



PROPOSED RULE MAKING

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

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: December 18, 2024

TIME: 12:37 PM

WSR 25-02-001

Agency: Department of Health – Board of Hearing and Speech

Original Notice

Supplemental Notice to WSR

Continuance of WSR

Preproposal Statement of Inquiry was filed as WSR 24-08-058 ; 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: Hearing and Speech – Implementing legislation, reducing licensure barriers for Hearing and Speech professions and clarifying requirements for speech-language pathology assistant certification in chapter 246-828 WAC.

The Board of Hearing and Speech (board) is proposing amendments to implement section 8 of Second Substitute House Bill (2SHB) 1724 (chapter 425, Laws of 2023), codified as RCW 18.130.077, to reduce barriers to entering and remaining in the hearing and speech workforce and to shorten the credentialing process. The board is proposing revisions to WAC 246-828-020, 246-929-510, and creating a new section, WAC 246-828-035, Licensure by endorsement. Additionally, the board is proposing amendments to WAC 246-828-617 to clarify the requirements for speech-language pathology assistant certification.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
2/7/2025	9:10 am	<p>Physical location: WA State Department of Health Town Center 2 Room 166 111 Israel Rd SE Tumwater, WA 98501</p> <p>Virtual: Microsoft Teams meeting. Join on your computer, mobile app or room device. Copy this URL into your browser to join the meeting:</p> <p>https://teams.microsoft.com/join/19%3ameeting_Yjc5OTNhNjgtZjl4Mi00NmEyLWJjZTMtMjIhYjA4OWE3ZjU3%40thread.v2/0?context=%7b%22Tid%22%3a%2211d0e217-264e-400a-8ba0-57dcc127d72d%22%2c%22Oid%22%3a%222ae44b66e-af0e-436f-a863-213f33d92a5c%22%7d</p> <p>Or download Teams: https://www.microsoft.com/en-us/microsoft-teams/download-app</p> <p>And enter the meeting ID and Passcode: Meeting ID: 286 553 793 714 Passcode: kwtdpH</p>	The public hearing will be hybrid. You may attend virtually or in person. You may also submit comments in writing.

Or call in (audio only)
+1 564-999-2000, United States, Olympia
Phone Conference ID: 819 266 217#

Date of intended adoption: February 7, 2025 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name Kim-Boi Shadduck, Program Manager
Address Department of Health
PO Box 47852
Olympia, WA 98504-7852
Email kimboi.shadduck@doh.wa.gov
Fax N/A
Other <https://fortress.wa.gov/doh/policyreview>
Beginning (date and time) The date and time of this filing
By (date and time) January 29, 2025, 11:59 pm

Assistance for persons with disabilities:

Contact Kim-Boi Shadduck, Program Manager
Phone 360-236-2912
Fax N/A
TTY 711
Email kimboi.shadduck@doh.wa.gov
Other
By (date) January 22, 2024

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The board is proposing revisions to existing rules and adding a new section of rule to waive education, training, experience, and examination requirements for applicants that qualify for licensure by endorsement to implement RCW 18.130.077. Specifically, the board is proposing to:

- Remove the jurisprudence examination requirement in WAC 246-828-020 for all hearing and speech professions licensed under chapter 246-828 WAC.
- Establish a new section of rule, WAC 246-828-035, to add an expedited pathway to Washington licensure for out-of-state speech and hearing professionals who have been credentialed in another state with substantially equivalent standards and a pathway to Washington licensure for speech and hearing professionals who have a national certification that is in good standing. In both cases applicants must also meet all of the requirements in RCW 18.130.077(3).
- Amend the CE requirements in WAC 246-828-510 to add the jurisprudence examination as free CE hour that must be completed within the first year of licensure, then once every three years.

The board is also proposing revisions to WAC 246-828-617 to address confusion about the education and experience needed to be certified as a speech-language pathology assistant.

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 statute also allows disciplining authorities to choose to waive education, training, experience, and exam requirements for applicants who have achieved the national credential for their profession.

The intent of the statute is to make disciplining authorities review and adjust licensure requirements to remove barriers to entering and remaining in the health care workforce and shorten the credentialing process.

The board is proposing to move the jurisprudence requirement from an initial licensure requirement to a CE. The jurisprudence exam is training that is Washington state specific. The board believes it is important that all speech and hearing credential holders new to the state are aware of Washington's laws and rules pertaining to their profession. While it may not be necessary to have the education prior to being licensed in Washington state, by having all providers take the jurisprudence examination within the first year of licensure, all providers will have knowledge of where to find laws and rules regarding their professions.

Establishing expedited pathways to Washington licensure for out-of-state professionals meets the intent of RCW 18.130.077 by reducing barriers for out-of-state health care professionals seeking certification in Washington, to expand the availability of qualified providers, and streamline the credentialing process.

The hearing and speech profession provides national credentialing opportunities. The board has determined that the following national certifications are substantially equivalent to meeting the requirements for Washington state licensure: the certificate of clinical competence (CCC) from the American Speech-Language Hearing Association (ASHA), board certification in audiology by the American Board of Audiology, or certification from the National Board for Certification in Hearing Instrument Sciences.

To ensure clear understanding of the education and experience requirements for certification as a speech-language pathology assistant, the board is proposing amendments.

Statutory authority for adoption: RCW 18.35.161, and 2SHB 1724 (chapter 425, Laws of 2023) codified as RCW 18.130.077.

Statute being implemented: RCW 18.130.077

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> 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) Board of Hearing and Speech
Type of proponent: Private. Public. Governmental.

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting Kim-Boi Shadduck, Program Manager	111 Israel Rd. SE, Tumwater, WA 98501	360-236-2912
Implementation Kim-Boi Shadduck, Program Manager	111 Israel Rd. SE, Tumwater, WA 98501	360-236-2912
Enforcement Kim-Boi Shadduck, Program Manager	111 Israel Rd. SE, Tumwater, WA 98501	360-236-2912

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 Kim-Boi Shadduck, Program Manager
Address Department of Health
PO Box 47852
Olympia, WA 98504-7852
Phone 360-236-2912
Fax N/A
TTY 711
Email kimboi.shadduck@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:

[RCW 34.05.310](#) (4)(b)
(Internal government operations)

[RCW 34.05.310](#) (4)(e)
(Dictated by statute)

[RCW 34.05.310](#) (4)(c)
(Incorporation by reference)

[RCW 34.05.310](#) (4)(f)
(Set or adjust fees)

[RCW 34.05.310](#) (4)(d)
(Correct or clarify language)

[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 amendments impact rules regulating individual professional licenses, 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: 12/18/2024

Name: Sonja Bradford, Speech-Language Pathologist

Title: Chair, Board of Hearing and Speech

Signature:



WAC 246-828-020 Examinations. (1) A hearing aid specialist credential applicant is required to take the written International Licensing Exam developed by the International Hearing Society or other entity approved by the board. An applicant must obtain a passing score as recommended by the examination administrator and as approved by the board. An applicant may apply to take the written examination no more than ~~((ninety))~~ 90 days prior to the anticipated completion date of the educational program. The anticipated completion date must be verified by the educational program.

(2) A hearing aid specialist credential applicant ~~((s))~~ who ~~((have))~~ has completed a board-approved nine-month certificate program ~~((are))~~ is required to take the practical examination approved by the board. The applicant ~~((s))~~ must obtain a passing score as recommended by the examination administrator and as approved by the board.

(3) An audiology credential applicant ~~((s-are))~~ is required to take the Praxis audiology exam ~~((or other entity approved by the board))~~. The applicant ~~((s))~~ must obtain a passing score as recommended by the examination administrator ~~((and as approved by the board))~~.

(4) A speech-language pathologist credential applicant ~~((s-are))~~ is required to take the Praxis speech-language pathology exam ~~((or other entity approved by the board))~~. The applicant ~~((s))~~ must obtain a passing score as recommended by the examination administrator ~~((and as approved by the board))~~.

~~((5) All credential applicants are required to take and pass a jurisprudence examination approved by the board. The passing score on the jurisprudence examination is one hundred percent))~~.

NEW SECTION

WAC 246-828-035 Licensure by endorsement. (1) An applicant that is currently licensed, and has been licensed for at least the immediately preceding two years in a state or jurisdiction with substantially equivalent standards to Washington, and meets all requirements in RCW 18.130.077 (1) and (3), qualifies for licensure by endorsement. 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) An applicant qualifies for licensure by endorsement if they meet the requirements of RCW 18.130.077(3) and hold one of the following national certifications; the certificate of clinical competence (CCC) from the American Speech-Language Hearing Association (ASHA), board certification in audiology by the American Board of Audiology, or certification from the National Board for Certification in Hearing Instrument Sciences. 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) An applicant licensed in a state with substantially equivalent standards for less than two years:

(a) May obtain an initial license as provided in RCW 18.35.040.

(b) May obtain a temporary practice permit in WAC 246-828-305 or 246-828-315.

(4) An applicant licensed in a nonsubstantially equivalent state may obtain an initial license as provided in RCW 18.35.040.

AMENDATORY SECTION (Amending WSR 24-01-120, filed 12/19/23, effective 1/19/24)

WAC 246-828-510 Continuing education. The purpose of continuing education is to ensure the highest quality professional care. The objectives are to improve and increase the ability of the hearing aid specialist, audiologist, speech-language pathologist, and speech-language pathology assistant to deliver the highest possible quality professional care and keep the professional abreast of current developments.

Continuing education consists of educational activities designed to review existing concepts and techniques and to convey information and knowledge about advances in hearing instrument fitting and dispensing, audiology, and speech-language pathology fields as applied to the work setting. Continuing education requirements include:

(1) ~~((Continuing education requirement.))~~ A credential holder must take and pass the jurisprudence examination approved by the board within the first year of licensure. The jurisprudence examination requirement counts as one hour of continuing education.

(2) A credential holder must complete a minimum of 30 hours of continuing education every three years.

(a) At least one hour of the continuing education must be on infection control.

(b) One hour of continuing education must be the successful completion of the jurisprudence examination approved by the board.

(c) Multicultural education aimed at removing barriers to access to care may count for up to five hours of continuing education.

~~((e))~~ (d) At least 25 hours of continuing education must be related to profession specific skills and competencies.

~~((i))~~ (e) At least two hours of continuing education must be on health equity training, as specified in WAC 246-12-800 through 246-12-830. ~~((ii))~~ This training must be completed by the end of the second full continuing education reporting period after January 1, 2024, or the second full continuing education reporting period after initial licensure, whichever is later.

~~((2))~~ (3) Continuing education is defined as any of the following activities:

(a) Courses, seminars, workshops and postgraduate programs offered by accredited educational institutions. These educational activities must be recorded on an official transcript or by documentation stating the number of continuing education hours completed.

(b) Courses, seminars and workshops offering continuing clock or continuing educational units offered by profession-related organiza-

tions or industries. These activities will be accepted with documentation of the number of continuing education hours completed.

(c) Attendance at a continuing education program having a featured speaker(s) or panel, which has been provided by, sponsored by, or endorsed by a profession-related organization or industry. This activity will be accepted with documentation of the number of continuing education hours completed.

(d) Participation as a speaker or panel member in a continuing education program which has been provided by, sponsored by, or endorsed by a profession-related organization or industry. A maximum of eight hours, including preparation time, may be applied to the total three-year requirement.

(e) Completion of a written, video, internet, or audio continuing education program which has been provided by, sponsored by, or endorsed by a profession-related organization or industry. Only programs in which proof of completion is provided or with tests that are not self-graded will be accepted.

~~((3))~~ (4) The board may grant an exception for continuing education requirements under certain circumstances including, but not limited to, severe illness. The credential holder must submit a written request for exception to the board for review. The board will approve or deny the request.

~~((4))~~ (5) A credential holder may be randomly audited for continuing education compliance as specified in ~~(chapter 246-12 WAC, Part 7)~~ WAC 246-12-170 through 246-12-240.

AMENDATORY SECTION (Amending WSR 15-14-092, filed 6/29/15, effective 7/1/15)

WAC 246-828-617 Requirements for speech-language pathology assistant certification. An applicant for certification as a speech-language pathology assistant must have one of the following minimum qualifications:

(1) An associate of arts or sciences degree, or a certificate of proficiency ~~(, with transcripts showing forty-five quarter hours or thirty semester hours of speech-language pathology course work and transcripts showing)~~.

(a) Transcripts must show:

(i) Coursework that culminates in a speech-language pathology assistant certification program; and

(ii) Forty-five quarter hours or ~~((thirty))~~ 30 semester hours of general education credit from a board-approved institution of higher education as defined in WAC 246-828-025 (1)(b).

(b) Transcripts must reflect, or applicant must demonstrate, ~~((one hundred))~~ 100 hours of supervised patient/client/student work experience completed within a one-year time frame, or clinical experience practicum, with at least ~~((fifty))~~ 50 of those hours under direct supervision; or

(2) A bachelor of arts or bachelor of sciences degree with transcripts from a speech, language, and hearing program from a board-approved institution of higher education as defined in WAC 246-828-025 (1)(b). Transcripts must reflect, or applicant must demonstrate, ~~((one hundred))~~ 100 hours of supervised patient/client/student work experience completed within a one-year time frame, or clinical experience

practicum, with at least (~~fifty~~) 50 of those hours under direct supervision.