

## WSR 25-02-003

## PERMANENT RULES

## DEPARTMENT OF HEALTH

[Filed December 18, 2024, 12:54 p.m., effective January 18, 2025]

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

Purpose: Clarifying "culturally congruent care" in chapter 246-835 WAC, Birth doula. The department of health (department) is adopting amendments to WAC 246-835-010 and 246-835-025 to update the definition of "culturally congruent care" and to clarify education and training requirements related to "culturally congruent care."

The department is adopting amendments to the definition of the term "culturally congruent care" in WAC 246-835-010. The updated definition better reflects the practice of "culturally congruent care" for the birth doula profession and addresses concerns expressed by the doula community regarding the definition.

Adopted amendments to WAC 246-835-025 provide clarity for the training and education requirements in this section. The adopted rule separates the term "culturally congruent care" from "culturally congruent ancestral practices" and clarifies that training related to culturally congruent care fulfills the requirements in WAC 246-835-025, as well as training or experience related to culturally congruent ancestral practices.

The adopted rules are the result of consultation with interested individuals and birth doula community organizations and they are intended to more accurately reflect what is best practice in the birth doula profession. The adopted rules provide clarity, address concerns raised by interested individuals, reflect best practices, and aligns rule language with what the department has done in practice when reviewing applications and providing certifications for birth doulas.

Citation of Rules Affected by this Order: Amending WAC 246-835-010 and 246-835-025.

Statutory Authority for Adoption: RCW 18.47.030 and 18.47.800.

Adopted under notice filed as WSR 24-20-008 on September 19, 2024.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 1, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.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 2, Repealed 0.

Date Adopted: December 18, 2024.

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Secretary of Health

## OTS-5436.6

AMENDATORY SECTION (Amending WSR 23-18-048, filed 8/30/23, effective 10/1/23)

**WAC 246-835-010 Definitions.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Birth doula" or "doula" mean a state-certified birth doula under this chapter.

(2) "Culturally congruent care" means ~~((the care and respect towards families to uphold their cultural practices around birth as the duty of the doula regardless of their identity, as well as assisting families in accessing other doulas from the same background))~~ respecting and upholding a client's cultural practices around birth, regardless of one's own cultural identity. Culturally congruent care includes a birth doula's responsibility to use community resources and networks to help families access other doulas from the same background, religion, culture, and community as ((them)) the client.

(3) "Department" means the department of health.

(4) "Postpartum" means the 12-month period beginning on the last day of pregnancy.

(5) "Secretary" means the secretary of the department of health.

AMENDATORY SECTION (Amending WSR 23-18-048, filed 8/30/23, effective 10/1/23)

**WAC 246-835-025 Culturally congruent ancestral practices, training, and education.** (1) To apply for a birth doula certification, an applicant shall ~~((complete))~~ demonstrate knowledge of culturally congruent ancestral practices, training, and education that ~~((demonstrates learned familiarity with clients' cultural practices using culturally congruent care related to birth in client communities where the doula may practice. Such))~~ upholds culturally congruent care as defined in WAC 246-835-010(2).

(2) Culturally congruent ancestral training or experience may include, but is not limited to:

~~((a))~~ ~~((Multicultural, ancestral and culturally congruent care; such as, but not limited to, rebozo use, belly binding, placenta burial, placenta encapsulation, cord burning, lotus birth, development of intuition;~~

~~((b))~~ History of obstetrics; such as erasure of granny midwives and indigenous birth work;

~~((c))~~ (b) Trauma-informed care;

~~((d))~~ (c) Social determinants of health ~~((and));~~

(d) Adverse childhood experiences; or

(e) Other training and education that enhances the applicant's knowledge of culturally congruent care or culturally congruent ancestral practices, training, and education.

~~((2))~~ (3) Documentation of completion must include:

(a) An attestation that they have successfully completed a training or have experience in one of the categories in subsection ~~((1))~~ (2) of this section; or

(b) A certificate of completion from a relevant training that lists the applicant's name.