

May 28, 2026

**Subject: Informative- DOH-SBOH Information on Agency Rulemaking May 1-15, 2026**

Honorable Tribal Leaders, Partners, and Professionals,

**We thank you for your partnership and guidance on the Washington State Department of Health rulemaking process.** As an agency, we are committed to honoring the Tribal sovereignty of Washington's first Nations.

As part of this commitment, and in appreciation of the governance structures of Tribal Nations, we welcome your expertise and collaboration in these current and upcoming rulemaking activities. We prioritize Tribal involvement early in the process to better ensure we are incorporating Tribal expertise, perspectives, and transparency in agency rulemaking.

In accordance with [Chapter 43.376 RCW](#), the [Washington State Centennial Accord of 1989](#), and the [Department of Health's \(WA-DOH\) Tribal Consultation and Collaboration Procedure](#), WA- DOH invites you to review the list of rulemaking activities below and actively collaborate with staff on all topics that may be of interest.

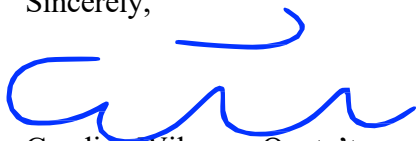
We appreciate your feedback, if you have any suggestions or questions about how to best honor Tribal sovereignty and strengthen agency processes, please let us know.

To provide comments or requests for additional information, please contact:

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628-0096

Sincerely,



Candice Wilson – Quatz'tenaut (Lummi)  
Executive Director OTPHR

CC: Dennis E. Worsham, Secretary of Health, WA-DOH  
Jessica Todorovich, Chief of Staff, Office of the Secretary, WA-DOH  
Kristin Peterson, Chief, Office of Government & Community Affairs, WA-DOH  
Lacy Fehrenbach, Chief, Office of Prevention, Safety & Health, WA-DOH  
Tao Sheng Kwan-Gett, MD, MPH, Chief Science Officer, WA-DOH  
Michelle Davis, Executive Director, Washington State Board of Health

**Department of Health/State Board of Health****Agency Rulemaking****May 1-15, 2026**

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**Department of Health & State Board of Health Rulemaking**

The following Department of Health (WA DOH) and State Board of Health (SBOH) rules and documents were filed with the Washington State's Code Reviser Office May 1-15, 2026. If you have any questions about the documents, please contact the person listed on the filing forms.

**Preproposal Statement of Inquiry (CR-101)**

**Anesthesiologist Assistants—Continuing Medical Education Renewal Cycle.** The Washington Medical Commission is considering amendments to WAC 246-921-125 to align anesthesiologist assistant continuing medical education renewal cycles with physician assistant cycles. Filed as [WSR 26-11-021](#).

**Pharmaceutical Manufacturers and Wholesalers Licensing Requirements.** The Pharmacy Quality Assurance Commission is considering amendments to WAC 246-945-246 and WAC 246-945-247 and potentially adding new sections to update and clarify licensing requirements for wholesalers and manufacturers including virtual entities and over-the-counter-only entities. Filed as [WSR 26-11-028](#).

**Proposed Rules (CR-102)**

No Filings

**Expedited Rulemaking (CR-105)**

No Filings

**Emergency Rules (CR-103E)**

No Filings

**Adopted Rules (CR-103P)**

**Administrative Procedures and Requirements for Credentialed Health Care Providers Technical Amendments.** WA DOH adopted amendments to chapter 246-12 WAC, Administrative Procedures and Requirements for Credentialed Health Care Providers, to update terminology, remove outdated AIDS education references, support HELMS implementation, and improve clarity and consistency. Filed as [WSR 26-11-023](#).

**Allopathic Physician's Use of Nitrous Oxide in Office-Based Surgical Settings.** The Washington Medical Commission adopted amendments to WAC 246-919-601 and adopted new WAC 246-919-603 to establish standards for allopathic physicians' use of nitrous oxide in office-based settings, clarify regulatory requirements, and strengthen patient safety protections. Filed as [WSR 26-11-022](#).

**Miscellaneous Filings**

**WA DOH - Applying Minimum Horizontal Separations from On-Site Sewage System Components to Surface Water Used as a Public Drinking Water Source—Interpretive Statement.** WA DOH issued an interpretive statement EHS-04-2026 clarifying how local health officers should apply setback requirements for on-site sewage systems near public drinking water sources. Filed as [WSR 26-11-011](#).

**Pharmacy Quality Assurance Commission - Transfer Practices for a Dispensed Prescription Drug for the Purpose of Re-dispensing or Subsequent Administration to a Patient—CR-101 Withdrawal.**  
The Pharmacy Quality Assurance Commission withdrew a CR-101 published as WSR 23-20-115 following the passing of Engrossed Substitute Senate Bill 5998 (Chapter 268, 2026 Laws) directing the discontinuation of the Alternative Distribution Models rulemaking project. Filed as [WSR 26-10-040](#).