

WSR 23-20-114

PERMANENT RULES

DEPARTMENT OF HEALTH

(Chiropractic Quality Assurance Commission)

[Filed October 3, 2023, 4:36 p.m., effective November 3, 2023]

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

Purpose: Chiropractic health equity continuing education. The chiropractic quality assurance commission (commission) is adopting the department of health (department) health equity model rules in amended WAC 246-808-150 to implement ESSB 5229 (chapter 276, Laws of 2021). The adopted rule establishes minimum standards for chiropractors of two hours of health equity continuing education (CE) every four years. The rule as adopted does not change the total number of 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 chiropractors.

Citation of Rules Affected by this Order: Amending WAC 246-808-150.

Statutory Authority for Adoption: RCW 18.130.040 and 43.70.613.

Adopted under notice filed as WSR 23-15-083 on July 18, 2023.

A final cost-benefit analysis is available by contacting Betty J. Moe, Regulatory Analyst, Chiropractic Quality Assurance Commission, P.O. Box 47858, Olympia, WA 98504-7858, phone 360-236-2868, fax 360-236-2360, TTY 711, email cqac@doh.wa.gov, website www.doh.wa.gov.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: September 14, 2023.

Robert Nicoloff
Executive Director

OTS-4622.3

AMENDATORY SECTION (Amending WSR 17-07-096, filed 3/20/17, effective 4/20/17)

WAC 246-808-150 Commission approved continuing education. (1) A chiropractor must demonstrate completion of (~~twenty-five~~) 25 hours of continuing education each annual renewal cycle as required by RCW 18.25.070 and (~~chapter 246-12 WAC, Part 7~~) WAC 246-12-170 through

246-12-240. The required continuing education must be obtained during the period between renewals.

(2) A chiropractor must attest to completion of the continuing education requirement upon renewal. If the first renewal period is less than one full year from the date of licensure, no continuing education will be due for the first renewal period.

(3) A chiropractor in active status who resides and practices outside Washington must meet all the requirements.

(4) A chiropractor is not required to obtain prior approval of any continuing education.

(5) The commission approves the following subject material within the scope of practice for continuing chiropractic education credit:

(a) Diagnosis and treatment of the spine or extremity articulations within the scope of practice;

(b) X-ray/diagnostic imaging;

(c) Adjustive technique;

(d) Detection of a subluxation;

(e) Physical examination;

(f) Hygiene;

(g) Symptomatology;

(h) Neurology;

(i) Pathology;

(j) Orthopedics;

(k) Patient/case management, documentation, coding;

(l) Impairment within the scope of practice;

(m) CPR (not to exceed a total of four hours);

(n) Dietary and nutrition advice;

(o) Chiropractic philosophy; and

(p) Governmental regulations relevant to chiropractic and public health (not to exceed a total of ~~((twelve))~~ 12 hours).

(6) Suicide screening and referral.

(a) As part of the continuing education requirements, a chiropractor must obtain a one-time, three-hour training in suicide screening and referral from a qualified suicide prevention training program. The training must be completed during the first full reporting period after initial licensure.

~~((a))~~ (b) A qualified training program is empirically supported training in suicide screening and referral that is at least three hours in length and may be provided in one or more sessions.

~~((b))~~ (c) The hours spent completing a training program in suicide screening and referral under this section count toward meeting any applicable continuing education requirements.

~~((c) Effective July 1, 2017,)~~ (d) In order to meet the suicide screening and referral training requirements, a chiropractor must obtain the three-hour training in suicide screening and referral from a qualified suicide prevention training program identified on the department of health's model list as required under RCW 43.70.442.

~~((d))~~ (e) Nothing in this subsection is intended to expand or limit the chiropractic scope of practice.

(7) Health equity requirements.

(a) Beginning January 1, 2024, as part of the continuing education requirements, a chiropractor must complete a minimum of two hours of training in health equity every four years in accordance with WAC 246-12-800 through 246-12-830.

(b) Hours spent completing health equity continuing education under this section count toward meeting the continuing education requirement(s) for chiropractors for renewal.

(8) Subject matter not approved for continuing education credit:

(a) Subject matter not directly relating to the chiropractic clinical scope of practice; and

(b) Conduct prohibited by Washington state statutes or rules governing chiropractic practice.

~~((8))~~ (9) A chiropractor may earn a maximum of ~~((twelve))~~ 12 hours for:

(a) Completing a multimedia chiropractic education program, which includes, but is not limited to, the internet, teleseminars, employer led training, live remote webinars, and audio or video presentations.

(b) Serving as teachers or lecturers in continuing education programs approved under subsection (5) of this section. A chiropractor may receive credit on the same basis as those attending the program.

~~((9))~~ (10) The commission may randomly audit license holders for compliance. A chiropractor must provide acceptable documentation of attendance upon commission request or audit. Acceptable forms of documentation include:

(a) Transcripts;

(b) Written documentation from the course instructors;

(c) Certificate of completion indicating the name of the course, date(s) of the course, and the number of credit hours completed; or

(d) Other formal documentation which includes:

(i) Participant's name;

(ii) Course title;

(iii) Course content;

(iv) Date(s) of course;

(v) Number of credit hours completed;

(vi) Instructor's name(s); and

(vii) Signature of the program sponsor or course instructor. Multimedia courses are exempt from the signature requirement.

~~((10))~~ (11) A sponsor offering a continuing chiropractic education program does not need prior commission approval for a formal continuing education program. The number of creditable hours may be determined by counting the contact hours of instruction. A credit hour for time actually spent in a course cannot be less than ~~((fifty))~~ 50 minutes as required in ~~((chapter 246-12 WAC, Part 7))~~ WAC 246-12-220.

~~((11))~~ (12) The commission may grant exemptions or time extensions on an individual basis~~((7))~~ if a licensee fails to meet continuing education requirements due to illness, retirement, or other extenuating circumstances.

[Statutory Authority: RCW 18.25.0171, 18.130.050, 18.25.070, and 43.70.442. WSR 17-07-096, § 246-808-150, filed 3/20/17, effective 4/20/17. Statutory Authority: RCW 18.25.0171, 18.25.070, and 2014 c 71. WSR 15-07-005, § 246-808-150, filed 3/6/15, effective 4/6/15. Statutory Authority: RCW 18.25.0171 and 18.25.070. WSR 06-03-057, § 246-808-150, filed 1/11/06, effective 2/11/06. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-808-150, filed 2/13/98, effective 3/16/98. Statutory Authority: Chapter 18.25 RCW. WSR 96-16-074, § 246-808-150, filed 8/6/96, effective 9/6/96.]