

# Rulemaking Efforts



WASHINGTON  
**Medical  
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## Amelia Boyd Program Manager

### In Progress

#### **New Profession: Anesthesiologist Assistants, [SB 5184](#)**

A CR-101, Preproposal Statement of Inquiry, was filed on August 28, 2024, as [WSR #24-18-057](#). The WMC is developing a new chapter of rules under Title 246 WAC to establish licensing regulations for anesthesiologist assistants, in accordance with SB 5184.

Between October and December 2024, the WMC held four workshops, working with the public, associations, and other interested parties to draft the proposed language. The Commission approved this language at their January 10, 2025, Business Meeting. A CR-102, Proposed Rules, is currently in progress, with a rulemaking hearing tentatively scheduled for May 9, 2025. Please visit our [Rules in Progress](#) page for more information.

#### **General Provisions for Opioid Prescribing for Physician Assistants (PA) and Allopathic Physicians (MD)**

The WMC has adopted amendments to their opioid prescribing rules to exclude patients with sickle cell disease, to clarify tapering considerations, and to clarify the use of biological specimen testing. The rules amend [WAC 246-918-801](#) Exclusions, [WAC 246-918-870](#) Periodic Review—Chronic pain, and [WAC 246-918-900](#) Tapering considerations—Chronic pain for physician assistants, as well as [WAC 246-919-851](#) Exclusions, [WAC 246-919-920](#) Periodic Review—Chronic pain, and [WAC 246-919-950](#) Tapering considerations—Chronic pain for allopathic physicians.

The rules add sickle cell disease to the list of exemptions from opioid prescribing limits. To prevent harm from abrupt opioid discontinuation, the rules clarify that not all chronic pain patients need tapering. The rules also state that a single abnormal biological test result should not be the sole basis for discontinuing opioid treatment.

The CR-103 for Permanent Rulemaking was filed on February 18, 2025, as [WSR #25-05-091](#). The WSR document contains the adopted rule language, which will take effect on March 21, 2025.

#### **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](#).

Between July 2024 and January 2025, the WMC held three workshops, collaborating with the public, associations, and other interested parties to develop the draft language. The panel at the final workshop on January 27, 2025, approved the draft language for presentation to the Commission at its March 14, 2025, Business Meeting for review and potential approval to advance to the next step in the rulemaking process, the CR-102 (Proposed Rules). A hearing is tentatively scheduled for August 22, 2025. Please visit our [Rules in Progress](#) page for more information.

#### **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 CDTAs 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 CDTAs 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.

### Upcoming Rulemakings

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

At their October 20, 2023, business meeting, the Commissioners approved initiating rulemaking related to SSB 5389. 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.

#### Opioid Prescribing for Physician Assistants (PA) and Allopathic Physicians (MD)

At their July 19, 2024, business meeting, the Commissioners approved initiating rulemaking on the opioid prescribing WACs in both the MD chapter 246-919 WAC and PA chapter 246-918 WAC. 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.

#### Chapter 246-919 WAC, Allopathic Physicians (MD)

At their January 10, 2025, business meeting, the Commissioners approved initiating rulemaking on several sections of allopathic physician (MD) rules, chapter 246-919 WAC. The sections that will be addressed in this rulemaking are [WAC 246-919-010](#) through [WAC 246-919-520](#) and [WAC 246-919-602](#) through [WAC 246-919-700](#). The CR-101, Preproposal Statement of Inquiry, is in progress. Once the CR-101 is filed, workshops will be held. Please visit our [Rules in Progress](#) page for the current schedule.

### Recently Completed

#### 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 provided additional information for issuing this temporary permit, a different definition of military spouse, and other items that are not included in the WMC's WACs. The WMC adopted rules that fulfill the requirements of 2SHB 1009 on October 11, 2024. The CR-103, Permanent Rules, was filed on December 3, 2024, as [WSR #24-24-098](#). The rules became effective on January 3, 2025.

### 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 rules were adopted on November 14, 2024, and became effective on December 15, 2024. The revised rules can be found in the CR-103 filed on November 14, 2024, as [WSR #24-23-043](#). The rules became effective on December 15, 2024.

#### 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 removed references to osteopathic physician assistants. The rules were adopted on November 14, 2024, and became effective on December 15, 2024. The revised rules can be found in the CR-103 filed on November 14, 2024, as [WSR #24-23-042](#). The rules became effective on December 15, 2024.

### 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](mailto:medical.rules@wmc.wa.gov).

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