

WSR 22-04-085

PROPOSED RULES

DEPARTMENT OF HEALTH

(Veterinary Board of Governors)

[Filed January 31, 2022, 11:25 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 21-09-005.

Title of Rule and Other Identifying Information: WAC 246-933-250, 246-933-285, 246-933-435, 246-935-130, 246-935-305, and 246-937-080. The veterinary board of governors (board) is amending, repealing, and adding new sections to address suicide prevention education and HIV/AIDS education requirements for veterinarians, veterinary technicians, and veterinary medication clerks. In response to ESHB 1551 (chapter 76, Laws of 2020), the board is proposing to amend and repeal certain sections to remove HIV/AIDS prevention education. The board is proposing to add new sections to chapters 246-933 and 246-935 WAC regarding continuing education for suicide education and training for veterinarians and veterinary technicians to implement ESHB 2411 (chapter 229, Laws of 2020).

Hearing Location(s): On March 21, 2022, at 10:00 a.m. In response to the coronavirus disease 2019 (COVID-19) public health emergency, the veterinary board of governors will not provide a physical location for this hearing to promote social distancing and the safety of the citizens of Washington state. A virtual public hearing, without a physical meeting space, will be held instead. Webinar only, link [https://teams.microsoft.com/l/meetup-join/19%3ameeting_YTEyODJlNDMtNzNhYi00MzExLWI5OTEtYzUwOWMxY2I4YjJk%40thread.v2/0?](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YTEyODJlNDMtNzNhYi00MzExLWI5OTEtYzUwOWMxY2I4YjJk%40thread.v2/0?context=%7b%22Tid%22%3a%2211d0e217-264e-400a-8ba0-57dcc127d72d%22%2c%220id%22%3a%2295c5f170-86f5-4879-9127-4be26eb17467%22%7d, phone 564-999-2000, Access Code 110 275 481#)

context=%7b%22Tid%22%3a%2211d0e217-264e-400a-8ba0-57dcc127d72d%22%2c%220id%22%3a%2295c5f170-86f5-4879-9127-4be26eb17467%22%7d, phone 564-999-2000, Access Code 110 275 481#.

Date of Intended Adoption: March 21, 2022.

Submit Written Comments to: Lorelei Walker, Program Manager, Department of Health, Veterinary Board of Governors, P.O. Box 47852, Olympia, WA 98504-7852, email <https://fortress.wa.gov/doh/policyreview>, fax 360-236-2901, by March 14, 2022.

Assistance for Persons with Disabilities: Contact Lorelei Walker, phone 360-236-4947, fax 360-236-2901, TTY 711, email loralei.walker@doh.wa.gov, by March 14, 2022.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed rule is in response to the statutory changes created by ESHB 2411 and codified in RCW 18.29.280. The legislation requires veterinarians and veterinary technicians to take a one-time, three-hour training in suicide prevention. The proposed rules create new sections of rule for licensed veterinarians and retired active licensed veterinarians (WAC 246-933-435) and licensed veterinary technicians and retired active licensed veterinary technicians (WAC 246-935-305). The proposed rules mirror the requirements from the statute including: That required training must be board-approved, completed only once and at least three hours in length; when it must be completed by; and that the hours may count toward existing required continuing education (CE) hours. The proposed rule clarifies that training completed between June 11, 2020, and June 30, 2022, that meets the requirements of the board-approved training exempts any veterinarian or veterinary technician from the requirements of completing suicide training after July 1, 2022.

Further statutory changes by ESHB 1551 removes the requirement for health care practitioners to take HIV/AIDS training. The proposed rule repeals requirements for veterinary licensees to complete AIDS education and training in support of ESHB 1551. New veterinary, veterinary technician, and veterinary medication clerk licensees would no longer need to take this specific training as a condition of licensure.

Reasons Supporting Proposal: The suicide training and education requirements proposed in this new rule mirrors the requirements in statute and keep all the required CE requirements together in rule. The proposed rules clarify the training that is allowed for exemption. The intent of the training is to increase veterinarians' knowledge and understanding of suicidal ideation and better prepare licensees for when they encounter suicidal patients. The board is proposing to no longer require AIDS education and training in rule in support of ESHB 1551 and reducing stigma towards people living with HIV/AIDS.

Statutory Authority for Adoption: RCW 18.92.030.

Statute Being Implemented: ESHB 2411 (chapter 229, Laws of 2020) codified in part in RCW 18.92.280; and ESHB 1551 (chapter 76, Laws of 2020).

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

Name of Proponent: Department of health, veterinary board of governors, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Lorelei Walker, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-4947.

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

A cost-benefit analysis is not required under RCW 34.05.328. The agency did not complete a cost-benefit analysis under RCW 34.05.328. The proposed rules are exempt under: RCW 34.05.328 (5)(b)(iii), incorporation by reference; RCW 34.05.328 (b)(4), correct or clarifying language; and RCW 34.05.328 (b)(v), dictated by statute.

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(3) as the rules are adopting or incorporating 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; rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect; and rule content is explicitly and specifically dictated by statute.

January 31, 2022
Aja Senestraro, DVM, Chair
Veterinary Board of Governors

OTS-3464.2

AMENDATORY SECTION (Amending WSR 19-23-007, filed 11/6/19, effective 12/7/19)

WAC 246-933-250 Examination and licensure requirements. To qualify for licensure in this state, a candidate must:

- (1) Successfully complete either the North American Veterinary Licensing Examination (NAVLE) or the National Board Examination for Veterinary Medical Licensing (NBE); ~~((and))~~
- (2) Successfully complete the Washington state jurisprudence examination; and
- (3) Be a graduate of a program that is accredited by the American Veterinary Medical Association. A person who is a graduate of a college of veterinary medicine not accredited by the American Veterinary Medical Association must:
 - (a) Successfully complete the American Veterinary Medical Association's Educational Commission for Foreign Veterinary Graduates program (ECFVG); or
 - (b) Successfully complete the American Association of Veterinary State Board's Program for the Assessment of Veterinary Education Equivalence (PAVE) ~~((; and~~

~~(4) Complete four clock hours of AIDS education as required in chapter 246-12 WAC, Part 8).~~

[Statutory Authority: RCW 18.92.030. WSR 19-23-007, § 246-933-250, filed 11/6/19, effective 12/7/19; WSR 07-20-036, § 246-933-250, filed 9/25/07, effective 10/26/07; WSR 01-02-066, § 246-933-250, filed 12/29/00, effective 1/29/01; WSR 92-17-076 (Order 299B), § 246-933-250, filed 8/19/92, effective 9/19/92; WSR 92-03-074 (Order 235B), § 246-933-250, filed 1/14/92, effective 2/14/92; WSR 91-02-060 (Order 108B), recodified as § 246-933-250, filed 12/28/90, effective 1/31/91; WSR 88-08-033 (Order PM 719), § 308-151-080, filed 4/1/88; WSR 85-03-085 (Order PL 509), § 308-151-080, filed 1/18/85. Statutory Authority: RCW 18.92.030 and 18.92.070. WSR 83-07-050 (Order PL 429), § 308-151-080, filed 3/18/83. Statutory Authority: RCW 18.92.030. WSR 80-05-032 (Order 340), § 308-151-080, filed 4/15/80.]

NEW SECTION

WAC 246-933-435 Veterinarian suicide prevention education. A licensed veterinarian or a retired active licensed veterinarian shall complete a board-approved, one-time training in suicide prevention that is at least three hours in length. Training must include suicide awareness and prevention, mental health and well-being, and imminent harm by lethal means.

(1) This training must be completed by the end of the first full continuing education reporting period after July 1, 2022, or during the first full continuing education reporting period after initial licensure, whichever is later.

(2) The board accepts only courses that are listed on the board's website.

(3) Training completed between June 11, 2020, and June 30, 2022, that meets the requirements of subsection (2) of this section, is accepted as meeting the one-time training requirement of this section.

(4) The hours spent completing the training in suicide prevention under this section count toward meeting applicable continuing education requirements for veterinarian license renewal.

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REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-933-285 HIV/AIDS prevention and information
education requirements.

OTS-3463.2

NEW SECTION

WAC 246-935-305 Veterinary technician suicide prevention education. A licensed veterinary technician or a retired active licensed veterinary technician shall complete a board-approved, one-time training in suicide prevention that is at least three hours in length. Training must include suicide awareness and prevention, mental health and well-being, and imminent harm by lethal means.

(1) This training must be completed by the end of the first full continuing education reporting period after July 1, 2022, or during the first full continuing education reporting period after initial licensure, whichever is later.

(2) The board accepts only courses that are listed on the board's website.

(3) Training completed between June 11, 2020, and June 30, 2022, that meets the requirements of subsection (2) of this section, is accepted as meeting the one-time training requirement of this section.

(4) The hours spent completing the training in suicide prevention under this section count toward meeting applicable continuing education requirements for veterinary technician license renewal.

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REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-935-130 AIDS prevention and information
education requirements.

OTS-3498.1

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-937-080 HIV/AIDS prevention and information
education requirements.