

WSR 22-12-057

PROPOSED RULES

HEALTH CARE AUTHORITY

[Filed May 26, 2022, 1:54 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 22-08-055.

Title of Rule and Other Identifying Information: Family initiated treatment (FIT) - Appropriately trained professional person, WAC 182-130-0100.

Hearing Location(s): On July 5, 2022, at 10:00 a.m. In response to the coronavirus disease 2019 (COVID-19) public health emergency, the health care authority (HCA) continues to hold public hearings virtually without a physical meeting place. This promotes social distancing and the safety of the residents of Washington state. To attend the virtual public hearing, you must register in advance https://us02web.zoom.us/webinar/register/WN_WTXFmGytRneqXTKRdsCGcA. If the link above opens with an error message, please try using a different browser. After registering, you will receive a confirmation email containing information about joining the public hearing.

Date of Intended Adoption: Not sooner than July 6, 2022.

Submit Written Comments to: HCA Rules Coordinator, P.O. Box 42716, Olympia, WA 98504-2716, email arc@hca.wa.gov, fax 360-586-9727, by July 5, 2022, by 11:59 p.m.

Assistance for Persons with Disabilities: Contact Johanna Larson, phone 360-725-1349, fax 360-586-9727, telecommunication[s] relay service 711, email Johanna.larson@hca.wa.gov, by June 17, 2022.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The authority is amending these rules to fix an error in the final CR-103P rule text filed under WSR 21-18-058. The agency held a public hearing and agreed to a request from the hearing to add psychiatric advanced registered nurse practitioners to the definition of appropriately trained person in addition to other housekeeping changes. The authority agreed, however, the final rule text filed under WSR 21-18-058, effective September 26, 2021, inadvertently did not include the addition of psychiatric advanced registered nurse practitioners or the other housekeeping fixes.

Reasons Supporting Proposal: See purpose.

Statutory Authority for Adoption: RCW 71.34.670, 41.05.021, 41.05.160.

Statute Being Implemented: RCW 71.34.670, 41.05.021, 41.05.160.

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

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Not applicable.

Name of Proponent: HCA, governmental.

Name of Agency Personnel Responsible for Drafting: Valerie Freudenstein, P.O. Box 42716, Olympia, WA 98504-2716, 360-725-1344; Implementation and Enforcement: Enos Mbajah, P.O. Box 55056, Olympia, WA 98504-5056, 360-725-1879.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. RCW 34.05.328 does not apply to HCA rules unless requested by the joint administrative rules review committee or applied voluntarily.

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 does not impose a disproportionate cost impact on businesses.

May 26, 2022
Wendy Barcus
Rules Coordinator

OTS-3800.1

AMENDATORY SECTION (Amending WSR 21-18-058, filed 8/26/21, effective 9/26/21)

WAC 182-130-0100 Family initiated treatment (FIT)—Appropriately trained professional person. (1) An appropriately trained professional person means a psychiatrist, psychologist, psychiatric nurse, social worker, licensed marriage and family therapist, licensed mental health counselor, psychiatric advanced registered nurse practitioner, and other mental health professionals as defined by the department of health under chapter 71.05 RCW.

(2) An appropriately trained professional person can also be a substance use disorder professional, or those who hold co-occurring substance use disorder and mental health credentials as defined by the department of health under chapter 18.205 RCW.

(3) The professional person evaluating for purposes of admission or outpatient treatment for a mental health disorder must hold mental health or co-occurring credentials.

(4) The professional person evaluating for purposes of admission or outpatient treatment for a substance use disorder must hold substance use disorder or co-occurring credentials.

[Statutory Authority: RCW 71.34.670, 41.05.021 and 41.05.160. WSR 21-18-058, § 182-130-0100, filed 8/26/21, effective 9/26/21.]