

WSR 25-15-032

PROPOSED RULES

DEPARTMENT OF HEALTH

[Filed July 8, 2025, 1:12 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 25-07-028.

Title of Rule and Other Identifying Information: Dietitian and nutritionist certification standards; removing certification barriers and updating rules to align with recent legislation. The department of health (department) is proposing to add two new sections to chapter 246-822 WAC to align with 2SHB 1724 (chapter 425, Laws of 2023), codified as RCW 18.130.077.

Hearing Location(s): On August 26, 2025, at 1:00 p.m., via Zoom. Register in advance for this webinar at https://us02web.zoom.us/webinar/register/WN_tsSPFFy2SlmAjywhdbzSMg. After registering, you will receive a confirmation email containing information about joining the webinar. The department will be offering a virtual public hearing. You may also submit comments in writing.

Date of Intended Adoption: September 2, 2025.

Submit Written Comments to: Kim-Boi Shadduck, Program Manager, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, email kimboi.shadduck@doh.wa.gov, <https://fortress.wa.gov/doh/policyreview>, beginning the date and time of this filing, by August 26, 2025, at 11:59 p.m.

Assistance for Persons with Disabilities: Contact Kim-Boi Shadduck, program manager, phone 360-236-2912, TTY 711, email kimboi.shadduck@doh.wa.gov, by August 11, 2025.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department is proposing to add WAC 246-822-125 and 246-822-133 to chapter 246-822 WAC to create faster pathways to certification for dietitians and nutritionists, and remove barriers to entering the health care workforce.

New WAC 246-822-125 would remove the requirement of submitting transcripts or other documents to the department for certification as a nutritionist if the applicant meets the requirements in RCW 18.130.077 (1) and (3) or is nationally certified with the Board for Certification of Nutrition Specialists (BCNS) and meets all other requirements of RCW 18.130.077(3).

New WAC 246-822-133 would remove the requirement of submitting multiple documents to the department for certification as a dietitian if the applicant meets the requirements in RCW 18.130.077 (1) and (3) or is certified with the Commission on Dietetic Registration as a registered dietitian (RD) or registered dietitian nutritionist (RDN) and meets all other requirements of RCW 18.130.077(3). The proposed new sections will streamline and shorten the credentialing process for certified dietitian and certified nutritionist applicants and implement RCW 18.130.077.

Reasons Supporting Proposal: Under RCW 18.130.077(1), 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. RCW 18.130.077(2) also grants licensing authorities the ability to allow evidence of a national certification to qualify an applicant for a certification, if applicable. These proposed rules create a faster pathway to certification as a

certified nutritionist for applicants with the BCNS credential and a faster pathway to certification as a certified dietitian for applicants with the RD or RDN credential.

The intent of the law is to make disciplining authorities review and adjust certification 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 add these two proposed sections that allow for faster credentialing processes for both professions and to align with RCW 18.130.077.

Statutory Authority for Adoption: RCW 18.138.070 and 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(3) as the rules are adopting or incorporating by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule; and rule content is explicitly and specifically dictated by statute.

Is exempt under RCW 19.85.025(4).

Explanation of exemptions: The proposed rules impact the regulation of individual professional credentials, not businesses. Additionally, portions of the proposed rules incorporate statutory requirements dictated by RCW 18.130.077 and portions of the proposed rules incorporate by reference existing Washington state law and rule without material change.

Scope of exemption for rule proposal:

Is fully exempt.

July 8, 2025
Kristin Peterson, JD
Chief of Policy
for Jessica Todorovich, MS
Acting Secretary of Health

RDS-6415.3

NEW SECTION

WAC 246-822-125 Nutritionist certification by endorsement. An applicant may obtain certification as a nutritionist by endorsement if the applicant meets the requirements in either subsection (1) or (2) of this section.

(1) The applicant is currently credentialed in another United States jurisdiction with substantially equivalent standards and has been credentialed for at least two years immediately preceding their application with no interruption in credentialing lasting longer than 90 days and meets all other requirements of RCW 18.130.077(3). The applicant shall submit to the department:

(a) A completed application on forms provided by the department;

(b) Proof that the applicant was credentialed as a dietitian or nutritionist in another state with qualifications and competencies equivalent to those in WAC 246-822-120(2);

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

(d) The applicable fee required under WAC 246-822-990.

(2) The applicant holds the national certification with the board for certification of nutrition specialists and meets the 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 applicable fee required under WAC 246-822-990.

(3) If an applicant does not meet the requirements described in subsection (1) or (2) of this section, the applicant may apply for initial certification as established under WAC 246-822-120.

NEW SECTION

WAC 246-822-133 Dietitian certification by endorsement. An applicant may obtain certification as a dietitian by endorsement if the applicant meets the requirements in either subsection (1) or (2) of this section.

(1) The applicant is currently credentialed in another United States jurisdiction with substantially equivalent standards and has been credentialed for the last two years immediately preceding their application with no interruption in credentialing lasting longer than 90 days and meets all other requirements of RCW 18.130.077(3). The applicant shall submit to the department:

(a) A completed application on forms provided by the department;

(b) Proof that the applicant was credentialed as a dietitian in another state with qualifications and competencies equivalent to those in WAC 246-822-132(2);

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

(d) The applicable fees required under WAC 246-822-990.

(2) The applicant holds the national certification with the commission on dietetic registration as a registered dietitian or registered dietitian nutritionist 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 applicable fee required under WAC 246-822-990.

(3) If an applicant does not meet the requirements described in subsection (1) or (2) of this section, the applicant may apply for initial certification as established under WAC 246-822-132.