

WSR 21-01-045
EXPEDITED RULES
DEPARTMENT OF HEALTH
(Board of Hearing and Speech)
[Filed December 8, 2020, 10:45 a.m.]

Title of Rule and Other Identifying Information: WAC 246-828-370 HIV/AIDS prevention and information education requirements for audiologists, speech-language pathologists, speech-language pathology assistants, and hearing aid specialists. The board of hearing and speech (board) is proposing to repeal WAC 246-828-370 as a result of ESHB 1551 (chapter 76, Laws of 2020).

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: ESHB 1551 repealed statutes concerning AIDS education and training for emergency medical personnel, health professionals, and health care facility employees. The list of repealed statutes included RCW 70.24.270 (Health professionals—Rules for AIDS education and training) which involves licensees governed under the board. The board is proposing to repeal its rule as the requirement is no longer required in statute.

Reasons Supporting Proposal: The intent of ESHB 1551 was to reduce stigma towards people living with HIV/AIDS. This includes not isolating AIDS as an exceptional disease that requires specific training and education separate from other health conditions. Repealing the AIDS training requirement in WAC 246-828-370 could remove barriers from becoming licensed or renewing licensure for audiologists, hearing aid specialists, speech-language pathologists, and speech-language pathology assistants.

Statutory Authority for Adoption: RCW 18.35.161.

Statute Being Implemented: ESHB 1551 (chapter 76, Laws of 2020).

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

Name of Proponent: Washington state board of hearing and speech, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Kim-Boi Shadduck, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-2912.

This notice meets the following criteria to use the expedited repeal process for these rules:

The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: ESHB 1551 repealed RCW 70.240.270 the statute [statute] on which the board of hearing and speech's rules concerning AIDS education for health care professionals is based on.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kim-Boi Shadduck, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-2912, fax 360-236-2901, email <https://fortress.wa.gov/doh/policyreview>, AND RECEIVED BY February 22, 2021.

November 25, 2020
Roberta A. Jackson
Chair

OTS-2705.1

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-828-370 HIV/AIDS prevention and information
education requirements.