

## WSR 21-02-052

## EXPEDITED RULES

## DEPARTMENT OF HEALTH

(Board of Nursing Home Administrators)

[Filed January 4, 2021, 10:55 a.m.]

Title of Rule and Other Identifying Information: WAC 246-843-162 AIDS prevention and information education requirements for nursing home administrators, the board of nursing home administrators (board) is considering the repeal of WAC 246-843-162 in response to ESHB 1551 (chapter 76, Laws of 2020).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: ESHB 1551 repealed statutes concerning AIDS education and training for emergency medical personnel, health professionals, and health care facility employees. The list of repealed statutes included RCW 70.24.270 Health professionals—Rules for AIDS education and training, which involves licensees governed under the board. The board is repealing its rule as the requirements for AIDS education and training is no longer required in statute.

Reasons Supporting Proposal: The intent of ESHB 1551 is to reduce stigma towards people living with HIV/AIDS. This includes not isolating AIDS as an exceptional disease that requires specific training and education separate from other health conditions. Repealing the AIDS education and training requirement in WAC 246-828-370 could remove barriers from becoming licensed or renewing licensure for nursing home administrators.

Statutory Authority for Adoption: RCW 18.52.061.

Statute Being Implemented: ESHB 1551 (chapter 76, Laws of 2020).

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Board of nursing home administrators, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Kendra Pitzler, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-4723.

This notice meets the following criteria to use the expedited repeal process for these rules:

The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: ESHB 1551 repealed RCW 70.240.270. The board is repealing its rule as the statute in which the rule is based has been repealed.

## 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 Kendra Pitzler, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4723, fax 360-236-2901, email <https://fortress.wa.gov/doh/policyreview>, AND RECEIVED BY March 8, 2021.

January 4, 2021  
Ann Zell, Chair

**OTS-2717.1**

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-843-162      AIDS prevention and information  
education requirements.