

WSR 21-07-090

PROPOSED RULES

DEPARTMENT OF HEALTH

(Board of Optometry)

[Filed March 19, 2021, 9:01 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 20-17-025.

Title of Rule and Other Identifying Information: Chapter 246-851 WAC, Optometrists, the board of optometry (board) is proposing to create a new section, WAC 246-851-245, for suicide prevention education and repeal WAC 246-851-430 AIDS prevention education requirements. The proposed rule requires optometrists to take a one-time, three-hour training in suicide assessment and removes references to AIDS education and training in response to ESHB 1551, chapter 76, Laws of 2020.

Hearing Location(s): On May 3, 2021, at 10:00 a.m. In response to the coronavirus disease 2019 (COVID-19) public health emergency, the board of optometry will not provide a physical location for this hearing to promote social distancing and the safety of the citizens of Washington state. A virtual public hearing, without a physical meeting space, will be held instead. Webinar only, link <https://www.gotomeet.me/LoraleiWalker>, phone 312-757-3121, Access Code 564-442-941.

Date of Intended Adoption: May 3, 2021.

Submit Written Comments to: Lorelei Walker, Program Manager, Department of Health, Board of Optometry, P.O. Box 47852, Olympia, WA 98504-7852, email <https://fortress.wa.gov/doh/policyreview>, fax 360-236-2901, by April 26, 2021.

Assistance for Persons with Disabilities: Contact Lorelei Walker, phone 360-236-4947, TTY 711, email loralei.walker@doh.wa.gov, by April 26, 2021.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed rule implements ESHB 2411 (chapter 229, Laws of 2020) codified in RCW 43.70.442. The law amended RCW 43.70.442 adding optometrists to the list of professionals required to complete a one-time continuing education course in suicide prevention. The proposed rule requires optometrists to take a one-time, three-hour training in suicide assessment.

ESHB 1551, (chapter 76, Laws of 2020) removes the requirement for healthcare practitioners to take AIDS training. The proposed rule repeals requirements for licensed optometrist[s] to complete AIDS education and training in support of ESHB 1551. New optometry licensees would no longer need to take this training as a condition of licensure.

Reasons Supporting Proposal: The suicide training and education requirements proposed in this new rule would increase optometrists' knowledge and understanding of suicidal ideation and better prepare optometrists when they encounter suicidal patients. The board is proposing to no longer require AIDS education and training in rule in support of ESHB 1551 and reducing stigma towards people living with AIDS.

Statutory Authority for Adoption: RCW 18.54.070; ESHB 1551 (chapter 76, Laws of 2020); ESHB 2411 (chapter 229, Laws of 2020).

Statute Being Implemented: ESHB 1551 (chapter 76, Laws of 2020); ESHB 2411 (chapter 229, Laws of 2020).

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

Name of Proponent: Department of health, board of optometry, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Lorelei Walker, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-4947.

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 Lorelei Walker, Department of Health, Board of Optometry, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4947, fax 360-236-2901, TTY 711, email lorelei.walker@doh.wa.gov.

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how costs were calculated. The proposed rule applies to credentialed providers and does not impose requirements on businesses.

March 19, 2021
William Prothero, OD, Chair
Board of Optometry

OTS-2817.3

NEW SECTION

WAC 246-851-245 Optometrist suicide prevention education. A licensed optometrist or a retired active licensed optometrist shall complete a board-approved, one-time training in suicide prevention that is at least three hours in length. Training must include screening and referral.

(1) This training must be completed by the end of the first full continuing education reporting period after August 1, 2021, or during the first full continuing education reporting period after initial licensure, whichever is later.

(2) Training accepted by the board must be on the department's model list as authorized in WAC 246-12-601 through 246-12-650.

(3) Training completed between June 11, 2020, and August 1, 2021, that meets the requirements of subsection (2) of this section, is accepted as meeting the one-time training requirement of this section.

(4) The hours spent completing the training in suicide assessment under this section count toward meeting applicable continuing education requirements for optometrist license renewal.

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REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-851-430

AIDS prevention and information
education requirements.