



April 9, 2025

Subject: Informative- Information on Agency Rulemaking March 16-31, 2025

Dear Tribal Leaders,

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:

Candice Wilson – Quatz'tenaut (Lummi)
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360-628-0096

Sincerely,

A handwritten signature in blue ink, appearing to read "Candice Wilson", is written over a light blue horizontal line.

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

CC: Umair A. Shah, MD, MPH, Secretary of Health, Department of Health
Michelle Davis, Executive Director, Washington State Board of Health
Lacy Fehrenbach, Deputy Secretary, Prevention Safety & Health, Department of Health
Tao Sheng Kwan-Gett, MD, MPH, Chief Science Officer, Department of Health
Kristin Peterson, Chief of Policy, Planning & Evaluation, Department of Health
Elizabeth Perez, Chief of Public Affairs and Equity, Department of Health
Jessica Todorovich, Chief of Staff, Department of Health



WASHINGTON STATE BOARD OF HEALTH

Department of Health/State Board of Health
Rule Report
March 16-31, 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 March 16-31, 2025. If you have any questions about the documents, please contact the person on the forms.

Preproposal Statement of Inquiry (CR-101)

Ground Ambulance Services. WA DOH is considering rulemaking in response to new legislative requirements under Substitute Senate Bill 5986 (chapter 218, Laws of 2024) regarding Out-of-Network Health Care Charges (balance billing) for ground ambulance services. WAC 246-976-260 and 246-976-270 may be amended as necessary. [Filed as WSR 25-08-002.](#)

Notifiable Conditions. SBOH is considering amending the reporting requirements for COVID-19 in chapter 246-101 WAC, in response to feedback from local health jurisdictions and changes in the national notifiable condition designation by the Council for State and Territorial Epidemiologists. SBOH will not consider other changes to these rules at this time. [Filed as WSR 25-08-026.](#)

Proposed Rules (CR-102)

Anesthesiologist Assistants. The Washington Medical Commission is proposing a new chapter of rule, chapter 246-921 WAC Anesthesiologist Assistants, to implement Senate Bill (SB) 5184 (chapter 362, Laws of 2024) codified under chapter 18.71D RCW, which created the new Anesthesiologist Assistant license. [Filed as WSR 25-08-028.](#)

Athletic Trainers. WA DOH is proposing reducing licensure barriers and updating current rules to align with recent legislation. The proposed amendments to WAC 246-916-010 and 246-916-030 align with RCW 18.130.077. [Filed as WSR 25-08-027.](#)

Behavioral Health Agency (BHA). WA DOH is proposing amendments to WAC 246-341-1108 to implement Second Substitute Senate Bill 6228 (chapter 366, Laws of 2024), that requires BHAs providing voluntary substance use disorder treatment services to report to WA DOH specific data on individuals who are voluntarily or involuntarily released from treatment early. [Filed as WSR 25-08-014.](#)

Psychologist and Psychology Associate Fees. WA DOH is proposing revisions to WAC 246-924-990, Psychology fees and renewal cycle, to implement recent legislation by: (1) updating application, renewal, and other fees for a psychologist license; (2) establishing a fee schedule for a licensed psychological associate license; and (3) establishing a fee schedule for participation in the Psychology Interjurisdictional Compact. [Filed as WSR 25-07-108.](#)

Expedited Rulemaking (CR-105)

No Filings

Adopted Rules (CR-103P)

Dialysate and Dialysis Device Manufacturers and Wholesalers in Home Dialysis Programs. The Pharmacy Quality Assurance Commission adopted amendments to WAC 246-945-090, 246-945-091, 246-945-092, and 246-945-093 to include manufacturers and wholesalers of dialysis devices and approved legend drugs, including dialysate, in home dialysis program rules under the commission's jurisdiction. [Filed as WSR 25-07-093.](#)

Permanent Closure Reporting Requirements for Pharmacies, Health Care Entities, Hospital Pharmacy Associated Clinics, Wholesalers, and Manufacturers. The Pharmacy Quality Assurance Commission adopted amendments to WAC 246-945-480 to require additional reporting requirements to customers and the commission in advance of pharmaceutical firms permanently closing. [Filed as WSR 25-07-097.](#)

Public Records. WA DOH revised its public record rules to align with changes in state law and better inform the public about its public records process, providing more transparency and clearer procedures for accessing the department's public records. The revised rules relocate the existing rules to a new chapter in title 246 WAC—chapter 246-02 WAC—to make them easier to locate and organize. [Filed as WSR 25-07-081.](#)

Washington Physician Health Program. WA DOH adopted amended fees that increased the surcharge assessed to physicians, physician assistants, osteopathic physicians, podiatric physicians, dentists, and veterinarians, and corrected the HEAL-WA fee for speech-language pathologists. [Filed as WSR 25-07-080.](#)

Emergency Rules (CR-103E)

No Filings

Miscellaneous Filings

Midwifery Advisory Committee – 2025 regular meeting schedule. [Filed as WSR 25-08-019.](#)

Occupational Therapy Practice Board – 2025 regular meeting schedule. [Filed as WSR 25-08-018.](#)

WA DOH - Enforcement of Opioid Treatment Program Rules in Chapter 246-341 WAC, Policy Number CHS-04-08-24. WA DOH rescinded this policy which was filed May 24, 2024, and published in WSR 24-12-021. [Filed as WSR 25-08-013.](#)