



EXPEDITED RULE MAKING

CR-105 (June 2024) (Implements RCW 34.05.353)

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STATE OF WASHINGTON
FILED

DATE: July 16, 2025

TIME: 11:44 AM

WSR 25-15-095

Agency: Department of Health – Board of Optometry

Title of rule and other identifying information: (describe subject) Optometry Examination and Licensure Requirements - Correcting RCW citations in WAC 246-851-490. The Board of Optometry (board) is proposing amendments to WAC 246-851-490 to correct cross references to subsections in RCW 18.53.010.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: In 2024, the board adopted amendments to WAC 246-851-400, 246-851-410, and 246-851-570 through 246-851-600 in response to the statutory changes made by Substitute Senate Bill (SSB) 5389 (chapter 400, laws of 2023), codified as RCW 18.53.010. The statutory changes inserted two new subsections resulting in the renumbering of the remaining subsections of the law. Three citations in WAC 246-851-490 were affected by the updates to RCW 18.53.010. Because WAC 246-851-490 was open for a different rulemaking project at the time, corrections to the citations could not be included as part of the updates to the rule. The purpose of the proposed amendments are to correct the citations to align with the statute now that the original rule project has concluded.

Reasons supporting proposal: The proposed amendments ensure the correct subsections of RCW 18.53.010 are cited in rule. By correcting the citations, applicants for an optometry license will be directed to the correct requirements for licensure. The proposed amendments will avoid confusion regarding the requirements for a license to practice optometry.

Statutory authority for adoption: RCW 18.54.070

Statute being implemented: RCW 18.53.010 and 18.54.070

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No


If yes, CITATION:

Name of proponent: (person or organization) Department of Health

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting: Juno Whittaker	111 Israel RD SE, Tumwater, WA 98513	564-669-9721
Implementation: Juno Whittaker	111 Israel RD SE, Tumwater, WA 98513	564-669-9721
Enforcement: Juno Whittaker	111 Israel RD SE, Tumwater, WA 98513	564-669-9721

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None	
Expedited Adoption - Which of the following criteria was used by the agency to file this notice: <input type="checkbox"/> Relates only to internal governmental operations that are not subject to violation by a person; <input checked="" type="checkbox"/> Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule; <input checked="" type="checkbox"/> Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect; <input type="checkbox"/> Content is explicitly and specifically dictated by statute; <input type="checkbox"/> Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or <input type="checkbox"/> Is being amended after a review under RCW 34.05.328.	
Expedited Repeal - Which of the following criteria was used by the agency to file notice: <input type="checkbox"/> The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule; <input type="checkbox"/> The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute; <input type="checkbox"/> The rule is no longer necessary because of changed circumstances; or <input type="checkbox"/> Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.	
Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4): This expedited proposal is in accordance with RCW 34.05.353(1)(c) and corrects typographical citation errors in WAC 246-851-490, and in accordance with RCW 34.05.353(1)(b) because it incorporates without material change RCW 18.53.010(4)(f).	
NOTICE THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Name: Juno Whittaker Agency: Department of Health Address: PO Box 47852, Olympia, WA 98504-7852 Phone: 564-669-9721 Fax: n/a Email: Optometry@doh.wa.gov Other: https://fortress.wa.gov/doh/policyreview/	
BEGINNING (date/time) Date and time of this filing AND RECEIVED BY (date/time) 09/22/2025, 11:59 PM	
Date: July 16, 2025 Name: Melissa Dacumos, OD Title: Chairperson, Board of Optometry	Signature: 

WAC 246-851-490 Examination and licensure. To qualify for licensure in this state a candidate must:

(1) Successfully complete Parts I, II, and III of the National Board of Examiners in Optometry (NBEO) examinations; the Part III having been administered and successfully completed after January 1, 1993.

(2) Applicants who completed the NBEO Part II examination prior to January 1, 1993, must successfully complete the International Association of Examiners in Optometry (IAB) examination in treatment and management of ocular disease.

(3) Be a graduate of a state accredited high school or equivalent.

(4) Be a graduate of a school or college of optometry accredited by the Council on Optometric Education of the American Optometric Association and approved by the Washington state board of optometry.

(5) Be of good moral character.

(6) Effective January 1, 2007, all applicants who receive their initial (first) license in Washington state must meet all the certification requirements of RCW 18.53.010 ((+2)) (4)(a), (b), (c), and (d).

~~((7) Effective January 1, 2009, all optometrists licensed in Washington state must be certified under RCW 18.53.010 (2)(a) and (b).~~

~~(8) Effective January 1, 2011, all optometrists licensed in Washington state must be certified under RCW 18.53.010 (2)(a), (b), (c), and (d).)~~