

WSR 24-18-007

PROPOSED RULES

DEPARTMENT OF HEALTH

[Filed August 22, 2024, 10:07 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 24-09-014.

Title of Rule and Other Identifying Information: Removing licensure barriers for genetic counselors and updating rules to align with recent legislation. The department of health (department) is proposing amendments to WAC 246-825-080 to comply with RCW 18.130.077.

Hearing Location(s): On October 16, 2024, at 1:00 p.m., at the Washington State Department of Health, Town Center 2, Room 166/167, 111 Israel Road S.E., Tumwater, WA 98501; or via Zoom. Register in advance for this webinar https://us02web.zoom.us/webinar/register/WN_GPB0tn0YRCKYy8l2Q9z8_w. After registering, you will receive a confirmation email containing information about joining the webinar. The department will be offering a hybrid public hearing. Participants may attend virtually or in person at the physical location. You may also submit comments in writing.

Date of Intended Adoption: October 23, 2024.

Submit Written Comments to: Kim-Boi Shadduck, Program Manager, Genetic Counselors, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, email <https://fortress.wa.gov/doh/policyreview>, beginning the date and time of this filing, by October 16, 2024, at 11:59 p.m.

Assistance for Persons with Disabilities: Contact Kim-Boi Shadduck, phone 360-236-2912, TTY 711, email kimboi.shadduck@doh.wa.gov, by October 9, 2024.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department is proposing amendments to WAC 246-825-080 to remove barriers to entering and remaining in the health care workforce. The updates will streamline and shorten the credentialing process for genetic counselors. The department is proposing to waive existing education and exam requirements to implement 2SHB 1724, codified as RCW 18.130.077.

Reasons Supporting Proposal: Under RCW 18.130.077, all 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 intent of the law is to make disciplining authorities review and adjust licensure requirements to remove barriers to entering and remaining in the health care workforce, and to streamline and shorten the credentialing process. Rule making is necessary to amend licensure requirements in WAC 246-825-080 to align with RCW 18.130.077.

Statutory Authority for Adoption: RCW 18.290.020, and 2SHB 1724 (chapter 425, Laws of 2023), codified as RCW 18.130.077.

Statute Being Implemented: RCW 18.130.077.

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

Name of Proponent: Department of health, governmental.

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

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. The proposed rule is exempt from a cost-benefit analysis under RCW 34.05.328 (5)(c)(i) and (b)(v) because the rule is considered a procedural rule and it incorporates statutory requirements dictated by RCW 18.130.077. Additionally, portions of the rule are exempt from a cost-benefit analysis under RCW 34.05.328 (5)(b)(iii) as they incorporate by reference existing Washington state law and rule without material change.

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 amendments impact rules regulating individual professional licenses, not businesses.

Scope of exemption for rule proposal:

Is fully exempt.

August 22, 2024
 Kristin Peterson, JD
 Chief of Policy
 for Umair A. Shah, MD, MPH
 Secretary

OTS-5472.4

AMENDATORY SECTION (Amending WSR 21-02-002, filed 12/23/20, effective 1/23/21)

WAC 246-825-080 Licensure by endorsement. (~~((1) An applicant for licensure as a genetic counselor who is currently licensed under the laws of another state shall file an application with the department and submit:~~

~~(a) Documentation verifying that the applicant meets the education requirements under WAC 246-825-060;~~

~~(b) Documentation that the applicant holds an unrestricted active license to practice as a genetic counselor in another state;~~

~~(c) Proof of passing the ABGC certification examination or the ABMG general genetics and genetic counseling specialty examinations or the ABMG clinical genetics specialty or subspecialty certification examinations;~~

~~(d) Any other written declarations or documentation, as required by the secretary; and~~

~~(e)) A genetic counselor license may be issued by endorsement if the applicant meets the requirements in either subsection (1) or (2) of this section. An endorsement applicant may also apply for a temporary practice permit as established under WAC 246-12-050.~~

~~(1) An applicant may obtain licensure by endorsement if the applicant is currently licensed in a state or jurisdiction with substantially equivalent standards and has been licensed for at least the immediately preceding two years and meets all other requirements of RCW 18.130.077. The applicant shall submit to the department:~~

~~(a) An application on forms provided by the department;~~

~~(b) Proof of licensure history that demonstrates compliance with RCW 18.130.077; and~~

(c) The appropriate licensing fees required under WAC 246-825-990(2).

~~(2) ((The secretary may examine an endorsement application to determine whether the licensing standards of the other state are substantially equivalent to the licensing standards in Washington state.~~

~~(3) An endorsement applicant may also apply for a temporary practice permit as established under WAC 246-12-050.)~~ An applicant may obtain licensure by endorsement if the applicant holds the national certification with the American Board of Genetic Counseling (ABGC) or the American Board of Medical Genetics (ABMG) and meets all other requirements of RCW 18.130.077(3). The applicant shall submit to the department:

(a) An application on forms provided by the department;

(b) Proof of national certification;

(c) Proof of compliance with RCW 18.130.077(3); and

(d) The appropriate licensing fees required under WAC 246-825-990(2).

(3) If an applicant does not meet the requirements described in subsection (1) or (2) of this section, the applicant shall apply for initial licensure as established under WAC 246-825-060.