



May 1, 2025

Subject: Informative- Information on Agency Rulemaking April 16-30, 2025

Dear Tribal Leaders,

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 handwritten signature in blue ink, appearing to read "Candice Wilson".

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

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

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 April 16-30, 2025. If you have any questions about the documents, please contact the person on the forms.

Preproposal Statement of Inquiry (CR-101)

Classification of Chiropractic Procedures and Instrumentation. The Chiropractic Quality Assurance Commission is considering amending WAC 246-808-505 to align rule language with statute and to modernize and streamline current language. The commission may also consider further amendments based on research and interested party input. Filed as [WSR 25-10-041](#).

Naturopathic Physician Licensure. WA DOH, in consultation with the Board of Naturopathy, is considering removing the jurisprudence examination fee from WAC 246-836-990 to align with the recent changes to the naturopathic licensure requirements. Filed as [WSR 25-10-030](#).

Opioid Prescribing – General Provisions for Allopathic Physicians and Physician Assistants. The Washington Medical Commission is considering amending opioid prescribing rules to modernize the language, add clarity, and bring the rules in line with current practice in WAC 246-919-850 through 246-919-985 and WAC 246-918-800 through 246-918-935. Filed as [WSR 25-10-039](#).

Proposed Rules (CR-102)

Auditory Screening Standards for School Districts. The Washington State Board of Health proposes updating hearing screening standards for schools in chapter 246-760 WAC. The changes would allow school districts to use otoacoustic emission devices as an alternative screening tool for students, clarify rule language, ensure consistency with vision screening sections, and align with current national standards. Filed as [WSR 25-09-146](#).

Certification of Magnetic Resonance Imaging (MRI) Technologists. WA DOH proposes to create a new section and amend existing rules in chapter 246-926 WAC to implement Substitute House Bill 2355 (chapter 94, Laws of 2024), establishing certification requirements for MRI technologists. Housekeeping edits and updates are also proposed. Filed as [WSR 25-09-170](#).

Childbirth Centers. WA DOH is proposing updates to birthing center licensing rules in chapter 246-329 WAC to align them with current standards of practice and to implement necessary changes for this facility type, including revising the chapter name from "Childbirth Centers" to "Birthing Centers" to align with chapter 18.46 RCW. Filed as [WSR 25-09-095](#).

Home Care Aide – Expanding Exemption Qualifications. WA DOH proposes to implement Senate Bill (SB) 5811 (chapter 322, Laws of 2024), which expands criteria for exemptions from the requirement to obtain home care aide certification. Filed as [WSR 25-10-012](#).

Per- and Polyfluoroalkyl Substances (PFAS) – National Standard Adoption by Reference. WA DOH proposes to amend chapter 246-290 WAC, Group A Public Water Supplies, and chapter 246-390 WAC, Drinking Water and Laboratory Certification and Data Reporting, to align with recent changes to 40 CFR Part 141 regarding PFAS, and adopt the National Primary Drinking Water Regulations by reference. Filed as [WSR 25-09-150](#).

Primary and Secondary School Environmental Health and Safety Regulations. The State Board of Health proposes to amend WAC 246-366-005 and to repeal WAC 246-366-160 and chapter 236-366A WAC. By amending and repealing these rules, the board will prevent the implementation of out-of-date and obsolete rules. Filed as [WSR 25-09-121](#).

Psychology Licensure Standards and Legislative Implementation. The Examining Board of Psychology proposes to amend chapter 246-924 WAC to update licensure standards and implement Second Substitute House Bill 1724 (chapter 425, Laws of 2023) and Engrossed Second Substitute House Bill 2247 (chapter 371, Laws of 2024). Amendments address licensure requirements, including telehealth standards, application processes, education and supervised experience requirements, approved supervisor criteria, residency and educational meeting standards, and telesupervision. Filed as [WSR 25-10-040](#).

Residential Treatment Facility (RTF) Fee Error Correction. WA DOH increased RTF fees in April 2025, filed as WSR 25-08-069, to adequately fund inspection, investigation, and licensing programs to protect patients. An error was found in the adopted amendment, where the updated renewal fee was not reflected. The proposed rule amends the error. Filed as [WSR 25-09-120](#).

Veterinarian-Client-Patient Relationship and Telehealth. The Veterinary Board of Governors is refiling proposed amendments to WAC 246-933-010 and WAC 246-933-200. This supplemental CR-102 is being filed without changes to the original proposal and is intended to hold a second public hearing, allowing the board to reconsider the proposal and provide additional opportunity for public comment. The proposed rules include relevant definitions and clarify the appropriate use and limitations of telehealth in providing veterinary services. Filed as [WSR 25-09-147](#).

Expedited Rulemaking (CR-105)

No filings.

Adopted Rules (CR-103P)

Behavioral Health Licensure – Supervisor Directory, Supervision Standards, and Stipend Program. WA DOH adopted rules in chapter 246-809 WAC to implement recent legislation, including provisions of Second Substitute House Bill 1724 (chapter 425, Laws of 2023) and Engrossed Second Substitute House Bill 2247 (chapter 371, Laws of 2024), which establish an optional supervisor directory, set minimum supervision standards, create an optional stipend program, and allow applicants to practice under supervision for up to 120 days after submitting a completed application. Filed as [WSR 25-09-110](#).

Emergency Rules (CR-103E)

Home Care Aide and Nursing Assistant-Certified Alternative Certification Time Frames. WA DOH adopted without change emergency rules which establish alternate certification time frames for individuals working toward certification as a home care aide or nursing assistant-certified (NA-C), due to impacts of the COVID-19 pandemic. This includes adopting new rule WAC 246-980-011 and amending WAC 246-980-025, 246-980-030, 246-980-040, and 246-980-065 to allow additional time for long-term care workers to complete training, testing, and credentialing. Filed as [WSR 25-10-015](#).

Miscellaneous Filings

Department of Health – Notice of adoption of policy statement A.09.2, Same Farm Exemption, establishing criteria for a water system to be eligible for the exemption. Effective May 1, 2025. Filed as [WSR 25-10-006](#).

Washington State Board of Health – Revised 2025 schedule of regular meetings. Filed as [WSR 25-09-071](#).