



PROPOSED RULE MAKING

CR-102 (June 2024)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: April 22, 2025

TIME: 12:36 PM

WSR 25-09-146

Agency: Washington State Board of Health

☒ Original Notice

☐ Supplemental Notice to WSR

☐ Continuance of WSR

☒ Preproposal Statement of Inquiry was filed as WSR 23-22-004 ; 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); or

☐ Proposal is exempt under RCW _____.

Title of rule and other identifying information: Chapter 246-760 WAC – Auditory Screening Standards for School Districts. The Washington State Board of Health (Board) is proposing updates to hearing screening standards for schools. The changes would allow school districts to use otoacoustic emission (OAE) devices as an alternative screening tool for students who cannot participate in pure tone audiometry tests. The updates also aim to clarify the language of the rules, ensure consistency with vision screening sections of the rule, and align with current national standards.

Hearing location(s):

Date:
June 4, 2025

Time:
1:30 p.m.

Location: (be specific):

Physical Location:
Washington State Department of Health
111 Israel Road S.E.
Tumwater, WA 98501
Building: Town Center Two (TC2,
Rooms 166 & 167)

Virtual Link:

https://us02web.zoom.us/join/register/WN_DiQ17FVFSSutlhHlzCvdRw#/registration

Comment:

The State Board of Health will be holding a hybrid hearing with the option to attend and testify either via Zoom or in-person.

Date of intended adoption: June 4, 2025 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name Molly Dinardo
Address P.O. Box 47990
Olympia, WA
98504-7990
Email schoolauditoryscreening@sboh.wa.gov
Fax N/A

Other:

Please submit comments through the AirTable link below:

<https://airtable.com/apphlxdKlbsd4Drza/pagrWs7U1SIsueuVU/form>

By (date and time) May 23, 2025 at 11:59 p.m.

Assistance for persons with disabilities:

Contact State Board of Health Staff
Phone: (360) 236-4110

Fax N/A

TTY 711

Email wsboh@sboh.wa.gov

Other

By (date) May 28, 2025

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The State Board of Health is proposing updates to chapter 246-760 WAC to modernize its school hearing screening standards. These changes would allow schools to use OAE devices as an optional tool for students who can't complete pure-tone audiometry. The proposal also updates the rules to align with national best practices, use more inclusive language, and improve clarity and consistency with the vision screening sections of the rule. The Board anticipates these changes will make the rules easier to understand and use, and provide more options for schools to screen students who can't be screened with the current audiometry equipment permitted in rule.

Reasons supporting proposal: The proposed rule is essential to meet the goals and objectives of RCW 28A.210.020. It also ensures the Board supports evidence-based hearing screening tools, providing consistent, quality screenings for all students across schools and districts. Early identification of hearing challenges helps ensure children receive the support they need to succeed and prevent hearing reductions from affecting their learning. The Board's hearing screening standards have not been updated since 2002. This rulemaking is essential to align screening practices with current evidence-based standards and ensure school screening staff can access clear, up-to-date procedures. Without these updates, the hearing screening rules would be inconsistent with vision screening standards, use less clear language, and offer fewer screening options for students unable to complete pure-tone audiometry.

Statutory authority for adoption: RCW 28A.210.020

Statute being implemented: RCW 28A.210.020

Is rule necessary because of a:

Federal Law?

☐ Yes ☒ No

Federal Court Decision?

☐ Yes ☒ No

State Court Decision?

☐ Yes ☒ No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None

Name of proponent: Washington State Board of Health

Type of proponent: ☐ Private. ☐ Public. ☒ Governmental.

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting: Molly Dinardo	101 Israel Road SE, Tumwater, WA, 98504	564-669-3455
Implementation: Office of the Superintendent of Public Instruction	600 Washington St. S.E.Olympia, WA 98504-7200	360-725-6000
Enforcement: Office of the Superintendent of Public Instruction	600 Washington St. S.E.Olympia, WA 98504-7200	360-725-6000

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)?

☐ Yes ☒ No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name

Address

Phone

Fax

TTY

Email

Other

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

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

Name Molly Dinardo

Address P.O. Box 47990, Tumwater, WA, 98504

Phone 564-669-3455

Fax N/A

TTY 711

Email molly.dinardo@sboh.wa.gov

Other

☐ No: Please explain:

Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

☐ This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

☐ This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

☒ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:

☐ [RCW 34.05.310](#) (4)(b)

(Internal government operations)

☐ [RCW 34.05.310](#) (4)(e)

(Dictated by statute)

☐ [RCW 34.05.310](#) (4)(c)

(Incorporation by reference)

☐ [RCW 34.05.310](#) (4)(f)

(Set or adjust fees)

☒ [RCW 34.05.310](#) (4)(d)

(Correct or clarify language)

☐ [RCW 34.05.310](#) (4)(g)

((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#). (Does not affect small businesses).

☐ This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of how the above exemption(s) applies to the proposed rule: WAC 246-760-001, WAC 246-760-010, WAC 246-020, WAC 246-760-025, WAC 246-760-050, and WAC 246-760-060, are all exempt because it proposes rule updates that clarifies rule language without changing its effect.

(2) Scope of exemptions: *Check one.*

☐ The rule proposal: Is fully exempt. (*Skip section 3.*) Exemptions identified above apply to all portions of the rule proposal.

☒ The rule proposal: Is partially exempt. (*Complete section 3.*) The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):

☐ The rule proposal: Is not exempt. (*Complete section 3.*) No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

☒ No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs.

The proposed rule does not impose more than minor costs on businesses as this rule was determined to not incur any additional costs.

☐ Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name

Address

Phone

Fax

TTY

Email

Other

Date: April 21, 2025
Name: Michelle A. Davis
Title: Executive Director

Signature:
