



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: April 30, 2025

TIME: 12:09 PM

WSR 25-10-039

Agency: Department of Health—Washington Medical Commission

Subject of possible rule making: Opioid Prescribing—General Provisions for allopathic physicians (MD) and physician assistants (PA). The Washington Medical Commission (commission) is considering amending the following opioid prescribing rules to modernize the language, add clarity, and bring the rules more in line with current practice: MD WACs 246-919-850 through 246-919-985 and PA WACs 246-918-800 through 246-918-935.

Statutes authorizing the agency to adopt rules on this subject: RCW 18.71.017 and 18.130.050.

Reasons why rules on this subject may be needed and what they might accomplish:

The commission received a petition in July 2024 that requested amendments to the opioid prescribing rules. The petition requested changes to WAC 246-919-850 through 246-919-990 and WAC 246-918-800 through 246-918-835 to ensure that opioid prescribing rules do not impose unnecessary restrictions on stable chronic pain patients or those with rare diseases. The petitioner's requested revisions seek to clarify that stable and compliant chronic pain patients should not have their opioid medications reduced, tapered, or discontinued, as doing so may be harmful and fall below the standard of care. Additionally, the petitioner requested the elimination of predetermined morphine milligram equivalent (MME) guidelines in prescribing decisions, emphasizing that neither Washington State nor federal law mandates specific dose, strength, quantity, or duration limitations. Lastly, the petitioner requested an exemption for patients with rare diseases, as defined by the National Organization for Rare Disorders (NORD) or the National Institutes of Health (NIH), ensuring they are not subject to restrictive opioid prescribing policies.

The commission reviewed the petition in July 2024 and voted to initiate rule making on this subject. Based on the petition, the commission is considering updating opioid prescribing rules for MDs and PAs to modernize language, add clarity, and better align with current medical practices.

Clear and well-structured rules help ensure that medical professionals understand their responsibilities and that patients receive safe, high-quality care. Over time, medical practices, technology, and patient care standards evolve, making it important to update regulations so they remain relevant and effective.

The intent of this rulemaking is to further establish clearer expectations for MDs and PAs regarding professional conduct, patient care, and regulatory compliance. By modernizing them, the commission can remove outdated language, clarify ambiguous requirements, and ensure they align with best practices in healthcare. This can also help streamline processes for medical professionals while maintaining strong oversight to protect patients. Additionally, aligning state rules with federal policies and national standards reduces confusion, improves consistency in medical regulation, and ensures that Washington healthcare providers are held to the same high standards as those in other states.

Updating these rules are intended to support patient safety, enhances professional accountability, and fosters a healthcare system that reflects current medical knowledge and ethical considerations. It also helps prevent regulatory gaps that could lead to inconsistencies in care, ensuring that both healthcare providers and patients benefit from clear, well-defined expectations.

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 rulemaking

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

	(If necessary)
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Additional comments: To join the interested parties email list, please visit:
https://public.govdelivery.com/accounts/WADOH/subscriber/new?topic_id=WADOH_153

Date: April 29, 2025

Name: Kyle Karinen

Title: Executive Director, Washington Medical Commission

Signature:

