



March 4, 2025

Subject: Informative- Information on Agency Rulemaking February 16-28, 2025

Dear Tribal Leaders, Partners and Professionals,

We thank you for your partnership and guidance on the Washington State Department of Health rulemaking process. As an agency, we are committed to honoring the Tribal sovereignty of Washington's first Nations. As part of this commitment, and in appreciation of the governance structures of Tribal Nations, we welcome your expertise and collaboration in these current and upcoming rulemaking activities. We prioritize Tribal involvement early in the process to better ensure we are incorporating Tribal expertise, perspectives, and transparency in agency rulemaking.

In accordance with [Chapter 43.376 RCW](#), the [Washington State Centennial Accord of 1989](#), and the [Department of Health's \(WA-DOH\) Tribal Consultation and Collaboration Procedure](#), DOH invites you to review the list of rulemaking activities below and actively collaborate with staff on all topics that may be of interest.

We appreciate your feedback, if you have any suggestions or questions about how to best honor Tribal sovereignty and strengthen agency processes, please let us know.

To provide comments or requests for additional information, please contact:

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Sincerely,

A handwritten signature in blue ink, appearing to read "Candice Wilson".

Candice Wilson – Quatz'tenaut (Lummi)
Executive Director OTPHR

CC: Jessica Todorovich, Interim Secretary of Health, WA-DOH
Wendy Endress, Acting Chief of Staff, WA-DOH
Michelle Davis, Executive Director, Washington State Board of Health
Tao Sheng Kwan-Gett, MD, MPH, State Health Officer, WA-DOH
Kristin Peterson, Chief of Policy, Planning & Evaluation, WA-DOH
Lacy Fehrenbach, Deputy Secretary, Prevention Safety & Health, WA-DOH

Department of Health/State Board of Health
Rule Report |
February 16-28, 2025

The following Department of Health (WA-DOH) and State Board of Health (SBOH) rules and documents were filed with the Washington State's Code Reviser Office February 16-28, 2025. If you have any questions about the documents, please contact the person on the forms.

Preproposal Statement of Inquiry (CR-101)

Nursing Assistant. The Board of Nursing is considering amendments to nursing assistant rules to implement skills testing in training programs, make changes to the specialty curricula rule requirements, and other related rules as appropriate. Chapter 246-841A-WAC. [Filed as WSR 25-05-087.](#)

Proposed Rules (CR-102)

Behavioral Health Agency and Residential Treatment Facility Fee Updates. WA-DOH is proposing rule amendments to update Behavioral Health Agency fees in WAC 246-341-0365 and Residential Treatment Facility fees in WAC 246-337-990. WA-DOH is also proposing changes to clarify and standardize language. [Filed as WSR 25-05-090.](#)

Medical assistant - EMT credential. WA-DOH is proposing new rules in chapter 246-827 WAC and proposing an amendment to WAC 246-827-990 to implement this new credential type. [Filed as WSR 25-06-053.](#)

Expedited Rulemaking (CR-105)

No Filings.

Adopted Rules (CR-103P)

Agency Affiliated Counselor. WA-DOH adopted rules establishing a new agency affiliated counselor credential and made other updates/amendments to chapter 246-810 WAC pursuant to E2SHB 1504, 2SHB1724, and E2SHB 2247. [Filed as WSR 25-06-010.](#)

Allopathic Physicians and Physician Assistants. The Washington Medical Commission adopted amendments to the opioid prescribing rules to exclude patients with sickle cell disease, to clarify tapering considerations, and to clarify the use of biological specimen testing. The rules amend WAC 246-918-801 Exclusions, WAC 246-918-870 Periodic Review - Chronic pain, and WAC 246-918-900 Tapering considerations - Chronic pain for physician assistants, as well as WAC 246-919-851 Exclusions, WAC 246-919-920 Periodic Review - Chronic pain, and WAC 246-919-950, Tapering considerations—Chronic pain for allopathic physicians. [Filed as WSR 25-05-091.](#)

Certified Peer Specialists and Certified Peer Specialist Trainees. WA-DOH adopted certification standards in chapter 246-929 WAC for the new Certified Peer Specialist and Trainee credentials establishing: the application process; education and examination requirements; supervised experience requirements; approved supervisor requirements; professional standards; continuing education requirements; and fees. [Filed as WSR 25-05-089.](#)

Medical Assistant Medication Administration Requirements and Apprenticeship Programs. WA-DOH adopted amendments to WAC 246-827-0010, 246-827-0200, and 246-827-0240 and adopted a new section, WAC 246-827-0340. The adopted amendments ensure that the rules are current and align with best practices, and include updating and clarifying definitions, updating credentialing requirements, and aligning medication administration and supervision requirements to the recently enacted statutes. [Filed as WSR 25-05-085.](#)

Testing Requirements for Proprietary Treatment Products in WAC 246-272A-0110. WA-DOH adopted a requirement for Category 2 products, listed in WAC 246-272A-0110, Table I to be tested according to NSF/ANSI 40 - Residential Wastewater Treatment Systems (versions dated between January 2009 and May 31, 2021). [Filed as WSR 25-06-036.](#)

Emergency Rules (CR-103E)

Psychologists. The Examining Board of Psychologists adopted emergency rules to amend WACs 246-924-010, 246-924-046, 246-924-053, 246-924-095, and 246-924-100, establish 246-924-048 and 246-924-0481, and repeal 246-924-047. The rules implement 2SHB 1724 (chapter 425, Laws of 2023) that reduce barriers to entering and remaining in the behavioral health workforce and to streamline the credentialing process. [Filed as WSR 25-06-009.](#)

Medication Assistance In Community-Based and In-Home Care Settings. WA-DOH and the Pharmacy Quality Assurance Commission filed jointly emergency rules to reinstate medication assistance rules as permitted under chapter 69.41 RCW by adopting new rules in WAC 246-945-710, 246-945-712, 246-945-714, 246-945-716, 246-945-718, 246-945-720, 246-945-722, 246-945-724, 246-945-726, and 246-945-728. This rule will extend WSR 24-22-013 filed on October 25, 2024 without change and establishes criteria for medication assistance in community-based and in-home care settings in accordance with chapter 69.41 RCW. [Filed as WSR 25-06-008.](#)

Mental Health Counselor, Marriage and Family Therapist, and Social Worker Professions. WA-DOH amended WACs 246-809-110, 246-809-130, 246-809-220, 246-809-221, 246-809-230, 246-809-330, and 246-809-990 to reduce barriers to licensure and streamline the credentialing process. WA-DOH is continuing emergency rules, without changes, to implement parts of 2SHB 1724 and E2SHB 2247. [Filed as WSR 25-06-007.](#)

Testing of Drinking Water Contaminates. SBOH adopted rules for group A public water systems that are necessary to assure safe and reliable public drinking water and to protect the public health. Chapter 246-290 WAC, Group A Public Water Supplies, establishes standards and requirements for these water systems. To ensure safe drinking water, water must be tested for contaminants. SBOH establishes SALs and MCLs to ensure contaminate levels are below a certain threshold. [Filed as WSR 25-05-095.](#)

Miscellaneous Filings

Board of Hearing and Speech. 2025 revised regular meeting schedule. [Filed as WSR 25-05-071.](#)

Board of Nursing. Withdrew the CR-101 for Nursing Assistant Skills Testing, chapter 246-841A WAC, which was filed on September 27, 2024, and published as WSR 24-20-087. The board withdrew this CR-101 because its scope is limited to integrating skills testing to nursing assistant training programs. However, additional critical topics must be addressed, including changes to the specialty curricula rule requirements in WAC 246-841A-440(1)(c). [Filed as WSR 25-05-086.](#)

Dental Quality Assurance Commission. Policy Statement - Delayed Effective Date for Pediatric Sedation Endorsement | HSQA DQAC 2025-01.1. [Filed as WSR 25-06-032.](#)

SBOH - Governor's Interagency Council on Health Disparities. 2025 regular meeting schedule. [Filed as WSR 25-06-015.](#)

WA-DOH, Environmental Justice Council. 2025 regular meeting schedule. [Filed as WSR 25-05-070.](#)

WA-DOH. Withdrew the CR-101 for Administrative Procedures and Requirements for Credentialed Health Care Providers. WA-DOH withdrew the CR-101 for chapter 246-12 WAC, which was filed 04/20/2017, and published in WSR 17-10-007 and will consider amending the rules at a future date. [Filed as WSR 25-06-011.](#)

WA-DOH. Withdrew the CR-101 for Closure of Abandoned Incomplete Health Care Credential Applications. WA-DOH withdrew the CR-101, filed on 04/28/2017 and published in WSR 17-10-045, to consider adding a new section to chapter 246-12 WAC. [Filed as WSR 25-06-012.](#)