

WSR 23-15-083

PROPOSED RULES

DEPARTMENT OF HEALTH

(Chiropractic Quality Assurance Commission)

[Filed July 18, 2023, 7:50 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 22-22-088.

Title of Rule and Other Identifying Information: Health equity continuing education (CE) for chiropractors in WAC 246-808-150. The chiropractic quality assurance commission (commission) is proposing amendments to the current rule to establish health equity CE requirements to implement ESSB 5229, and other housekeeping changes.

Hearing Location(s): On September 14, 2023, at 9:20 a.m., at Department of Labor and Industries, 7273 Linderson Way S.W., Tumwater, WA 98501; or virtually using Microsoft Teams. Join on your computer, mobile app, or room device [Date of Intended Adoption: September 14, 2023.](https://gcc02.safelinks.protection.outlook.com/ap/t-59584e83/?url=https%3A%2F%2Fteams.microsoft.com%2F1%2Fmeetup-join%2F19%253ameeting_NmU5ZTI4NjMtYjJjMC00ZGZiLTk3NzctNzFjYjc4YTYzNWUy%2540thread.v%2F0%3Fcontext%3D%257b%2522Tid%2522%253a%252211d0e217-264e-400a-8ba0-57dcc127d72d%2522%252c%2522Oid%2522%253a%2522842fd80d-c544-49c8-bc06-392ac3b3c17b%2522%257d&data=05%7C01%7Cbetty.moe%40doh.wa.gov%7Cf8c9d952792a466997ea08db5c17dcf3%7C11d0e217264e400a8ba057dcc127d72d%7C0%7C0%7C638205029779058862%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6IklhaWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=JGRyt1qq8R0pkthharSxUcjLwrGegPSa8EkCDxzX0U8%3D&reserved=0, Meeting ID 278 840 993 215, Passcode hoLV9W, or call in (audio only) +1 564-999-2000,,228461156# United States, Olympia, Phone Conference ID 228 461 156#. This meeting will be held as a hybrid meeting option.</p></div>
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Submit Written Comments to: Betty J. Moe, Regulatory Analyst, P.O. Box 47858, Olympia, WA 98504-7858, email [Betty.Moe@doh.wa.gov](mailto:Betty.Moe@doh.wa.gov), [cqac@doh.wa.gov](mailto:cqac@doh.wa.gov), by September 7, 2023.

Assistance for Persons with Disabilities: Contact Betty J. Moe, phone 360-236-2868, TTY 711, email [cqac@doh.wa.gov](mailto:cqac@doh.wa.gov), by August 31, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: RCW 43.70.613 (3)(b) directs the rule-making authority for each health profession licensed under Title 18 RCW that is subject to CE to adopt rules requiring a licensee to complete health equity CE training at least once every four years. The statute also directs the department of health (department) to create model rules establishing the minimum standards for health equity CE programs. The department filed model rules for health equity CE minimum standards on November 23, 2022, under WSR 22-23-167. Any rules developed for the commission must meet or exceed the minimum standards in the model rules in WAC 246-12-800 through 246-12-830.

The commission is proposing amendments to WAC 246-808-150 to implement ESSB 5229. The commission is proposing adopting the health equity model rules, WAC 246-12-800 through 246-12-830, for chiropractors to comply with RCW 43.70.613.

The proposed rule adds two hours of health equity education, as required in the model rules, to be completed as part of the current CE requirements every four years. The proposed rule does not change total 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 the profession.

In addition to the adoption of the model rules, housekeeping has been completed throughout the rule. These updates were necessary for consistency throughout the rule section. As part of the housekeeping changes, the proposed rule language adds "live-remote webinars" to the list of multimedia chiropractic education programs. This list is not a comprehensive list; this language was added for clarity, without changing the requirements of the rule.

Reasons Supporting Proposal: The goal of health equity CE is to equip health care workers with the skills to recognize and reduce health inequities in their daily work. The content of health equity trainings include instruction on skills to address structural factors, such as bias, racism, and poverty, that manifests as health inequities.

Two hours of training allows individuals to gain a foundation in health equity that can have an immediate positive impact on the professional's interaction with those receiving care. Health equity training enables health care professionals to care effectively for patients from diverse cultures, groups, and communities, varying race, ethnicity, gender identity, sexuality, religion, age, ability, socioeconomic status, and other categories of identity. The two hours of health equity CE credits may be earned as part of the health professional's existing CE requirements, therefore not requiring completion of additional CE hours.

Statutory Authority for Adoption: RCW 43.70.613, 18.25.070.

Statute Being Implemented: RCW 43.70.613, 18.25.070.

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

Name of Proponent: Chiropractic quality assurance commission, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Betty J. Moe, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-2868.

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 Betty J. Moe, P.O. Box 47858, Olympia, WA 98504-7858, phone 360-236-2868, TTY 711, email Betty.Moe@doh.wa.gov, CQAC@doh.wa.gov.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(4).

Scope of exemption for rule proposal:

Is fully exempt.

July 7, 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.]