



PROPOSED RULE MAKING

CR-102 (June 2024)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: November 17, 2024

TIME: 11:29 AM

WSR 24-23-063

Agency: Department of Health

Original Notice

Supplemental Notice to WSR

Continuance of WSR

Preproposal Statement of Inquiry was filed as WSR 23-16-037; or

Expedited Rule Making--Proposed notice was filed as WSR ____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW ____.

Title of rule and other identifying information: (describe subject) Certified Peer Specialists and Certified Peer Specialist Trainees – establishing certification standards in chapter 246-929 WAC.

The Department of Health (department) is proposing certification standards for the new, voluntary Certified Peer Specialist and Trainee credentials created by Second Substitute Senate Bill (2SSB) 5555 (chapter 469, Laws of 2023). The proposed rules establish requirements including: the application process; education and examination requirements; supervised experience requirements; approved supervisor requirements; professional standards; continuing education requirements; and fees.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
January 7, 2025	2:00 pm	The rule hearing will be virtual. Register in advance for this webinar: https://us02web.zoom.us/webinar/register/WN_SIQCiJBjTdmxrHaCUQhtzA After registering, you will receive a confirmation email containing information about joining the webinar.	

Date of intended adoption: January 14, 2025 (Note: This is **NOT** the effective date)

Submit written comments to:

Name Ted Dale
Address Office of Health Professions
PO Box 47852
Olympia, WA 98504-7852
Email <https://fortress.wa.gov/doh/policyreview/>
Fax N/A
Other ted.dale@doh.wa.gov
Beginning (date and time) The date and time of this filing
By (date and time) 1/7/2025 at 11:59 pm

Assistance for persons with disabilities:

Contact Ted Dale
Phone (360) 236-2991

Fax N/A
TTY 711
Email ted.dale@doh.wa.gov
Other
By (date) 12/20/2024

Purpose of the proposal and its anticipated effects, including any changes in existing rules: During the 2023 legislative session, the legislature passed 2SSB 5555 to create the new, voluntary Certified Peer Specialist and Certified Peer Specialist Trainee credentials, establish their requirements, and direct the department to adopt rules implementing the profession by July 1, 2025. 2SSB 5555 also authorized the Secretary of Health to adopt any rules necessary to implement the new credentials, fees, forms and procedures, certifications, examinations, continuing education, and appeal procedures. The department invited extensive community engagement throughout the rule drafting process as the new credentials were being developed. The proposed rules establish the new credentials, establish necessary regulatory processes, and set clear professional standards.

The new credentials are not required for an individual to work as a peer in Washington state but will be required for a peer to bill Medicaid or private insurance or to work as a peer in a licensed behavioral health agency.

Reasons supporting proposal: In addition to fulfilling the intent of 2SSB 5555, the proposed rules for this profession will allow the department to consistently uphold standards that protect public safety.

Statutory authority for adoption: RCW 18.420.020

Statute being implemented: Chapter 18.420 RCW, 2SSB 5555 (chapter 469, Laws of 2023)

Is rule necessary because of a:

- Federal Law? Yes No
- Federal Court Decision? Yes No
- State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None

Name of proponent: (person or organization) Department of Health

Type of proponent: Private. Public. Governmental.

Name of agency personnel responsible for: Department of Health

	Name	Office Location	Phone
Drafting	Ted Dale	111 Israel Road, S.E. Tumwater, WA 98501	(360) 236-2991
Implementation	Ted Dale	111 Israel Road, S.E. Tumwater, WA 98501	(360) 236-2991
Enforcement	Ted Dale	111 Israel Road, S.E. Tumwater, WA 98501	(360) 236-2991

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

- Name
- Address
- Phone
- Fax
- TTY
- Email
- Other

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

- Name Ted Dale
- Address Office of Health Professions,
PO Box 47852
Olympia, WA 98504-7852
- Phone (360) 236-2991
- Fax N/A
- TTY 711
- Email ted.dale@doh.wa.gov
- Other

No: Please explain:

Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:

- | | |
|---|---|
| <input type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g)
(i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#). (Does not affect small businesses).

This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of how the above exemption(s) applies to the proposed rule: The proposed rules impact only individual behavioral health providers or applicants, not businesses.

(2) Scope of exemptions: Check one.

The rule proposal: Is fully exempt. (Skip section 3.) Exemptions identified above apply to all portions of the rule proposal.

The rule proposal: Is partially exempt. (Complete section 3.) The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):

The rule proposal: Is not exempt. (Complete section 3.) No exemptions were identified above.

(3) Small business economic impact statement: Complete this section if any portion is not exempt.

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs.
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

- Name
- Address
- Phone
- Fax
- TTY
- Email
- Other

Date: November 17, 2024	Signature:
Name: Kristin Peterson, JD for Umair A. Shah, MD, MPH	
Title: Chief of Policy for Secretary of Health	