



PREPROPOSAL STATEMENT OF INQUIRY

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

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: August 15, 2023

TIME: 4:13 PM

WSR 23-17-091

Agency: Department of Health

Subject of possible rule making: Athletic trainers and medications in chapter 246-916 WAC Athletic Trainers. The Department of Health (department) and the Athletic Training Advisory Committee (committee) are proposing to create a new section in the athletic trainer rules in response to Substitute House Bill (SHB) 1275 (chapter 143, Laws of 2023). Rulemaking is necessary to clarify that athletic trainers are not permitted to purchase, store or administer controlled substances, and to clarify training requirements for an athletic trainer to purchase, store and administer medications.

Statutes authorizing the agency to adopt rules on this subject: RCW 18.250.020, 43.70.040

Reasons why rules on this subject may be needed and what they might accomplish: Rulemaking is necessary to clarify that athletic trainers are not permitted to purchase, store or administer controlled substances, and to clarify training requirements for an athletic trainer to purchase, store and administer medications.

SHB 1275 authorizes athletic trainers to purchase, store, and administer over-the-counter medications as prescribed by an authorized health care practitioner for the practice of athletic training and permits athletic trainers who have completed accredited training programs on pharmacology and medication administration to purchase, store, and administer medications in accordance with the accredited training programs, as prescribed by an authorized health care practitioner for the practice of athletic training. Rulemaking will ensure there is clarity regarding the kinds of training that will be acceptable, and will also clarify that for the purposes of this chapter, medications do not include controlled substances.

The department had previously filed a CR 101 as WSR 23-07-128 for rules regarding athletic training, but is withdrawing that and refiling this new one to include implementation of SHB 1275.

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:

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Other:

Additional comments: Interested parties can participate in the drafting of the proposed rules. The department will be conducting rules workshops with interested parties and subject matter experts. The department will use existing GovDelivery lists and other known contact information to inform interested parties of opportunities to provide input on proposed rule language. To find out more information about our rulemaking, visit www.doh.wa.gov. To subscribe to GovDelivery, please visit www.doh.wa.gov, and select the "Subscribe" button at the bottom of the page. After signing in, please click open the box labeled "Health Systems Quality Assurance." Next click open the box labeled "Health Professions" and then click on "Athletic Training" You may also check the box next to one or more of the other professions listed to received information related to that specific profession.

Date: 8/14/2023

Signature:

Name: Kristin Peterson, JD for Umair A. Shah, MD, MPH



Title: Chief of Policy for Secretary of Health