

WSR 23-23-033

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed November 3, 2023, 10:39 a.m., effective January 1, 2024]

Effective Date of Rule: January 1, 2024.

Purpose: Health equity continuing education (CE) for certified counselors and certified advisers under chapter 246-810 WAC, Counselors.

The department of health (department) is adopting amendments to WAC 246-810-027 and 246-810-0298 and creating new WAC 246-810-0299 to establish health equity CE requirements and implement ESSB 5229 (chapter 276, Laws of 2021).

ESSB 5229, codified at RCW 43.70.613, 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 directed the 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.

The department is now adopting amendments to WAC 246-810-027 and 246-810-0299 that require two hours of health equity CE every four years for certified counselors and certified advisers. The health equity CE requirement is counted under existing, unspecified CE requirements for the profession and does not change the total number of CE hours required.

Additionally, amendments to WAC 246-810-027 and 246-810-0298 clarify and streamline rule language without changing its effect.

Citation of Rules Affected by this Order: New WAC 246-810-0299; and amending WAC 246-810-027 and 246-810-0298.

Statutory Authority for Adoption: RCW 18.19.050, 18.19.100, 43.70.613.

Adopted under notice filed as WSR 23-16-128 on August 1, 2023.

A final cost-benefit analysis is available by contacting Carmen Leso, Office of Health Professions, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-742-1463, TTY 711, email carmen.leso@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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 1, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.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 1, 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 2, Repealed 0.

Date Adopted: October 3, 2023.

Todd Mountin
Deputy Chief of Policy
for Umair A. Shah, MD, MPH
Secretary

OTS-4695.2

AMENDATORY SECTION (Amending WSR 14-09-102, filed 4/22/14, effective 4/22/14)

WAC 246-810-027 Continuing education requirements for a certified counselor or certified adviser. (1) A certified counselor or a certified adviser must complete (~~(thirty-six)~~) 36 credit hours of continuing education every two years.

(2) At least six hours of the (~~(thirty-six)~~) 36 credit hours must be in law and professional ethics related to counseling.

(3) (~~(Beginning January 1, 2014,)~~) At least once every six years a certified counselor or a certified adviser must complete three hours of training in suicide assessment, including screening and referral, as specified in WAC 246-810-0298.

(a) Except as provided in (b) of this subsection, the first training must be completed during the first full continuing education reporting period (~~(after January 1, 2014, or the first full continuing education period)~~) after initial licensure (~~(, whichever occurs later)~~).

(b) An individual applying for initial certification as a certified counselor or a certified adviser (~~(on or after January 1, 2014,)~~) may delay completion of the first required training for six years after initial certification if (~~(he or she)~~) they can demonstrate successful completion of a three-hour training in suicide assessment, screening, and referral that:

(i) Was completed no more than six years prior to the application for initial certification; and

(ii) Meets the requirements listed in WAC 246-810-0298 (~~((1))~~).

(c) The hours spent completing training in suicide assessment count towards the total (~~(thirty-six)~~) 36 hours of continuing education.

(4) Beginning January 1, 2024, at least once every four years, a certified counselor or certified adviser must complete two hours of health equity training as specified in WAC 246-810-0299.

(5) Nothing in this section is intended to expand or limit the existing scope of practice of a certified counselor or a certified adviser as defined by WAC 246-810-0201 and 246-810-021.

AMENDATORY SECTION (Amending WSR 20-12-074, filed 6/1/20, effective 7/2/20)

WAC 246-810-0298 Suicide assessment training standards. (1) Approved qualifying training in suicide assessment, including screening and referral must (~~(+~~

~~(a) Until July 1, 2017, be approved by the American Foundation for Suicide Prevention, the Suicide Prevention Resource Center, entities listed in WAC 246-810-0293, or an equivalent organization, educational institution or association which approves training based on observation and experiment or best available practices. The training must be empirically supported training and meet other requirements in RCW 43.70.442;~~

~~(b) Beginning July 1, 2017, must)) be on the department's model list developed in accordance with RCW 43.70.442. ((Nothing in this~~

~~section invalidates trainings completed according to this chapter before July 1, 2017; and~~

~~(c) Be provided by a single provider and be at least three hours in length, which may be provided in one or more sessions.)~~

(2) A certified counselor or certified adviser who is an employee of a state or local government employer is exempt from the requirements of this section if ~~((he or she))~~ they receive~~((s))~~ a total of at least three hours of training in suicide assessment including screening and referral from ~~((his or her))~~ their employer every six years. ~~((For purposes of this subsection, the training may be provided in one three-hour block or may be spread among shorter training sessions at the employer's discretion.))~~

(3) A certified counselor or certified adviser who is an employee of a licensed or certified behavioral health agency under chapter 71.05 or 71.24 RCW is exempt from the requirements of this section if ~~((he or she))~~ they receive~~((s))~~ a total of at least three hours of training in suicide assessment, including screening and referral from ~~((his or her))~~ their employer every six years.

~~(4) For purposes of this ((subsection)) section, the training may be provided in one three-hour block or ((may be spread among)) shorter training sessions ((at the employer's discretion)).~~

~~((4))~~ (5) A certified counselor or certified adviser that obtained training under the exemptions listed in subsections (2) and (3) of this section may obtain ~~((CE))~~ continuing education credit subject to documentation as defined in WAC 246-810-0297.

NEW SECTION

WAC 246-810-0299 Health equity training standards. (1) Beginning January 1, 2024, a certified counselor or certified adviser must complete training in health equity as a part of their continuing education requirements. The certified counselor or certified adviser must complete at least two hours of health equity trainings every four years. The training may be in person or virtual but must meet the course requirements in WAC 246-12-830, including strategies to reduce implicit bias and assess the providers ability to apply health equity concepts into practice.

(2) The hours spent completing training in health equity education count towards the total of 36 hours of continuing education.