811 WAC, Substance Use Disorder Professionals and Substance Use Disorder Professional Trainees, to reduce barriers to certification. Changes include: (1) removing the requirement to verify educational coursework for applicants with a national certification in WAC 246-811-070; (2) making pharmacists eligible for the alternative training pathway in WAC 246-811-076 and removing osteopathic physician assistants pursuant to Substitute House Bill (SHB) 2378 (chapter 80, Laws of 2020); and (3) removing the obsolete AIDS training from the list of probationary license requirements in WAC 246-811-300 pursuant to Engrossed Substitute House Bill (ESHB) 1551 (chapter 76, Laws of 2020).

Citation of rules affected by this order:

New: None

Repealed: None

Amended: WAC 246-811-070, 246-811-076, and 246-811-300

Suspended: None

Statutory authority for adoption: RCW 18.205.060

Other authority: ESHB 1551 (chapter 76, Laws of 2020), SHB 2378 (chapter 80, Laws of 2020)

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 23-20-120 on October 3, 2023 (date).

Describe any changes other than editing from proposed to adopted version:

No changes were made.

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

Name: Ted Dale

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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>1</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>0</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>3</u>	Repealed	<u>0</u>

Date Adopted: January 23, 2024

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

Title: Chief of Policy for Secretary of Health

Signature:



AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

WAC 246-811-070 National certification. (1) A person who is certified through the National Association of Alcoholism and Drug Abuse Counselors (NAADAC) or the International Certification and Reciprocity Consortium (ICRC) as an alcohol and drug counselor (ADC) or advanced alcohol and drug counselor (AADC), is considered to meet the experience requirements of WAC 246-811-046.

(2) A person who is certified through NAADAC or ICRC as an ADC or AADC is considered to have met the education requirements of WAC 246-811-030(2). (~~Verification of the additional forty five quarter or thirty semester credits as required in WAC 246-811-030(1) will be required upon application to the department.~~)

(3) Verification of certification must be sent directly to the department from NAADAC or ICRC.

AMENDATORY SECTION (Amending WSR 20-12-074, filed 6/1/20, effective 7/2/20)

WAC 246-811-076 Eligibility for certification through alternative training. A practitioner listed in subsections (1) through (7) of this section who holds an active license in good standing may apply for certification as a substance use disorder professional using alternative training under WAC 246-811-077 or 246-811-078:

(1) Advanced registered nurse practitioner under chapter 18.79 RCW;

(2) Marriage and family therapists, mental health counselor, advanced social worker, or independent clinical social worker under chapter 18.225 RCW;

(3) Psychologist under chapter 18.83 RCW;

(4) Osteopathic physician under chapter 18.57 RCW;

(5) (~~Osteopathic physician assistant under chapter 18.57A RCW;~~

~~(6))~~ Physician under chapter 18.71 RCW; (~~or~~

~~(7))~~ (6) Physician assistant under chapter 18.71A RCW; or

(7) Pharmacist under chapter 18.64 RCW.

AMENDATORY SECTION (Amending WSR 20-12-074, filed 6/1/20, effective 7/2/20)

WAC 246-811-300 Probationary license. (1) The department shall issue a probationary license to out-of-state applicants seeking licensure in Washington state for substance use disorder professional according to the conditions and restrictions of the reciprocity program established RCW 18.205.140 and this chapter.

(2) The out-of-state license must be from a state or territory identified on a list published by the department as eligible for reciprocity for the purposes of a probationary license for the particular behavioral health profession.

(3) An initial probationary license is valid for one year. To receive an initial probationary license, the applicant must submit to the department a completed application to include:

- (a) Verification of their out-of-state license; and
- (b) The fee according to WAC 246-811-990.

(4) A probationary license may be renewed a single time and is valid for one year after the date of renewal. To renew a probationary license, the applicant must submit to the department a completed application to include:

(a) Completion of suicide assessment, treatment, and management training according to WAC 246-811-280(1); and

- (b) (~~(AIDS education according to WAC 246-811-075; and~~
- ~~(c))~~) The fee according to WAC 246-811-990.

(5) Continuing education. With the exception of the requirements in subsection (4) of this section, continuing education requirements will apply once a probationary licensee transitions to a full license.

(6) Approved supervision. If the department determines a probationary licensee must complete supervised hours of experience as a condition for full licensure, the licensee must complete the stated hours under an approved supervisor according to the conditions of this chapter.