



January 15, 2025

Subject: Informative- Information on Agency Rulemaking January 1-15, 2025

Dear Tribal Leaders, Partners and 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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360-628-0096

Sincerely,

A handwritten signature in blue ink, appearing to read 'Candice Wilson', with a stylized flourish at the end.

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
Jessica Todorovich, Chief of Staff, Department of Health

Department of Health/State Board of Health
Rule Report |
January 1-15, 2025

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 January 1-15, 2025. If you have any questions about the documents, please contact the person on the forms.

Preproposal Statement of Inquiry (CR-101)

Behavioral Health Agencies (BHA) - Uniform Facility Enforcement Framework. WA-DOH is considering amending rules and establishing a new section in chapter 246-341 WAC to implement a uniform enforcement tool for BHAs. [Filed as WSR 25-03-002.](#)

Expanded Function Dental Auxiliaries (EFDA) – Licensure requirements. The Dental Quality Assurance Commission (commission) is considering amending WAC 246-817-195 to allow the amalgam clinical patient requirement to be optional. The commission may consider amendments to other relevant licensure requirement rule sections in chapter 246-817 WAC. [Filed as WSR 25-03-075.](#)

Proposed Rules (CR-102)

Physical Therapists and Physical Therapist Assistants - Reducing Licensure Barriers. Continuance of public rules hearing. WA-DOH and the Board of Physical Therapy (board) are proposing amendments to WAC 246-915-030, 246-915-040, 246-915-085, and 246-915-120 to reduce barriers to licensure. Additionally, the board is proposing amendments to WAC 246-915-040 to expand upon the endorsement pathway and amendments to WAC 246-915-120 to streamline the foreign educated applicant application process. [Filed as WSR 25-03-003.](#)

Expedited Rulemaking (CR-105)

No Filings.

Adopted Rules (CR-103P)

Behavioral Health Agency (BHA) - Licensure and Certification Requirements as they relate to Opioid Treatment Programs (OTP). WA-DOH adopted updates to chapter 246-341 WAC to 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.

WA-DOH also adopted updates to implement legislature that allows licensed OTPs to operate a mobile or fixed-site medication unit as part of, but geographically separate from, their existing licensed OTP. Amendments were also made to correct two internal citations from a previous rules project. [Filed as WSR 25-03-021.](#)

Osteopathic Physician - Exam requirements. The Board of Osteopathic Medicine and Surgery (board) adopted amendments in WAC 246-853-020 to update the examination requirements for licensure of osteopathic physicians, allowing applicants to select one out of the four nationally approved examination series instead of selecting a combination of two or more examinations to qualify for licensure. Additionally, the board removed the Osteopathic Principles and Practices (OP&P) exam as one of the examination options as this is an underutilized pathway to licensure. [Filed as WSR 25-03-022.](#)

Emergency Rules (CR-103E)

Hospital Emergency Services. In accordance with Governor Directive 25-01, WA-DOH amended WAC 246-320-010 and WAC 246-320-281 to ensure access to treatment, including abortion care, for emergency medical conditions in hospital emergency departments and protection of a pregnant person's right to exercise informed consent in prioritizing their health and safety when receiving treatment for emergency medical conditions in hospital emergency departments. These requirements are subject to applicable protections of conscience and the free exercise of religion under state and federal law. [Filed as WSR 25-03-056.](#)

Miscellaneous Filings

WA-DOH Rescinded Policy Statement EMS 21-01 | EMS Providers and Emergency Administration of Monoclonal Antibodies. [Filed as WSR 25-03-047.](#)

WA-DOH Rescinded Policy Statement EMS 20-01 | EMS Providers and Emergency Vaccinations. [Filed as WSR 25-03-048.](#)

WA-DOH Orthotics and Prosthetics Advisory Committee – 2025 regular meeting schedule. [Filed as WSR 25-02-21.](#)