

WSR 24-24-083

EXPEDITED RULES

DEPARTMENT OF HEALTH

[Filed December 2, 2024, 1:50 p.m.]

Title of Rule and Other Identifying Information: Updating the definition of veteran in WAC 246-12-530 and 246-12-560. The department of health (department) is proposing changes to replace the term "honorable discharge" with "qualifying discharge."

In 2024, the Washington legislature passed 2SHB 2014 (chapter 146, Laws of 2024). This bill amended language adding the term "qualifying discharge" to various benefit programs for veterans, replacing references to "honorable discharge." This term is used in WAC 246-12-530 and 246-12-560 making amendments necessary to align rule language with statute.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: 2SHB 2014 amended the requirements for obtaining benefits as a veteran of the United States Military. The purpose of the proposed changes are to align the rule language with statute by updating rule language to include allowing a "qualifying discharge" opposed to the once required "honorable discharge" regarding licensure of military service members. Additionally, the department is making some housekeeping changes to align the rule to current department editorial standards.

Reasons Supporting Proposal: The proposed changes will align the rules with statutory changes regarding licensure of military service members. Currently as written, the rules do not reflect amendments to the use of "qualifying discharge" presented with the passage of 2SHB 2014. This rule making is needed in order to align the rules with the bill.

Statutory Authority for Adoption: RCW 43.70.280.

Statute Being Implemented: 2SHB 2014 (chapter 146, Laws of 2024).

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

Name of Proponent: Department of health, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Brandon Williams, 111 Israel Road S.E., Tumwater, WA 98501, 360-913-4643.

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

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.

Content is explicitly and specifically dictated by statute.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: The expedited rule-making process is appropriate as this amendment aligns the rules with the law that has been in effect since June of 2024.

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 Brandon Williams, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-913-4643, <https://fortress.wa.gov/doh/policyreview>, BEGINNING the date and time of this filing, AND RECEIVED BY February 3, 2025 at 11:59 p.m.

December 2, 2024
 Todd Mountin, PMP
 Deputy Chief of Policy
 for Umair A. Shah, MD, MPH
 Secretary of Health

OTS-5921.2

AMENDATORY SECTION (Amending WSR 14-10-025, filed 4/28/14, effective 5/29/14)

WAC 246-12-530 How to return to active status from military status. (1) To change the status of a credential from military status to active status, the practitioner must submit to the department:

- (a) Written notification of the change in (~~his or her~~) their service status;
- (b) An official copy of the practitioner's discharge papers (DD214);
- (c) The appropriate current active renewal fee;
- (d) The current substance abuse monitoring surcharge, if required by the profession as part of the renewal fee.

(2) The practitioner must request the military status credential be changed from military status to active status within six months of (~~honorable~~) qualifying discharge by meeting the requirements of subsection (1) of this section.

(3) A practitioner who does not comply with subsection (2) of this section will be subject to late fees as required by WAC 246-12-040.

(4) Continuing education requirements will apply after the first post-discharge renewal.

AMENDATORY SECTION (Amending WSR 14-10-025, filed 4/28/14, effective 5/29/14)

WAC 246-12-560 How to return to active status from inactive military-related status. (1) A practitioner in inactive military-related status can return (~~his or her~~) their credential to active status at any time.

(2) To change a credential from an inactive military-related status to active status the practitioner must:

- (a) Pay the appropriate current active renewal fee;
 - (b) Pay the current substance abuse monitoring surcharge, if required by the profession as part of renewal;
 - (c) Submit documentation of the service member's current service or discharge status.
- (3) If the practitioner requests a change to active status after ~~((his or her))~~ their spouse or registered domestic partner is discharged, ~~((he or she))~~ they must submit an official copy of the discharge papers (DD214) showing that ~~((his or her))~~ their spouse or registered domestic partner ~~((was honorably discharged))~~ has received a qualifying discharge within the previous six months.
- (4) The credential must be changed from inactive military-related status to active status within six months of the military personnel's ~~((honorable))~~ qualifying discharge by meeting the requirements of subsections (2) and (3) of this section.
- (5) A practitioner who does not comply with subsection (3) of this section will be subject to late fees as required by WAC 246-12-040.
- (6) After returning a credential to active status, applicable continuing education requirements will apply during the following renewal.