



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 26, 2024

TIME: 11:52 AM

WSR 25-02-081

Agency: Department of Health

Effective date of rule:

Permanent Rules

- 31 days after filing.
 Other (specify) April 1, 2025 (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: Birth doulas – amending WAC 246-835-040 to remove certification barriers and to align rule with recent legislation.

The Department of Health (department) is adopting amendments to WAC 246-835-040 to waive education, training, experience, and examination requirements for applicants that qualify for certification by endorsement to implement RCW 18.130.077.

Under RCW 18.130.077, all disciplining authorities shall waive education, training, experience, and exam requirements for applicants who have been credentialed in another state or states with substantially equivalent standards for at least two years immediately preceding their application with no interruption in licensure for longer than 90 days. The statute also allows disciplining authorities to choose to waive education, training, experience, and exam requirements for applicants who have achieved the national credential for their profession, however birth doulas do not have a national credential.

To align with RCW 18.130.077 the adopted rules:

- Remove the requirement of submitting proof of 10 hours of continuing education (CE) for out-of-state applicants that have been credentialed as a birth doula in another jurisdiction with standards that are substantially equivalent to Washington's standards.
- Maintain the requirement of submitting proof of 10 hours of CE for out-of-state applicants that have been credentialed as a birth doula for two years or more in another state or jurisdiction with standards that are not substantially equivalent to Washington.
- Clarify in rule that applicants who have been credentialed for less than two years in a state or jurisdiction with standards that are not substantially equivalent may apply for certification through the initial application pathway in WAC 246-835-030.

The adopted rule will streamline and shorten the credentialing process for birth doulas, remove barriers to entering and remaining in the birth doula workforce, clarify the requirements, and align the section with RCW 18.130.077.

Citation of rules affected by this order:

New: None
Repealed: None
Amended: WAC 246-835-040
Suspended: None

Statutory authority for adoption: RCW 18.47.800 and 2SHB 1724 (chapter 425, Laws of 2023) codified as RCW 18.130.077.

Other authority: None

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR on October 4, 2024 (date).

Describe any changes other than editing from proposed to adopted version: None.

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

Name:
Address:
Phone:
Fax:
TTY:
Email:
Web site:
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>1</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>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>1</u>	Repealed	<u>0</u>

Date Adopted: December 26, 2024

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

Title: Chief of Policy for Secretary of Health

Signature:

WAC 246-835-040 Applicants currently certified in other states or territories. An initial applicant currently certified to practice as a birth doula in another state, the District of Columbia, or a territory of the United States may be (~~licensed~~) certified by endorsement. An applicant shall comply with the requirements for licensure as specified in chapters 18.47 RCW and 246-835 WAC and submit proof of:

(1) Current certification from another United States jurisdiction (~~;~~ and), if the applicant is certified in a United States jurisdiction that has substantially equivalent standards to Washington.

(2) For applicants who have been certified for at least two years in another United States jurisdiction (~~for at least two years, completion~~) that does not have substantially equivalent standards, the applicant must submit:

(a) Current certification from another United States jurisdiction; and

(b) Proof of 10 hours of continuing education within the two-year period immediately preceding (~~licensure~~) certification.

(3) For applicants who have been certified for less than two years in a United States jurisdiction that does not have substantially equivalent standards, the applicant may apply for certification through the application process in WAC 246-835-030.