

## WSR 24-02-006

## PROPOSED RULES

## DEPARTMENT OF HEALTH

[Filed December 20, 2023, 3:22 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-21-070.

Title of Rule and Other Identifying Information: Health equity continuing education (CE) for dental hygienists WAC 246-815-145. The secretary of health is proposing a new section of rule to establish health equity CE requirements to implement ESSB 5229 (chapter 276, Laws of 2021).

Hearing Location(s): On March 7, 2024, at 1:00 p.m., at the Washington State Department of Health (DOH), 111 Israel Road S.E., Town Center 2, Room 166, Tumwater, WA 98501; via Zoom. Register in advance for this webinar [https://us02web.zoom.us/webinar/register/WN\\_vri4zakCSQW\\_2Fu6yXYBxw](https://us02web.zoom.us/webinar/register/WN_vri4zakCSQW_2Fu6yXYBxw). After registering, you will receive a confirmation email containing information about joining the webinar. DOH will be offering a hybrid hearing. You may attend virtually or in person. You may also submit comments in writing.

Date of Intended Adoption: March 14, 2024.

Submit Written Comments to: Bruce Bronoske, Jr., P.O. Box 47852, Olympia, WA 98504-7852, email <https://fortress.wa.gov/doh/policyreview/>, fax 360-236-2901, by March 7, 2024.

Assistance for Persons with Disabilities: Contact Bruce Bronoske, Jr., phone 360-236-4843, fax 360-236-2901, TTY 711, email [bruce.bronoske@doh.wa.gov](mailto:bruce.bronoske@doh.wa.gov), by February 22, 2024.

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 DOH to create model rules establishing the minimum standards for health equity CE programs. DOH filed model rules for health equity CE minimum standards on November 23, 2022, under WSR 22-23-167 which require two hours of training every four years. Any rules developed for dental hygienists must meet or exceed the minimum standards in the model rules in WAC 246-12-800 through 246-12-830.

The secretary of health is proposing new WAC 246-815-145 to implement ESSB 5229. The secretary is proposing adopting the health equity model rules, WAC 246-12-800 through 246-12-830, for dental hygienists 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.

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 implicit bias trainings to identify strategies to reduce bias during assessment and diagnosis in an effort to address structural factors, such as bias, racism, and poverty, that manifest 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 and 18.29.130.

Statute Being Implemented: RCW 43.70.613.

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

Name of Proponent: DOH, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Bruce Bronoske, Jr., 111 Israel Road S.E., Tumwater, WA 98501, 360-236-4843.

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 Bruce Bronoske, Jr., P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4843, fax 360-236-2901, TTY 711, email [bruce.bronoske@doh.wa.gov](mailto:bruce.bronoske@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).

Explanation of exemptions: The proposed rule only affects dental hygiene provider licenses.

Scope of exemption for rule proposal:

Is fully exempt.

December 19, 2023  
 Kristin Peterson, JD  
 Chief of Policy  
 for Umair A. Shah, MD, MPH  
 Secretary

## OTS-5076.1

### NEW SECTION

**WAC 246-815-145 Dental hygiene health equity training requirements.** (1) A licensed dental hygienist must complete two hours of health equity continuing education training every four years as described in WAC 246-12-800 through 246-12-830.

(2) The two hours of health equity continuing education a licensed dental hygienist completes counts toward meeting the applicable continuing education requirements under WAC 246-815-140.

(3) An approved program providing health equity continuing education training must meet the requirements listed in WAC 246-12-830. For

purposes of this rule, health equity has the same meaning as defined in WAC 246-12-810.