



June 18, 2024

Subject: Informative- Information on Agency Rulemaking June 1-15, 2024

Dear Tribal Leaders, Partners, & Professionals:

We thank you for your partnership and guidance on the Washington State Department of Health rulemaking process. As an agency, we are committed to honoring the Tribal sovereignty of Washington's first Nations. As part of this commitment, and in appreciation of the governance structures of Tribal Nations, we welcome your expertise and collaboration in these current and upcoming rulemaking activities. We prioritize Tribal involvement early in the process to better ensure we are incorporating Tribal expertise, perspectives, and transparency in agency rulemaking.

In accordance with chapter [43.376 RCW](#), the [Washington State Centennial Accord of 1989](#), and the [Department of Health's \(WA-DOH\) Tribal Consultation and Collaboration Procedure](#), DOH invites you to review the list of rulemaking activities below and actively collaborate with staff on all topics that may be of interest.

We appreciate your feedback, if you have any suggestions or questions about how to best honor Tribal sovereignty and strengthen agency processes, please let us know.

To provide comments or requests for additional information, please contact:

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Best,

A handwritten signature in blue ink, appearing to read "Candice Wilson", is positioned above the printed name and title.

Candice Wilson – Quatz'tenaut (Lummi)
Executive Director OTPHR

Cc: Michelle Davis, Executive Director, Washington State Board of Health
Lacy Fehrenbach, Deputy Secretary, Prevention Safety & Health, Department of Health
Tao Sheng Kwan-Gett, MD, MPH, Chief Science Officer, Department of Health
Kristin Peterson, Chief of Policy, Planning & Evaluation, Department of Health
Elizabeth Perez, Chief of Public Affairs and Equity, Department of Health
Umair A. Shah, MD, MPH, Secretary of Health, Department of Health
Jessica Todorovich, Chief of Staff, Department of Health

**Department of Health/State Board of Health
Rule Report
June 1 - 15, 2024**

The following Department of Health (WA-DOH) and State Board of Health (SBOH) rules and documents were filed with the Washington State's Code Reviser Office in June 1-15, 2024. If you have any questions about the documents, please contact the person on the forms.

Preproposal Statement of Inquiry (CR101)

Permanent Facility Closure Reporting Requirements. The Pharmacy Quality Assurance Commission is considering amending WAC 246-945-480 and creating new sections in chapter 246-945 WAC to improve notifications and prescription transfer directions provided to patients when the facility closes permanently. [Filed as WSR 24-13-061.](#)

Proposed Rule Making (CR-102)

Creating Music Therapists as a New Profession. WA-DOH is proposing a new chapter of rule, chapter 246-837 WAC, Music Therapists, to implement Substitute House Bill 1247 (chapter 175, Laws of 2023), which creates the music therapist profession. WA-DOH is proposing to establish the education and training, examination and licensure requirements, continuing education, and fees. The proposed rules also implement other recently enacted legislation. [Filed as WSR 24-12-077.](#)

Adopted Rules (CR-103P)

Nursing Substance Use Disorder Monitoring Program Update and Stipend. The Washington State Board of Nursing adopted rules amending WAC 246-840-750 through 246-840-780 and adding WAC 246-840-790 to establish new definitions, update existing terms, and add application requirements for a stipend for the substance use disorder monitoring program for nursing professionals in response to Substitute House Bill 1255 (chapter 141, Laws of 2023) codified in RCW 18.79.440. [Filed as WSR 24-12-066.](#)

Post Medical Training for Physicians. The Washington Medical Commission has adopted amendments to WAC 246-919-330 to eliminate the outdated requirement for consecutive years of training in no more than two programs. This change removes a barrier for qualified applicants to obtain licensure. This permanent rule will supersede the emergency rule filed on March 8, 2024, as WSR 24-07-019. [Filed as WSR 24-13-019.](#)

Emergency Rules (CR-103E)

Home Care Aides - Temporary Changes to Reduce Barriers to Certification. WAC 246-980-100 (5)(c) requires that home care aide certification testing occur within two years of training. This emergency rule removes the two-year limit on the validity of training. These rules continue without change, emergency rules initially filed on October 17, 2022. Emergency rules are being continued while

permanent rulemaking is in progress to consider training timelines for home care aides. [Filed as WSR 24-13-001.](#)

Substance Use Disorder Professionals and Trainees - Reducing Barriers. WA-DOH is amending the Substance Use Disorder Professionals and Substance Use Disorder Professionals Trainees rules in chapter 246-811 WAC and creating a new section to reduce barriers to entering and remaining in the behavioral health workforce, to streamline the substance use disorder provider and trainee credentialing process, and to implement recent legislation. Legislation being implemented includes Second Substitute House Bill 1724 (chapter 425, Laws of 2023), Engrossed Second Substitute House Bill 2247 (chapter 371, Laws of 2024), and Second Substitute Senate Bill 6228 (chapter 366, Laws of 2024). These emergency rules are being continued without change while permanent rulemaking is in progress under WSR 24-10-011, filed April 18, 2024. [Filed as WSR 24-12-078.](#)

Expedited Rule Making (CR-105)

None Filed for this period.

Miscellaneous

Board of Osteopathic Medicine and Surgery. Schedule of regular meetings for 2025. [Filed as WSR 24-13-030.](#)