



April 16, 2025

Subject: Informative- Information on Agency Rulemaking April 1-15, 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)
Executive Director
Office of Tribal Public Health Relations
Candice.Wilson@doh.wa.gov
360-819-7626

Tami Thompson
Regulatory Affairs Manager
Tami.Thompson@doh.wa.gov
360-628-0096

Sincerely,

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

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

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



WASHINGTON STATE BOARD OF HEALTH

Department of Health/State Board of Health
Rule Report
April 1-15, 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 April 1-15, 2025. If you have any questions about the documents, please contact the person on the forms.

Preproposal Statement of Inquiry (CR-101)

In-home Services Agencies – Fee Updates. WA-DOH is considering rule amendments to update fees for In-home Services Agencies and to clarify and standardize language in WAC 246-335-990. Filed as WSR [25-08-070](#)

Proposed Rules (CR-102)

Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). WA-DOH is proposing rule changes to update WIV vendor agreements and remove some restrictions against A-50 vendors in order to establish their eligibility to join the WA WIC program. Filed as [WSR 25-08-094](#).

Examination requirements for Orthotists and Prosthetists. WA DOH, and the Orthotics and Prosthetics Advisory Committee, is proposing to amend 246-850 WAC to comply with Second Substitute House Bill (2SHB) 1724 (chapter 425, Laws of 2023). The department is proposing to amend the jurisprudence examination as a requirement for licensure and incorporating knowledge of professional jurisprudence into continuing competency requirements for orthotists and prosthetists. Filed as [WSR 25-09-062](#)

Expedited Rulemaking (CR-105)
No Filings.

Adopted Rules (CR-103P)

Behavioral Health Agency (BHA) and Residential Treatment Facility (RTF) - Fee Updates. WA DOH adopted amendments to BHA fees in WAC 246-341-0365 and RTF fees in WAC 246-337-990 to address funding requirements for inspection, investigation and licensing programs. Filed as [WSR 25-08-069](#).

Farmers Market Nutrition Program (FMNP)– Electronic Benefits Payments. WA DOH has adopted amendments in chapter 246-780 WAC which transition the FMNP to use electronic benefit payments (e-FMNP). WIC participants can also use their Cash Value Benefits (CVB) for fresh fruits and vegetables at authorized farmers markets and farm stores, in addition to the seasonal FMNP benefits. Filed as [WSR 25-09-026](#).

Hearing and Speech –Legislation Implementation. The Board of Hearing and Speech adopted 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. This rule adopts revisions to WAC 246-828-020, 246-828-510, and creates a new section, WAC 246-828-035. Filed as [WSR 29-09-055](#).

Medication Assistance. WA DOH adopted amendments to establish criteria for medication assistance in community-based and in-home care settings in accordance with chapter 69.41 RCW. Filed as [WSR 25-08-072](#).

Naturopathic Licensure Requirements for Licensure and Jurisprudence Examinations. The Board of Naturopathy has adopted amendments to WAC 246-836-020, Requirements for licensure, and WAC 246-836-040, Jurisprudence examinations to clarify, update, and simplify rules to align with RCW 18.130.077. To account for changes to the credentialing system the board is delaying the effective date to September 1, 2025. Filed as [WSR 25-09-068](#).

Reducing Barriers for Physical Therapists and Physical Therapist Assistants. The Board of Physical Therapy adopted amendments to waive education, training, experience, and examination requirements for applicants that qualify for licensure by endorsement and to further expand upon the endorsement pathway. This amendment in WAC 246-915-030, 246-915-040, 246-915-085, and 246-915-120 complies with recent legislation codified as RCW 18.130.077. Filed as [WSR 25-09-054](#)

Veteran Definition Update. WA DOH has adopted changes to replace the term “honorable discharge” with “qualifying discharge” in WAC 246-12-530 and 246-12-560 in accordance with Second Substitute House Bill (2SHB) 2014 (chapter 146, Laws of 2024). Filed as [WSR 25-08-093](#).

Emergency Rules (CR-103E)

WA HEALTH. WA DOH continued without change the previous emergency rules, which require acute care hospitals to report hospital maintenance and operation data to WA-DOH through Washington’s Healthcare and Emergency and Logistics Tracking Hub (WA HEALTH) in accordance with the WA HEALTH User Guide. Filed as [WSR 25-09-003](#)

Miscellaneous Filings

Board of Massage. Revised 2025 schedule of regular meetings. Filed as [WSR 25-09-011](#).

Occupational Therapy Board. Revised 2025 schedule of regular meetings. Filed as [WSR 25-08-066](#)

Pharmacy Quality Assurance Commission. Rescission of CR-103E concerning Medication Assistance. Effective May 2, 2025, the CR-103E for Medication Assistance, filed February 20, 2025, published in WSR 25-06-008 is rescinded because permanent rulemaking has been completed for WACs 246-945-710, 246-945-712, 246-945-714, 246-945- 716, and 246-945-718. The permanent rule was filed as WSR 25-08-072. Filed as [WSR 25-08-082](#).

Washington Medical Commission. A Policy Statement was filed concerning the processing of complaints against students, residents, and fellows. The statement POL2025-02 is effective March 14, 2025. Filed as [WSR 25-09-057](#)