

Rulemaking Efforts



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Postgraduate Medical Training, WAC 246-919-330 via Standard Rulemaking

On April 26, 2024, the WMC adopted revisions to [WAC 246-919-330](#). The revisions eliminate the outdated requirement for consecutive years of training in no more than two programs. The CR-103, Rulemaking Order, was filed on June 6, 2024, as [WSR #24-13-019](#). The rules were effective July 9, 2024.

General Provisions for Opioid Prescribing for Physician Assistants and Allopathic Physicians

A CR-102, Proposed Rulemaking, was filed on March 20, 2024, as [WSR #24-07-107](#) for both chapter 246-918 WAC (physician assistants) and chapter 246-919 WAC (allopathic physicians) to revise the opioid prescribing rules as follows:

1. Exempting patients with Sickle Cell Disease.
2. State in rule that not all chronic pain patients need to be tapered off opioids.
3. Clearer rules regarding biological specimen testing.

A hearing was held on April 26, 2024, during which these proposed rules were not adopted. At the hearing, concerns were raised about the proposed removal of “biological testing” from subsection (1) of both the Periodic Review—Chronic pain sections: WAC 246-918-870 and WAC 246-919-920. Due to these concerns, a follow-up workshop was held on June 4, 2024, to refine the draft language and the revised proposal now includes “biological testing” once again. A supplemental CR-102 was approved at the WMC’s July 19, 2024, Business meeting. The supplemental CR-102 is in progress and the hearing is tentatively scheduled for October 11, 2024. Please visit our [Rules in Progress](#) page for the current schedule.

2SHB 1009 Military Spouse Temporary Practice Permits

Second Substitute House Bill (2SHB) 1009 Concerning military spouse employment was passed during the 2023 legislative session. The WMC has a section in both the physician’s chapter, WAC 246-919-397, and the physician assistant’s chapter, WAC 246-918-076, which address how a military spouse can obtain a temporary practice permit. Both WACs are identical except for references to physician or physician assistant in their respective chapters. 2SHB 1009 provides additional information for issuing this temporary permit, a different definition of military spouse, and other items that are not included in the WACs. The WMC will consider amending these WACs to align with the bill more closely. The CR-101 for this rulemaking was filed on September 12, 2023, as [WSR #23-19-029](#).

At their October 20, 2023, Business meeting, the Commissioners approved initiating the next step in the rulemaking process, CR-102, Proposed Rulemaking. The hearing for this rulemaking is tentatively scheduled for October 11, 2024. Please visit our [Rules in Progress](#) page for the current schedule.

Expedited Rulemakings (CR-105)

Physician Assistant Collaborative Practice

The CR-105 in response to [ESHB 2041](#) Concerning physician assistant collaborative practice was filed on July 16, 2024, as [WSR #24-15-055](#). The comment period for this rulemaking ends September 23, 2024. Comments regarding this rulemaking can be sent to amelia.boyd@wmc.wa.gov until that date.

Technical Edits to [WAC 246-919-945](#) and [WAC 246-918-895](#)

The CR-105 was filed on July 16, 2024, as [WSR #24-15-054](#). This rulemaking removes references to osteopathic physician assistants. The comment period for this rulemaking ends September 23, 2024. Comments regarding this rulemaking can be sent to amelia.boyd@wmc.wa.gov until that date.

Rulemaking Efforts

Collaborative Drug Therapy Agreements

The [CR-101](#) for creating rules related to Collaborative Drug Therapy Agreements was filed with the Office of the Code Reviser on July 22, 2020 as [WSR #20-16-008](#).

One aspect of the practice of medicine is working with pharmacists to deliver drug therapy to patients. This coordination can take many forms, but the WMC's concern involves treating patients under a collaborative drug therapy agreement (CDTA). These arrangements occur pursuant to a written agreement entered into by an individual physician or physician assistant and an individual pharmacist.

The Pharmacy Quality Assurance Commission has adopted a rule that governs CDATAs from the pharmacy perspective, however there are no statutes or rules that govern a physician's responsibilities under a CDTA. A rule is needed to define the roles and responsibilities of the physician or physician assistant who enters into a CDTA, any defined limit to the number of pharmacists who may have a CDTA with any one physician or physician assistant, and how the physician or physician assistant and pharmacist can best collaborate under these agreements.

Regulating the use of CDATAs would place the WMC in an active patient safety role. Rulemaking would provide clarity around this issue to help avoid potential discipline and increase patient safety. The new sections being considered will potentially benefit the public's health by ensuring participating providers are informed and regulated by current national industry and best practice standards.

Workshops for this rulemaking are ongoing. Please visit our [Rules in Progress](#) page for the current schedule and draft language.

Establishing the use of nitrous oxide in office based surgical settings, WAC 246-919-601

The WMC is considering amending [WAC 246-919-601](#) to exempt the use of nitrous oxide in office-based surgical settings under certain circumstances. Additionally, the WMC is considering adding a new subsection to further address the use of nitrous oxide in such settings. The CR-101, Preproposal Statement of Inquiry, for this rulemaking was filed on May 17, 2024, as [WSR #24-11-104](#).

Workshops for this rulemaking are ongoing. Please visit our [Rules in Progress](#) page for the current schedule and draft language.

Upcoming Rulemakings

At their October 20, 2023, Business meeting, the Commissioners approved initiating rulemaking on the following:

- Regarding [SSB 5389](#) – define “qualified physician”

The CR-101, Preproposal Statement of Inquiry, for this rulemaking is in progress. Once the CR-101 is filed, workshops will be held. Please visit our [Rules in Progress](#) page for the current schedule.

At their April 26, 2024, Business meeting, the Commissioners approved initiating rulemaking on the following:

- Standard rulemaking in response to [SB 5184](#) Concerning licensure of certified anesthesiologist assistants

The CR-101, Preproposal Statement of Inquiry, for this rulemaking is in progress. Once the CR-101 is filed, workshops will be held. Please visit our [Rules in Progress](#) page for the current schedule.

At their July 19, 2024, Business meeting, the Commissioners approved initiating rulemaking on the following:

- Opioid prescribing for physician assistants and allopathic physicians.

The CR-101, Preproposal Statement of Inquiry, for this rulemaking will be in progress later this year. Once the CR-101 is filed, workshops will be held. Please visit our [Rules in Progress](#) page for the current schedule.

More Information

Please visit our [rulemaking site](#) and for continued updates on rule development, interested parties are encouraged to join the [WMC's rules GovDelivery](#). WMC rulemaking comments or questions may be emailed to medical.rules@wmc.wa.gov.