



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

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DATE: July 06, 2022

TIME: 9:49 AM

WSR 22-14-105

Agency: Department of Health

Subject of possible rule making: Chapter 246-835 WAC (New), Birth Doula. The Department of Health (department) is considering establishing a new chapter to implement Engrossed Substitute House Bill (ESHB) 1881 (chapter 217, Laws of 2022). This bill creates a new certified profession, birth doula, under Title 18 RCW. The law requires the department to create rules for the profession, which are needed to establish processes for applicants to meet competency-based requirements for voluntary certification. Additionally, rulemaking is needed to specify various fees such as initial licensure, renewal, late renewal, duplicate license, and verification.

Statutes authorizing the agency to adopt rules on this subject: RCW 18.130.040 and Engrossed Substitute House Bill (ESHB) 1881 (Chapter 217, Laws of 2022).

Reasons why rules on this subject may be needed and what they might accomplish: ESHB 1881 creates a new credential for voluntary certification of birth doulas. Rules are needed for the new profession to specify processes for applicants to meet competency-based requirements for voluntary certification. Further, rulemaking is needed to set fees for the profession to ensure the department is in line with RCW 43.70.250 and fees set are enough to cover the costs of licensing the profession.

ESHB 1881 does not prohibit a person from practicing as a birth doula without a certification, however only those certified by the department under adopted rules will be able to identify themselves as a "state-certified birth doula."

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: None.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Collaborative rule making


Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

Name: Kathy Weed
 Address: P.O. Box 47852 Olympia, WA 98504-7852
 Phone: 360-236-4883
 Fax: 360-236-2910
 TTY: 711
 Email: kathy.weed@doh.wa.gov
 Web site: www.doh.wa.gov
 Other:
<https://public.govdelivery.com/accounts/WADOH/subscriber/new>

(If necessary)

Name:
 Address:
 Phone:
 Fax:
 TTY:
 Email:
 Web site:
 Other:

Additional comments: The department will use existing GovDelivery lists to inform stakeholders of opportunities to provide input on proposed rule language. Interested parties can join the GovDelivery list to get information on participating in the process by subscribing at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>.

Date: 07/02/2022	Signature: 
Name: Kristin Peterson, JD for Umair A. Shah, MD, MPH	
Title: Deputy Secretary for Policy and Planning for Secretary of Health	