



March 18, 2025

Subject: Informative- Information on Agency Rulemaking March 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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Sincerely,

A blue ink handwritten signature of Candice Wilson, consisting of a large initial 'C' followed by a series of loops and a final flourish.

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

CC: Jessica Todorovich, Interim Secretary of Health, WA-DOH
Wendy Endress, Acting Chief of Staff, WA-DOH
Michelle Davis, Executive Director, Washington State Board of Health
Tao Sheng Kwan-Gett, MD, MPH, State Health Officer, WA-DOH
Kristin Peterson, Chief of Policy, Planning & Evaluation, WA-DOH
Lacy Fehrenbach, Deputy Secretary, Prevention Safety & Health, WA-DOH

Department of Health/State Board of Health
Rule Report |
March 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 March 1-15, 2025. If you have any questions about the documents, please contact the person on the forms.

Preproposal Statement of Inquiry (CR-101)

Dietitians and Nutritionists – Reducing barriers and updating rules to align with recent legislation. WA DOH is considering creating a new section in chapter 246-822 WAC and making amendments to dietitians and nutritionists application requirements in WAC 246-822-120, 246-822-132, and other related sections. [Filed as WSR 25-07-028.](#)

Proposed Rules (CR-102)

Air Emissions - Reference for sources of radionuclide emissions, adopting national standards in WAC 246-247-035. WA DOH is proposing an amendment to the federal rule publication date to conform to U.S. Environmental Protection Agency (EPA) requirements. [Filed as WSR 25-07-071.](#)

Hospital at-home Services – Operating standards and Fees. WA DOH is proposing rules to establish operating standards and fees for hospital at-home services. Proposing amendments to WAC 246-320-199 and creating a new rule, WAC 246-320-278, to add hospital at-home services as a type of service offered by hospitals. The rules establish operating standards and create a fee to cover the costs of reviewing applications for the hospital at-home program. [Filed as WSR 25-07-025.](#)

Mental Health Counselor, Marriage and Family Therapist, and Social Worker Professions – Reducing Barriers. WA DOH is proposing permanent rules to reduce barriers for entering and remaining in the behavioral health care workforce and streamline and shorten the credentialing process by removing renewal limits for associate-level credentials, allowing professional experience to substitute for clinical practicum experience, and by lowering continuing education requirements, chapter 246-809 WAC. [Filed as WSR 25-06-068.](#)

Residential Treatment Facility, In-home Services, Ambulatory Surgical Facilities, and Hospital Licensing Regulations – Correcting references to pharmacy regulations. WA DOH and Pharmacy Quality Assurance Commission is proposing housekeeping amendments to the following WAC sections to fix incorrect references: WAC 246-320-211 Pharmaceutical services for Hospital licensing regulations; WAC 246-330-200 Pharmaceutical services for Ambulatory surgical facilities; WAC 246-335-310 Definition; WAC 246-335-722 Pharmaceutical services; WAC 246-335-738 Pharmaceutical services area sections for In-home services agencies; and WAC 246-337-105 Medication management for Residential treatment facilities. [Filed as WSR 25-07-053.](#)

Residential Treatment Facilities (RTF), Private Psychiatric Hospital, and Behavioral Health Agency (BHA) Regulations – Indian health care provider attestation. WA DOH is proposing a new rule in chapter 246-337 WAC and a new rule in chapter 246-322 WAC to establish fees necessary to receive and process an attestation that a tribal residential treatment facility or tribal private psychiatric hospital meets state minimum standards for licensure. The proposed rule also amends WAC 246-337-010 to clarify that the licensure process described in each section does not apply to tribes seeking licensure via attestation. Finally, the WA DOH is proposing to update WAC 246-341-0367 regarding BHA tribal attestation fees to align with the proposed RTF and private psychiatric hospital tribal attestation fees. [Filed as WSR 25-07-052.](#)

Veterinarian and Veterinary Technician – Reducing barriers. The Veterinary Board of Governors is proposing amendments to chapters 246-933 and 246-935 WAC to reduce barriers to education, examination, and licensure requirements and proposing general housekeeping amendments by repealing the licensure examination rules that are no longer relevant. [Filed as WSR 25-06-092.](#)

Expedited Rulemaking (CR-105)

No Filings.

Adopted Rules (CR-103P)

Hospital Financial Data Reporting – Uniform system for hospitals for accounting, financial reporting, budgeting, and cost allocation. WA DOH adopted amendments to simplify existing requirements regarding the uniform system for hospitals for accounting, financial reporting, budgeting, and cost allocation. Additionally, the adopted amendments update outdated language within chapter 246-454 WAC, and two sections of Hospitals-Assessments and Related Reports in WAC 246-451-010 and 246-451-050. [Filed as WSR 25-07-051.](#)

Sanitary Control of Shellfish - Minimum performance standards in WAC 246-282-005. WA DOH amended WAC 246-282-005(1)(a) to adopt by reference the 2023 version of the National Shellfish Sanitation Program’s Guide for the Control of Molluscan Shellfish to ensure that the most current health and safety requirements are in rule as required by the statute. [Filed as WSR 25-06-081.](#)

Substance Use Disorder Profession –Reducing barriers. WA DOH adopted amendments to reduce barriers to entering and remaining in the workforce and to streamline and shorten the credentialing process. The adopted rule amended chapter 246-811 WAC, including repealing sections and creating new sections. [Filed as WSR 25-07-024.](#)

Emergency Rules (CR-103E)

Agency Affiliated Counselors – Creating certified agency affiliated counselor and licensed agency affiliated counselor credentials. WA DOH continues without changing the previously adopted emergency rules, which align the rule language with statute and revise fees. Amending WACs 246-810-010, 246-810-015, and 246-810-990 in chapter 246-810 WAC, Counselors. These emergency rules will be in effect until the permanent rules adopted on February 20, 2025, under WSR 25-06-010 become effective on July 1, 2025, which will permanently create the new agency affiliated counselor credentials. [Filed as WSR 25-07-070.](#)

Miscellaneous Filings

Music Therapist Advisory Committee - Revised 2025 regular meeting schedule. [Filed as WSR 25-07-003.](#)

Pharmacy Quality Assurance Commission – Withdrawal of CR-101 for considering adding kratom to the list of Schedule I substances. This CR-101, which was filed on August 22, 2024, and published in WSR 24-18-005, was withdrawn because the commission determined that kratom and its active alkaloids did not meet the necessary tests to place a substance in Schedule I, per RCW 69.50.201 and RCW 69.50.203. [Filed as WSR 25-06-091.](#)