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CONCISE EXPLANATORY STATEMENT

Summary of Public Comments on chapter 246-341 WAC Behavioral Health Agency Licensing and Certification Requirements as they relate to Opioid Treatment Programs

To implement and comply with 2E2SSB 5536 (chapter 1, Laws of 2023, 1st Special Session) codified as RCW 71.24.590, the Department of Health (department) adopted revisions to chapter 246-341 WAC that allow licensed Opioid Treatment Programs (OTP) to operate a mobile or fixed-site medication unit as part of, but geographically separate from, their existing licensed OTP. Fixed-site medication units are already allowed under federal regulations.

The updates provide greater access to care by streamlining the approval and certification process to operate an OTP and aligning state regulations with federal certification and treatment standards for OTPs in 42 Code of Federal Regulations (CFR) Part 8, Subpart C (2024).

The department is also repealing WACs 246-341-1005 through 246-341-1025 and incorporating portions of these WACs into the adopted rules. Finally, the department is adopting updates that correct two internal citations from a previous rules project.

The department adopted the rules at a public rules hearing held on December 18, 2024, by webinar. No public comment was received at the hearing. The department adopted the language as published with the Office of the Code Reviser under WSR 24-22-054 on January 31, 2025.

These adopted amendments represent the department's collective best efforts to improve these regulations and take the next step forward in improving the delivery of OTP services in Washington state.

Please direct any questions regarding this rule adoption to Michelle Weatherly at 360-236-2992 or michelle.weatherly@doh.wa.gov.