

WSR 23-22-066

PERMANENT RULES

DEPARTMENT OF HEALTH

(Board of Optometry)

[Filed October 25, 2023, 11:22 a.m., effective November 25, 2023]

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

Purpose: Health equity continuing education (CE) for optometrists. The board of optometry (board) adopted WAC 246-851-225, a new section requiring two hours of health equity CE every four years for licensed optometrists. Health equity CE programs must meet the standards created in the department of health (department) 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: New WAC 246-851-225.

Statutory Authority for Adoption: RCW 18.54.070, 43.70.040, 43.70.613, and 18.130.040.

Adopted under notice filed as WSR 23-16-120 on August 1, 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 0, Repealed 0.

Date Adopted: September 8, 2023.

Keren Yang, Optometrist, Vice Chair
Board of Optometry

OTS-4448.1

NEW SECTION

WAC 246-851-225 Optometrist health equity continuing education training requirements. (1) Optometrists 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.

(2) 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.

(3) The hours spent completing health equity continuing education under this section count toward meeting applicable continuing education requirements for optometrist license renewal.

(4) The board may randomly audit up to 25 percent of licensed optometrists every two years for compliance after the license is renewed as allowed by WAC 246-12-190.