

WSR 23-21-077

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed October 13, 2023, 4:38 p.m., effective November 13, 2023]

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

Purpose: Health equity continuing education (CE) for dispensing opticians. The department of health (department) amended WAC 246-824-075 to require dispensing opticians to complete two hours of health equity CE every four years. Health equity CE programs must meet the standards created in the department's model rules in WAC 246-12-800 through 246-12-830. The adopted rule does not add to the total CE hours required to renew the license.

The adopted rule implements the requirements of ESSB 5229 (chapter 276, Laws of 2021). Codified in RCW 43.70.613, the statute directed the rule-making authority for each health profession licensed under Title 18 RCW and subject to CE to adopt rules requiring a minimum of two hours of health equity CE every four years. The statute also directed the department to create the model rules establishing minimum standards for health equity CE programs, which were filed on November 23, 2022, under WSR 22-23-167.

Citation of Rules Affected by this Order: Amending WAC 246-824-075.

Statutory Authority for Adoption: RCW 18.34.120, 18.130.040, 43.70.040, and 43.70.613.

Adopted under notice filed as WSR 23-12-063 on June 2, 2023.

A final cost-benefit analysis is available by contacting Kristina Bell, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4841, fax 360-236-2901, TTY 711, email kristina.bell@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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.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: October 13, 2023.

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

OTS-4393.2

AMENDATORY SECTION (Amending WSR 15-07-006, filed 3/6/15, effective 4/6/15)

**WAC 246-824-075 Continuing education requirements for dispensing opticians.** Purpose and scope. The purpose of continuing education is to ensure the continued high quality of services provided by licensed dispensing opticians. Continuing education consists of programs of learning which contribute directly to the advancement or enhancement of skills in the field of opticianry, designed to keep the licensed dispensing opticians informed of current and forecasted developments in a rapidly changing field.

(1) Basic requirements. Licensed dispensing opticians whose three-year continuing education reporting cycle begins on or after June 1, 2015, must complete ~~((thirty))~~ 30 hours of continuing education every three years ~~((as required in chapter 246-12 WAC, Part 7))~~ according to the requirements in WAC 246-12-170 through 246-12-240. Of the ~~((thirty))~~ 30 hours every three years:

(a) A minimum of five hours must be completed in each of the three years;

(b) At least ~~((fifteen))~~ 15 of the credit hours must relate to contact lenses.

(2) Approved continuing education courses may be completed through the following methods or activities:

(a) Attendance at a local state or national program;

(b) Self-study through distance learning;

(c) Electronically through webinar or video presentations.

(3) Courses offered by the following organizations are presumed to qualify as continuing education courses. The secretary reserves the right to refuse to accept credits in any course if the secretary determines that the course did not provide information sufficient in amount or relevancy to opticianry:

(a) American Board of Opticianry;

(b) National Academy of Opticianry;

(c) Optical Laboratories Association;

(d) National Contact Lens Examiners;

(e) Contact Lens Society of America;

(f) Opticians Association of Washington;

(g) Joint Commission of Allied Health

Personnel in Ophthalmology;

(h) Council on Optometric Practitioner Education;

(i) Opticianry colleges or universities approved by the secretary;

(j) Speakers sponsored by any of the above organizations;

(k) Any state or national opticianry association; and

(l) Additional qualifying organizations or associations as approved by the secretary.

(4) Dispensing opticians must complete a minimum of two hours in health equity continuing education training every four years by complying with WAC 246-12-800 through 246-12-830.

(a) This training must be completed by the end of the second full continuing education reporting period after January 1, 2024, or the second full continuing education reporting period after initial licensure, whichever is later.

(b) The hours spent completing health equity continuing education under this section count toward meeting applicable continuing education requirements in this section.

[Statutory Authority: RCW 18.34.120. WSR 15-07-006, § 246-824-075, filed 3/6/15, effective 4/6/15; WSR 09-07-023, § 246-824-075, filed 3/6/09, effective 4/6/09. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-824-075, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 43.17.060 and 18.130.070. WSR 91-09-024 (Order 155), § 246-824-075, filed 4/10/91, effective 5/11/91.]