

WSR 23-14-113
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
[Filed July 5, 2023, 9:10 a.m.]

Subject of Possible Rule Making: Establishing licensing standards for the new behavioral health support specialist (BHSS) profession in Title 246 WAC. The department of health (department) is considering establishing rules for the new BHSS profession created by SSB 5189 (chapter 270, Laws of 2023). The department will consider establishing requirements for application, education, curriculum, experience, continuing education, and fees. In collaboration with partners, the University of Washington, and other interested parties, the department may also consider any other rules appropriate to establish and regulate the BHSS profession.

Statutes Authorizing the Agency to Adopt Rules on this Subject: SSB 5189 (chapter 270, Laws of 2023).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: During the 2023 legislative session, the legislature passed SSB 5189 to create the new BHSS profession, establish its scope of practice, and direct the department to collaborate with the University of Washington on rules implementing the new profession by January 1, 2025. SSB 5189 also authorizes the secretary of health to adopt any rules necessary to implement the new profession, fees, forms and procedures, certifications, examinations, continuing education, and appeal procedures. In addition to fulfilling the intent of SSB 5189, creating rules for this profession will allow the department to consistently uphold standards that protect patient safety.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department will collaborate with the University of Washington as required by SSB 5189.

Additionally, SSB 5189 directs the health care authority and office of the insurance commissioner to ensure that the services of the BHSS profession are covered by the state medicaid plan and other insurance carriers. The department will coordinate with both agencies throughout rule making.

There are also multiple professions that may supervise or interact with a BHSS, potentially including physicians under the Washington medical commission and the board of osteopathic medicine and surgery, psychologists under the examining board of psychology, and other professions. The department will invite potentially impacted professions to learn about the new BHSS credential and participate in rule making.

Process for Developing New Rule: Collaborative.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brandon Williams, P.O. Box 47850, Olympia, WA 98504-7850, phone 360-236-4611, TTY 711, email brandon.williams@doh.wa.gov, website www.doh.wa.gov.

Additional comments: Interested parties can participate in the drafting of the proposed rules. The department will be conducting rules workshops with interested parties and subject matter experts. The department will use the GovDelivery behavioral health support specialist list to inform interested parties of opportunities to provide input on proposed rule language.

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<https://public.govdelivery.com/accounts/WADOH/subscriber/new>. After signing in, please click open the box labeled "Health Systems Quality Assurance." Next, click open the box labeled "Health Professions," and then click on "Behavioral Health Support Specialist." You may also check the box next to one or more of the other professions listed to receive information related to that specific profession.

July 5, 2023
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