



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

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FILED

DATE: July 22, 2020

TIME: 12:40 PM

WSR 20-16-003

Agency: Department of Health

Subject of possible rule making: Chapter 246-930 WAC Sex Offender Treatment Provider. The Department of Health (department) is considering updating the chapter of rules for Sex Offender Treatment Providers (SOTP) to align the rules with recent legislation. Engrossed Substitute Senate Bill (ESSB) 6641 substantially changes certification requirements for SOTPs, including specifying which professional credential can be used as the underlying credential, but adopting a clause to allow those who already hold an SOTP credential to keep practicing, broadening the qualifications for the supervisor of an affiliate provider, allowing applicants to use certain experience to qualify for the SOTP credential, and creating a new process for out-of-state applications. In addition, the bill also establishes the SOTP Advisory Committee, and creates a process for waiving SOTP fees, among other changes. Engrossed Substitute House Bill (ESHB) 1551 makes statutory changes to modernize control of communicable diseases, including repealing statutes requiring AIDS training for health care professions. To comply with the statute, the department is considering repealing AIDS training requirements currently in chapter 246-930 WAC. The department may also consider other amendments, organizational changes, or updates as appropriate.

Statutes authorizing the agency to adopt rules on this subject: RCW 18.155.040, ESSB 6641 (Chapter 266, Laws of 2020), and ESHB 1551 (chapter 76, Laws of 2020)

Reasons why rules on this subject may be needed and what they might accomplish: The department is considering amending sections of chapter 246-930 WAC to align the rules with recent legislation and implement changes enacted by the legislature. ESSB 6641 is intended to increase availability and geographic distribution of SOTPs and reduce barriers to licensure, while ESHB 1551 is intended to modernize control of communicable diseases. Amending chapter 246-930 WAC to implement statutory changes will provide clarity for licensees and promote public health.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The Department of Health is coordinating with representatives of the Department of Corrections (DOC), the Department of Social and Health Services (DSHS) and the Department of Children, Youth and Families (DCYF) as ESSB 6641 is implemented, and will continue to have representation from these departments in the newly-established Sex Offender Treatment Provider Advisory Committee.

Process for developing new rule (check all that apply):


- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Collaborative

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

	(If necessary)
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Additional comments: Rulemaking notices will be delivered via GovDelivery to various health professions lists. Notices for this rulemaking will be the same regardless of the GovDelivery it is sent to. To receive notices, interested persons may sign up for any or all of the lists. Please go to: <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. After signing in,

please click open the box labeled "Health Systems Quality Assurance." Next click open the box labeled "Health Professions." From there, you may check the box next to one or more of the professions listed.

Date: 07/17/2020	Signature: 
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