

WSR 23-23-137

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed November 17, 2023, 3:22 p.m., effective December 18, 2023]

Effective Date of Rule: Thirty-one days after filing.

Purpose: Health equity continuing education (CE) training for orthotists and prosthetists. WAC 246-850-140 Continuing competency requirements for orthotists and prosthetists. The department of health (department) is amending WAC 246-850-140 to implement ESSB 5229 (chapter 276, Laws of 2021). The department has adopted health equity model rules, WAC 246-12-800 through 246-12-830, for orthotists and prosthetists to comply with RCW 43.70.613.

RCW 43.70.613 (3)(b) directs the rule-making authority for each health profession licensed under Title 18 RCW subject to CE to adopt rules requiring a licensee to complete health equity CE training at least once every four years. The statute also directed the department to create model rules establishing minimum standards for health equity CE programs. The department adopted model rules for health equity CE minimum standards on June 6, 2023, under WSR 23-12-092. Any rules developed for orthotists and prosthetists must meet or exceed the minimum standards in the model rules found at WAC 246-12-800 through 246-12-830.

WAC 246-850-140 was amended to include at minimum two hours of CE in health equity every four years for orthotists and prosthetists. The health equity CE requirement will be added to the existing number of CE hours required for orthotists and prosthetists without changing the existing total number of required CE hours. The health equity CE requirement is counted under existing, unspecified CE requirements for the professions.

Citation of Rules Affected by this Order: Amending WAC 246-850-140.

Statutory Authority for Adoption: RCW 43.70.613, 43.70.040, 18.200.050.

Adopted under notice filed as WSR 23-12-092 on June 6, 2023.

A final cost-benefit analysis is available by contacting Rachel Phipps, P.O. Box 47852, Olympia, WA 98504-7852, phone 564-233-1277, fax 360-236-2901, TTY 711, email Rachel.phipps@doh.wa.gov, website www.doh.wa.gov.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: November 17, 2023.

Kristin Peterson, JD
Chief of Policy
for Umair A. Shah, MD, MPH
Secretary

OTS-4397.2

AMENDATORY SECTION (Amending WSR 19-09-065, filed 4/16/19, effective 5/17/19)

WAC 246-850-140 Continuing competency requirements for orthotists and prosthetists. (1) The continuing competency reporting cycle begins with the first full three-year period after initial licensure. All orthotists and prosthetists shall attest to completion of continuing competency activities every year at renewal and shall comply with ~~((chapter 246-12 WAC, Part 7))~~ WAC 246-12-170 through 246-12-240.

(2) All licensed orthotists and prosthetists shall complete continuing competency hours as follows:

(a) Licensed orthotists shall complete a minimum of ~~((forty-five))~~ 45 continuing competency hours every three years in the area of orthotics.

(b) Licensed prosthetists shall complete a minimum of ~~((forty-five))~~ 45 continuing competency hours every three years in the area of prosthetics.

(c) Individuals who are licensed as both an orthotist and as a prosthetist shall complete a minimum of ~~((sixty))~~ 60 continuing competency hours every three years.

(3) For individuals licensed in one discipline, a maximum of eighteen Category 2 continuing competency hours may be earned in any three-year reporting period.

(4) For individuals licensed in both disciplines, a maximum of ~~((twenty-four))~~ 24 Category 2 continuing competency hours may be earned in any three-year reporting period.

(5) Licensees may alternatively meet the continuing competency requirement if they hold a current certification from the American Board for Certification in Orthotics, Prosthetics and Pedorthics. The required documentation is proof of certification during the three-year cycle.

(6) Orthotists and prosthetists must complete a minimum of two hours in health equity continuing education training every four years by complying with WAC 246-12-800 through 246-12-830.

(a) Individuals licensed as both an orthotist and prosthetist only need to meet the requirements once every four years.

(b) This training must be completed by the end of the second full continuing education reporting period after January 1, 2024, or the second full continuing education reporting period after initial licensure, whichever is later.

(c) The hours spent completing health equity continuing education under this section count toward meeting applicable continuing education requirements in this section.