

WSR 22-11-009

EXPEDITED RULES

DEPARTMENT OF HEALTH

(Examining Board of Psychology)

[Filed May 6, 2022, 1:10 p.m.]

Title of Rule and Other Identifying Information: WAC 246-924-493 Probationary licensure requirements for psychologists. The examining board of psychology (board) is proposing a permanent amendment to remove an obsolete requirement for AIDS education, which is referenced in a repealed rule. This amendment is consistent with the repeal of statutory authority for AIDS education trainings by ESHB 1551 (chapter 76, Laws of 2020).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of the proposed amendment to WAC 246-924-493 is to align the rule with statutory amendments under ESHB 1551, which repealed the statutory requirement for health care professionals to complete AIDS education and training. Currently, WAC 246-924-493 requires out-of-state applicants to complete AIDS education under WAC 246-924-110, a rule which was repealed pursuant to ESHB 1551 under WSR 21-09-031 on April 12, 2021. Removing this requirement from WAC 246-924-493 will remove the obsolete reference to WAC 246-924-110, align the rule with statute, and complete the board's implementation of ESHB 1551.

Reasons Supporting Proposal: The current language of WAC 246-924-493 conflicts with statutory amendments made by ESHB 1551 and subsequent rule amendments to chapter 246-924 WAC made under WSR 21-09-031. Amending WAC 246-924-493 by expedited rule making to remove the obsolete requirement for AIDS education and training will align the rule with statute and the rest of chapter 246-924 WAC. Additionally, this amendment will provide clarity on licensure requirements for applicants seeking probationary licensure by the board.

Statutory Authority for Adoption: RCW 18.83.050.

Statute Being Implemented: ESHB 1551 (chapter 76, Laws of 2020).

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

Name of Proponent: Examining board of psychology, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Stacey Saunders, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-2813.

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

The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: The statutory authority for the rule requirement has been repealed. The proposed rule language will align with amendments made by ESHB 1551.

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 Stacey Saun-

ders, Department of Health, Office of Health Professions, P.O. Box 47850, Olympia, WA 98504, phone 360-236-2991, email <https://fortress.wa.gov/doh/policyreview>, AND RECEIVED BY July 18, 2022.

May 5, 2022
Florence Katz Burstein, Chair
Examining Board of Psychology

OTS-3685.1

AMENDATORY SECTION (Amending WSR 20-12-076, filed 6/1/20, effective 7/2/20)

WAC 246-924-493 Probationary license. (1) The department shall issue a probationary license to out-of-state applicants seeking licensure in Washington state as a psychologist according to the conditions and restrictions of the reciprocity program established in RCW 18.83.170 and this chapter.

(2) The out-of-state license must be from a state or territory identified on a list published by the department as eligible for reciprocity for the purposes of a probationary license for the practice of psychology.

(3) An initial probationary license is valid for one year. To receive an initial probationary license, an applicant must submit to the department a completed application to include:

- (a) Verification of their out-of-state license;
- (b) Proof of passing the jurisprudence exam according to WAC 246-924-070; and
- (c) The fee according to WAC 246-924-990.

(4) A probationary license may be renewed a single time and is valid for one year after the date of renewal. To renew a probationary license, an applicant must submit to the department a completed application to include:

- (a) Completion of four hours of education in ethics according to WAC 246-924-240;
- (b) Training in suicide assessment, treatment, and management according to WAC 246-924-990; and
- (c) ~~((AIDS education according to WAC 246-924-110; and~~
- ~~(d))~~ The fee according to WAC 246-924-990.

(5) Continuing education. With the exception of the requirements in subsection (4) of this section, continuing education requirements will apply once a probationary licensee transitions to a full license.

(6) Supervised experience. If it is determined additional supervised experience is required for full licensure, the supervised experience hours must meet the requirements for postdoctoral supervised experience in WAC 246-924-059.

[Statutory Authority: 2019 c 351, 2019 c 444 and RCW 18.83.050. WSR 20-12-076, § 246-924-493, filed 6/1/20, effective 7/2/20.]