

Significant Legislative Rule Analysis
WAC 246-808-150
a Rule Concerning Commission Approved Continuing Education
September 12, 2014

Describe the proposed rule, including a brief history of the issue, and explain why the proposed rule is needed.

The Chiropractic Quality Assurance Commission (commission) is proposing to update its continuing education (CE) rules to promote continuing competency and support professional growth by adding additional CE categories and multimedia venue. The proposed rules do not increase the total number of CE hours a chiropractor must obtain each year for renewal of their credential but is proposing limiting the number of hours that can be obtained in CPR. It is also removing the number of hours that can be obtained in philosophy; adding a suicide prevention CE requirement to implement ESHB 2315 (Chapter 71, Laws of 2014); and making changes to CE documentation rules to keep current with practice and competency standards.

The commission is proposing that no more than four hours can be obtained in CPR every year (renewal cycle). Currently, the rule allows a chiropractor to obtain all 25 CE license renewal hours in CPR. The commission would like chiropractors to obtain CE training in other areas to keep current with practice standards and to enhance competency.

The commission is proposing that the number of hours allowed in philosophy be removed. This limitation was put in place years ago due to the pattern of complaints resulting in disciplinary action. The commission feels that a limitation on this topic is no longer necessary.

The proposed rules will also implement Engrossed Substitute House Bill (ESHB) 2315 by creating a suicide prevention continuing education (CE) requirement. ESHB 2315 allows the commission to determine if a three hour or six hour training in suicide assessment, screening, and referral is more appropriate for chiropractors. The commission determined that the three hour training requirement is appropriate based on the profession's scope of practice which does not include the treatment and management of patients with suicidal ideations. Chiropractors are to refer patients with suicidal ideations to other health care providers. Other provisions of ESHB 2315 which are incorporated in the proposed rules clarify that this is a one-time requirement to be completed during the first full CE reporting period after June 12, 2014 or after initial licensure, whichever occurs later. The proposed rules also specify the standards a program must meet to qualify as suicide prevention training.

Is a Significant Analysis required for this rule?

Yes. WAC 246-808-150(6) only.

Table: Non-Significant Rule Identification-Reason

#	WAC Section	Section Title/Subject	Reason
1	246-808-150(2)	Commission approved continuing education subject material	The proposed changes do not change the total number of continuing education hours required.
2	246-808-150(3)	Commission approved continuing education suicide assessment, screening, and referral requirement	The proposed language is adopted from the statute without material change.

Clearly state in detail the general goals and specific objectives of the statute that the rule implements.

The statute authorizes the commission to set criteria and standards for course content of the current CE requirements. The commission is proposing amendments to the current rule to add more approved CE categories, set limits on certain CE categories, and clarifies what is acceptable CE documentation.

Explain how the department determined that the rule is needed to achieve these general goals and specific objectives. Analyze alternatives to rulemaking and the consequences of not adopting the rule.

Often times the commission receives CE documentation that is lacking information such as the CE course content, date of the CE course, or the instructor’s signature. In addition, chiropractors have also created their own CE documentation which is not considered official CE documentation because it was not created by the CE instructor.

The alternative to rulemaking is to keep the rule as is. However, by keeping the rule as is, chiropractors may continue to fail CE audits and not meet license renewal requirements which results in a Notice of Correction or their license is not renewed.

Explain how the department determined that the probable benefits of the rule are greater than the probable costs, taking into account both the qualitative and quantitative benefits and costs and the specific directives of the statute being implemented.

WAC 246-808-150 (6): The proposed changes will benefit licensees by outlining specific items that must be included on acceptable CE documentation for CE. This will benefit chiropractors, course providers, the public, and staff. By clarifying the CE documentation requirements, this may lessen the number of Notice of Corrections that are issued for unacceptable CE documentation. There will be no additional costs for the chiropractor or course instructor.

Identify alternative versions of the rule that were considered, and explain how the department determined that the rule being adopted is the least burdensome alternative for

those required to comply with it that will achieve the general goals and specific objectives state previously.

The commission has held several public rule writing workshops in Tumwater and Kent, Washington. Draft rule language was sent out to our interested parties list during the rule development.

The commission considered not setting a CE hour limit in CPR and governmental regulations relevant to chiropractic and public health, and not clarifying acceptable documentation requirements. After the rule writing workshops, the commission determined that this was not in the best interest of public health and safety.

Determine that the rule does not require those to whom it applies to take an action that violates requirements of another federal or state law.

The rule does not require those to whom it applies to take an action that violates requirements of federal or state law.

Determine that the rule does not impose more stringent performance requirements on private entities than on public entities unless required to do so by federal or state law.

The rule does not impose more stringent performance requirements on private entities than on public entities.

Determine if the rule differs from any federal regulation or statute applicable to the same activity or subject matter and, if so, determine that the difference is justified by an explicit state statute or by substantial evidence that the difference is necessary.

The rule does not differ from any applicable federal regulation or statute.

Demonstrate that the rule has been coordinated, to the maximum extent practicable, with other federal, state, and local laws applicable to the same activity or subject matter.

There are no other applicable laws.