

WSR 23-10-066

PROPOSED RULES

DEPARTMENT OF HEALTH

[Filed May 2, 2023, 11:50 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-02-019.

Title of Rule and Other Identifying Information: WAC 246-803-425 Acupuncture and Eastern medicine practitioner health equity continuing education training requirements. The department of health (department) is proposing new WAC 246-803-425 to establish health equity continuing education (CE) to implement ESSB 5229 (chapter 276, Laws of 2021).

Hearing Location(s): On July 14, 2023, at 1:00 p.m. The department will hold a virtual only hearing. Register in advance for this webinar https://us02web.zoom.us/webinar/register/WN_0ceYD3dgQ6GvpMlNUk1xVg. After registering, you will receive a confirmation email containing information about joining the webinar.

Date of Intended Adoption: July 21, 2023.

Submit Written Comments to: Vicki Brown, P.O. Box [47852], Olympia, WA [98504-]7852, email vicki.brown@doh.wa.gov, fax 360-236-2901, by July 14, 2023.

Assistance for Persons with Disabilities: Contact Vicki Brown, phone 360-236-4865, fax 360-236-2901, TTY 711, email vicki.brown@doh.wa.gov, by June 30, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: RCW 43.70.613 (3)(b) directs the rule-making authority for each health profession under Title 18 RCW that is subject to CE to adopt rules requiring a licensee to complete health equity CE training at least once every four years. The statute also directs the department to create model rules establishing minimum standards for health equity CE programs. The department filed model rules for health equity CE minimum standards on November 23, 2022, under WSR 22-23-167. Any rules developed for the acupuncture and Eastern medicine practitioners must meet or exceed the minimum standards in the model rules in WAC 246-12-800 through 246-12-830.

The department is proposing new WAC 246-803-425 to implement ESSB 5229 requiring health equity CE. The department is proposing adopting health equity model rules, WAC 246-12-800 through 246-12-830, for acupuncturists or acupuncture and Eastern medicine practitioners to comply with RCW 43.70.613. The proposed rule adds two hours of health equity education to be completed as part of the current CE requirements every four years.

The proposed rule does not change total CE hours but requires two hours in health equity CE every four years which is absorbed into the existing number of CE hours required. The health equity CE requirement is counted under existing, unspecified CE requirements for the profession.

Reasons Supporting Proposal: The goal of health equity CE is to equip health care workers with the skills to recognize and reduce health inequities in their daily work. The content of health equity trainings includes implicit bias training to identify strategies to reduce bias during assessment and diagnosis in an effort to address structural factors, such as bias, racism, and poverty, that manifest as health inequities.

Two hours of training allows individuals to gain a foundation in health equity that can have an immediate positive impact on the professional's interaction with those receiving care. Health equity

training enables health care professionals to care effectively for patients from diverse cultures, groups, and communities, varying race, ethnicity, gender identity, sexuality, religion, age, ability, socioeconomic status, and other categories of identity. The two hours of health equity CE credits may be earned as part of the health professional's existing CE requirements, therefore not requiring completion of additional CE hours.

Statutory Authority for Adoption: RCW 18.06.160, 43.70.040, 43.70.613, 18.130.040.

Statute Being Implemented: RCW 43.70.613.

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

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: None.

Name of Proponent: Department of health, acupuncture and Eastern medicine advisory committee, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Vicki Brown, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-4865.

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

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Vicki Brown, Program Manager, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4865, fax 360-236-2901, TTY 711, email vicki.brown@doh.wa.gov.

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(4).

Scope of exemption for rule proposal:

Is fully exempt.

May 2, 2023
 Kristin Peterson, JD
 Chief of Policy
 for Umair A. Shah, MD, MPH
 Secretary

OTS-4402.1

NEW SECTION

WAC 246-803-425 Health equity continuing education training requirements. (1) A licensed acupuncturist or acupuncture and Eastern medicine practitioner, must complete two hours of health equity continuing education training every four years as described in WAC 246-12-800 through 246-12-830.

(2) The two hours of health equity continuing education a licensed acupuncturist or acupuncture and Eastern medicine practitioner completes counts toward meeting the applicable continuing education requirements under WAC 246-803-420.

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