

WSR 24-06-033
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
(Board of Optometry)
[Filed February 28, 2024, 5:12 p.m.]

Subject of Possible Rule Making: Optometry continuing education (CE) and examination requirements. The board of optometry (board) will conduct a review of the optometrist CE and examination requirements in WAC 246-851-090 through 246-851-230 and 246-851-490. The board will consider increasing the number of allowable online credits. To comply with 2SHB 1724 (chapter 425, Laws of 2023), the board will also consider including the jurisprudence exam (JP) within their CE requirements and removing it from initial licensure requirements. The board may also consider housekeeping changes to clarify and streamline these sections of the rule as necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.54.070; and 2SHB 1724 (chapter 425, Laws of 2023).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Due to the coronavirus 2019 (COVID-19) pandemic, the board adopted a policy to allow unlimited online CE credits. This policy was adopted on May 18, 2020, and filed under WSR 20-11-068. The board has found that quality online CE is widely available and provides attendees flexibility and cost savings. The board is considering adjusting the allowance of online courses in rule.

The intent of 2SHB 1724, section 8 is to open pathways for licensure and reduce barriers to obtain a license in Washington state (WA). 2SHB 1724 states that disciplining authorities shall waive education, training, experience, and exam requirements for applicants who have been credentialed in another state or states with substantially equivalent standards for at least two years immediately preceding their application with no interruption in licensure for longer than 90 days. The JP exam cannot be required to obtain a WA license via 2SHB 1724, section 8, and the condition of taking and passing the WA JP exam cannot be used to determine substantially equivalent standards. To reduce licensure barriers and align with the intent of 2SHB 1724, the board is considering including the JP exam within their CE requirements and removing it from initial licensure requirements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kristina Bell, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-23[6]-4947, fax 360-236-2901, TTY 711, email Kristina.bell@doh.wa.gov, website www.doh.wa.gov.

Additional comments: Interested parties can participate in the drafting of the proposed rules. The board will conduct a series of rules workshops. Rule-making notices will be delivered via the GovDelivery list. To receive notices, please go to <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. After signing in, please click open the box labeled "Health Systems Quality Assurance." Next, click open the box labeled "Health Professions" and then click again on "Optometry Board." You may also check the box next to one or more of the other professions or facilities listed to received information related to that specific topic.

February 23, 2024

Melissa Dacumos, Chair
Board of Optometry