



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** Department of Health- Chiropractic Quality Assurance Commission

- Preproposal Statement of Inquiry was filed as WSR 15-22-070 ; 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).

- Original Notice
- Supplemental Notice to WSR
- Continuance of WSR

**Title of rule and other identifying information:** (Describe Subject)

WAC 246-808-150, Commission Approved Continuing Education (CE), WAC 246-808-155, Prior Approval Not Required and WAC 246-808-165, Exemptions. The Chiropractic Quality Assurance Commission (commission) is proposing amending WAC 246-808-150 to meet the requirements of engrossed substitute house bill (ESHB) 1424 (chapter 249, Laws of 215) to clarify acceptable CE documentation and CE exemptions, and adding language regarding when chiropractors must start reporting CE. The commission is proposing to repeal WACs 246-808-155 and WAC 246-808-165.

**Hearing location(s):** Department of Health  
Creekside 2 Room 309  
20425 72nd Ave. S.  
Kent, WA 98032

Date: 12/8/16 Time: 9:30 a.m.

**Submit written comments to:**

Name: Leann Yount, Program Manager  
Address: Chiropractic Quality Assurance Commission  
PO Box 47858  
Olympia, WA -98504-7858  
e-mail: <https://fortress.wa.gov/doh/policyreview>  
fax 360.236.2360 by (date) 12/05/2016

**Assistance for persons with disabilities:** Contact

Leann Yount by 11/23/2016

TTY (800) 833-6388 or () 711

**Date of intended adoption:** 12/08/2016

(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

In the 2015 legislative session, the legislature passed Engrossed Substitute House Bill (ESHB) 1424 (chapter 249, Laws of 2015), codified as RCW 43.70.442, that extends the suicide continuing education (CE) reporting period to 2017. The bill also requires the Department of Health (department) to create minimum standards for the training programs and include them on a model list. Beginning July 1, 2017, the suicide CE training must be taken from a vendor identified on the model list or it will not count as meeting the requirement in RCW 43.70.442. Changes to CE, including the suicide training required by statute, will not increase or decrease the total number of CE hours required. Additionally, the text in WAC 246-808-155 and WAC 246-808-165 can be incorporated into the CE rule in WAC 246-808-150 to capture the requirements in one rule, making it easier to read, and to reduce the number of rules.

**Reasons supporting proposal:**

The intent of chapter 18.25 RCW is to regulate the competency and quality of chiropractors by establishing, monitoring, and enforcing qualifications for licensing, consistent standards of practice, continuing competency mechanisms, and discipline. The intent of RCW 43.70.442 is the help reduce suicide in Washington State. The proposal meets the intent of both statutes by clarifying the CE requirements and recognizing the model list, so chiropractors not only maintain but also expand their practice skills and knowledge to protect the public's health and safety.

**Statutory authority for adoption:**

RCW 18.25.0171, RCW 18.130.050, and RCW 18.25.070

**Statute being implemented:**

RCW 18.25.0171 and RCW 43.70.442

**Is rule necessary because of a:**

- Federal Law?  Yes  No
  - Federal Court Decision?  Yes  No
  - State Court Decision?  Yes  No
- If yes, CITATION:

**DATE** October 24, 2016

**NAME** (type or print)  
Leann Yount

**SIGNATURE** *Leann Yount*

**TITLE**  
Program Manager

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE:** October 25, 2016

**TIME:** 11:03 AM

**WSR 16-22-030**

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

None

**Name of proponent:** (person or organization) Leann Yount, Chiropractic Quality Assurance Commission  Private  
Program Manager  Public  Governmental

<b>Name of agency personnel responsible for:</b>		
Name	Office Location	Phone
Drafting..... Leann Yount	PO Box 47858, Olympia, WA 98504-7858	360.236.4856
Implementation....Leann Yount	PO Box 47858 Olympia, WA 98504-7858	360.236.4856
Enforcement.....Leann Yount	PO Box 47858 Olympia, WA 98504-7858	360.236.4856

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:  
Address:  
  
phone  
fax  
e-mail

No. Explain why no statement was prepared.

A small business economic impact statement was not prepared. The proposed rule would not impose more than minor costs on businesses in an industry.

**Is a cost-benefit analysis required under RCW 34.05.328?**

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

Name:  
Address:  
  
phone  
fax  
e-mail

No: Please explain: The agency did not complete a cost benefit analysis under RCW 34.05.328. RCW 34.05.328(5)(b)(iii)

exempts rules that adopt or incorporate by reference without material change federal statutes or regulations, Washington state law, the rules of other Washington state agencies, or national consensus codes that generally establish industry standards.

**WAC 246-808-150 Commission approved continuing education.** (1) ~~((Chiropractors must complete))~~ A chiropractor must demonstrate completion of twenty-five hours of continuing education ((per year under)) each annual renewal cycle as required by RCW 18.25.070 and chapter 246-12 WAC, Part 7. ((+2)) The required continuing education must be obtained during the period between renewals.

(2) A chiropractor must attest to completion of the continuing education requirement upon renewal. If the first renewal period is less than one full year from the date of licensure, no continuing education will be due for the first renewal period.

(3) A chiropractor in active status who resides and practices outside Washington must meet all the requirements.

(4) A chiropractor is not required to obtain prior approval of any continuing education.

(5) The commission approves the following subject material within the scope of practice for continuing chiropractic education credit:

- (a) Diagnosis and treatment of the spine or extremity articulations within the scope of practice;
- (b) X-ray/diagnostic imaging;
- (c) Adjustive technique;
- (d) Detection of a subluxation;
- (e) Physical examination;
- (f) Hygiene;
- (g) Symptomatology;
- (h) Neurology;
- (i) Pathology;
- (j) Orthopedics;
- (k) Patient/case management, documentation, coding;
- (l) Impairment within the scope of practice;
- (m) CPR (not to exceed a total of four hours);
- (n) Dietary and nutrition advice;
- (o) Chiropractic philosophy; and
- (p) Governmental regulations relevant to chiropractic and public health (not to exceed a total of twelve hours).

~~((3) Beginning June 12, 2014,))~~ (6) As part of the continuing education, a chiropractor((s are required to)) must obtain a one-time, three-hour((s)) training in suicide screening and referral from a qualified suicide prevention training program. ((This is a one-time suicide prevention training that)) The training must be completed during the first full reporting period after ((June 12, 2014, or the first full continuing education reporting period after)) initial licensure((, whichever is later)).

(a) A qualified training program is empirically supported training in suicide screening and referral that is at least three hours in length ~~((which))~~ and may be provided in one or more sessions.

(b) The hours spent completing a training program in suicide screening and referral under this section count toward meeting any applicable continuing education requirements.

(c) Effective July 1, 2017, in order to meet the suicide training requirements, a chiropractor must obtain the three-hour training in suicide screening and referral from a qualified suicide prevention training program identified on the department of health's model list as required under RCW 43.70.442.

(d) Nothing in this subsection is intended to expand or limit the chiropractic scope of practice.

~~((4))~~ (7) Subject matter not approved for continuing education credit:

(a) Subject matter not directly relating to the chiropractic clinical scope of practice; and

(b) Conduct prohibited by Washington state statutes or rules governing chiropractic practice.

~~((5))~~ (8) A chiropractor may earn a maximum of twelve hours for:

(a) Completing a multimedia chiropractic education program, which includes, but is not limited to, the internet, teleseminars, employer led training (~~offering continuing education hours~~), and audio or video presentations.

(b) Serving as teachers or lecturers in continuing education programs approved under subsection ~~((2))~~ (5) of this section. A chiropractor may receive credit on the same basis as those attending the program.

~~((6))~~ (9) The commission may randomly audit license holders for compliance. A chiropractor must provide acceptable documentation of attendance upon commission request or audit. Acceptable forms of documentation include:

(a) Transcripts;

(b) ~~((Letters))~~ Written documentation from the course instructors;

(c) Certificate of completion indicating the name of the course, date(s) of the course, and the number of credit hours completed; or

(d) Other formal documentation which includes:

(i) Participant's name;

(ii) Course title;

(iii) Course content;

(iv) Date(s) of course;

(v) ~~((Provider's))~~ Number of credit hours completed;

~~((vi))~~ Instructor's name(s); and

~~((vi))~~ (vii) Signature of the program sponsor or course instructor. Multimedia courses are exempt from the signature requirement.

~~((7) Chiropractors in active status who reside and practice outside Washington must meet all the requirements.)~~

(10) A sponsor offering a continuing chiropractic education program does not need prior commission approval for a formal continuing education program. The number of creditable hours may be determined by counting the contact hours of instruction. A credit hour for time actually spent in a course cannot be less than fifty minutes as required in chapter 246-12 WAC, Part 7.

(11) The commission may grant exemptions or time extensions on an individual basis, if a licensee fails to meet continuing education requirements due to illness, retirement, or other extenuating circumstances.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 246-808-155      Prior approval not required.  
WAC 246-808-165      Exemptions.