WSR 23-16-070 PROPOSED RULES DEPARTMENT OF HEALTH

(Pharmacy Quality Assurance Commission) [Filed July 27, 2023, 2:44 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-01-113. Title of Rule and Other Identifying Information: Health equity continuing education (CE) for pharmacists and pharmacy technicians, WAC 246-945-178 and 246-945-220. The pharmacy quality assurance commission (commission) is proposing amendments to WAC 246-945-178 and 246-945-220 to establish health equity CE requirements to implement ESSB 5229 (chapter 276, Laws of 2021).

Hearing Location(s): On October 19, 2023, at 10:30 a.m., at the Labor and Industries Building, 7273 Linderson Way S.W., Tumwater, WA 98501; or virtual. Please download and import the following iCalendar (.ics) fields to your calendar system. Daily: https://us02web.zoom.us/ webinar/tZwvcu-orjooGdL0ucE3WWkJLsRorLzko_bx/ics?

icsToken=98tyKuGgrD4sGtSUshqBRpw-

AI 4M TziH5BjadxzArmJnNkVQjcGvFwPaBTCtPf; Topic: PQAC Business Meeting 2023. To access the meeting on October 19, 2023, at 9 a.m., go to https://zoom.us/join or https://us02web.zoom.us/j/88256001236 and use the Webinar ID 861 1495 8466. The access options include one-tap mobile, US +12532158782,,86114958466# or +16699009128,,86114958466#; or telephone. Dial (for higher quality, dial a number based on your current location): US +1 253 215 8782 or +1 669 900 9128 or +1 346 248 7799 or +1 669 444 9171 or +1 386 347 5053 or +1 564 217 2000 or +1 646 558 8656 or +1 646 931 3860 or +1 301 715 8592 or +1 312 626 6799, Webinar ID 861 1495 8466. International numbers available: https:// us02web.zoom.us/u/kdLNo6unOZ.

Date of Intended Adoption: October 19, 2023.

Submit Written Comments to: Joshua Munroe, P.O. Box 47852, Olympia, WA 98504-7852, email https://fortress.wa.gov/doh/policyreview, fax 360-236-2901, by October 5, 2023.

Assistance for Persons with Disabilities: Contact Joshua Munroe, phone 360-502-5058, fax 360-236-2901, TTY 711, email

PharmacyRules@doh.wa.gov, by October 12, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: RCW 43.70.613 (3) (b) directs the rulemaking authority for each health profession licensed under Title 18 RCW that is subject to CE to adopt rules requiring a licensee to complete health equity CE training at least once every four years. The statute also directs the department of health (department) to create model rules establishing the minimum standards for health equity CE programs. The department filed model rules for health equity CE minimum standards on November 23, 2022, under WSR 22-23-167. Any rules developed for the commission must meet or exceed the minimum standards in the model rules in WAC 246-12-800 through 246-12-830.

The commission is proposing amending WAC 246-945-178 and 246-945-220 to implement ESSB 5229. The commission is proposing adopting the health equity model rules, WAC 246-12-800 through 246-12-830, for pharmacists and pharmacy technicians to comply with RCW 43.70.613.

The proposed rule adds one hour of health equity education every two years, coinciding with the license renewal cycles for both pharmacists and pharmacy technicians. This satisfies the minimum requirements established in the model rules, which states that two hours of health equity CE must be completed as part of the current CE requirements every four years. The proposed rule does not change total CE hours but requires two hours in health equity CE every four years which is absorbed into the existing number of CE hours required. The health equity CE requirement is counted under existing, unspecified CE requirements for the profession.

Reasons Supporting Proposal: The goal of health equity CE is to equip health care workers with the skills to recognize and reduce health inequities in their daily work. The content of health equity trainings include implicit bias trainings to identify strategies to reduce bias during assessment and diagnosis in an effort to address structural factors, such as bias, racism, and poverty, that manifests as health inequities.

Health equity CE training allows individuals to gain a foundation in health equity that can have an immediate positive impact on the professional's interaction with those receiving care. Health equity training enables health care professionals to care effectively for patients from diverse cultures, groups and communities, varying race, ethnicity, gender identity, sexuality, religion, age, ability, socioeconomic status, and other categories of identity. The health equity CE credits may be earned as part of the health professional's existing CE requirements, therefore not requiring completion of additional CE hours.

Statutory Authority for Adoption: RCW 43.70.613, 18.64.005, and 18.64A.020.

Statute Being Implemented: ESSB 5229 (chapter 276, Laws of 2021), codified as RCW 43.70.613.

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

Name of Proponent: Pharmacy quality assurance commission, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: 111 Israel Road S.E., Tumwater, WA 98501, 360-502-5058; and Enforcement: Marlee O'Neill, 111 Israel Road S.E., Tumwater, WA 98501, 360-480-9108.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Joshua Munroe, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-502-5058, fax 360-236-2901, TTY 711, email PharmacyRules@doh.wa.gov.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(4).

Scope of exemption for rule proposal:

Is fully exempt.

July 27, 2023 Ken Kenyon, PharmD, MBA, Chair Pharmacy Quality Assurance Commission

OTS-4710.1

AMENDATORY SECTION (Amending WSR 21-04-145, filed 2/3/21, effective 12/1/21)

WAC 246-945-178 Pharmacist continuing education. (1) As part of the process to renew a pharmacist license, a pharmacist shall complete ((CPE)) <u>continuing education</u> in compliance with this section.

(2) A pharmacist shall complete the equivalent of ((3.0 of CPE))hours (equal to thirty contact hours) administered by an ACPE accredited provider each license renewal cycle)) 30 hours of continuing education each license renewal cycle. The 30 hours of continuing education must be delivered by a continuing education provider accredited by ACPE, except as provided for in subsections (4) and (5) of this section.

(3) A pharmacist shall register with a program designated by the commission for tracking completed CPE hours.

(4) A pharmacist shall complete a one-time training in suicide screening and referral by the end of the first full renewal cycle after initial licensure. The training must meet the following requirements:

(a) Be at least three hours long;

(b) Be from the ((department of health's)) department's model list of approved suicide prevention training programs, and include content related to imminent harm via lethal means; and

(c) The hours spent completing the training in this subsection may count toward meeting CPE requirements.

(5) ((CPE)) A pharmacist shall complete at least one hour of health equity training as described in WAC 246-12-830 each license renewal cycle.

(a) Health equity training may be provided by a continuing education provider accredited by ACPE or by a health equity training program contained on the department's list of approved health equity training programs.

(b) The hours spent completing health equity training will count toward meeting continuing education requirements.

(6) Continuing education hours cannot be carried over to the next renewal cycle.

[Statutory Authority: RCW 18.64.005 and 18.64A.020. WSR 21-04-145, § 246-945-178, filed 2/3/21, effective 12/1/21. Statutory Authority: RCW 18.64.005, 18.64.080, 18.130.075, 18.64.043, 18.64.044, 18.64.045, 18.64.046, 18.64.370, 18.64.460, 69.50.310, 18.64.011, 18.64.245, 18.64.470, 18.64.255, 18.64.205, 18.64.253, 18.64.410, 18.64.500, 18.64.590. WSR 20-12-072, § 246-945-178, filed 6/1/20, effective 3/1/21.1

AMENDATORY SECTION (Amending WSR 21-04-145, filed 2/3/21, effective 12/1/21)

WAC 246-945-220 Pharmacy technician—Continuing education. (1) As part of the process to renew a pharmacy technician license, a pharmacy technician shall complete continuing ((pharmacy)) education (((((CPE)))) in compliance with this section.

(2) A pharmacy technician shall complete ((2.0 CPE)) 20 hours ((equal to twenty contact hours) administered by an ACPE accredited program each certification renewal period.

(3)) of continuing education each certification renewal cycle. The 20 hours of continuing education must be presented by a continuing education provider accredited by ACPE, except as provided in subsection (3) of this section.

(3) A pharmacy technician shall complete at least one hour of health equity training as described in WAC 246-12-830 each certification renewal period.

(a) Health equity training may be provided by a continuing education provider accredited by ACPE or by a health equity training program contained on the department's list of approved health equity training programs.

(b) The hours spent completing health equity training will count toward meeting continuing education requirements.

(4) A pharmacy technician shall register with a program designated by the commission for tracking completed CPE hours.

(((4) CPE)) (5) Continuing education hours cannot be carried over to the next renewal cycle.

[Statutory Authority: RCW 18.64.005 and 18.64A.020. WSR 21-04-145, § 246-945-220, filed 2/3/21, effective 12/1/21. Statutory Authority: RCW 18.64.005, 18.64.080, 18.130.075, 18.64.043, 18.64.044, 18.64.045, 18.64.046, 18.64.370, 18.64.460, 69.50.310, 18.64.011, 18.64.245, 18.64.470, 18.64.255, 18.64.205, 18.64.253, 18.64.410, 18.64.500, 18.64.590. WSR 20-12-072, § 246-945-220, filed 6/1/20, effective 3/1/21.]