August 17, 2026

**Subject: Informative- *UPDATE* DOH-SBOH Code Reviser Filing – July 16-31, 2026**

Honorable Tribal Leaders, Partners, and Professionals,

**We thank you for your partnership and guidance on the Washington State Department of Health (WA-DOH) 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:

Candice Wilson – Quatz'tenaut (Lummi)
Executive Director
Office of Tribal Public Health & Relations
DOHTribalRelations@doh.wa.gov

Tami Thompson
Regulatory Affairs Manager
Tami.Thompson@doh.wa.gov
360-628-0096

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 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 July 16-31, 2026. If you have any questions about the documents, please contact the person listed on the filing forms.

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

**Allopathic Physician and Physician Assistants Fees.** WA DOH, in consultation with the Washington Medical Commission, is considering amending existing fees in WAC 246-919-990 and WAC 246-918-990 to appropriate levels for the commission's operating costs and reserve levels and adding new fee(s) for International Medical Graduates (IMG). Filed as WSR 246-16-043.

**Ambulatory Surgical Facility Fees.** WA DOH is considering amendments to WAC 246-330-199 to update ambulatory surgical facility licensing fees and clarify rule language. Filed as WSR 26-16-015.

**Graduates of Nonaccredited Dental Schools.** Dental Quality Assurance Commission is considering amendments related to graduates of nonaccredited dental schools. Filed as WSR 26-16-013.

**Minimum Environmental Health and Safety Standards in K-12 Schools.** SBOH is considering creating chapter 246-370 WAC and amending chapter 246-366 WAC to modernize school environmental health and safety standards. Filed as WSR 26-15-119.

**Osteopathic Physician and Surgeon Use of Nitrous Oxide in Office-Based Surgical Settings.** Board of Osteopathic Medicine and Surgery is considering amendments to WAC 246-853-650 and adding a new section to chapter 246-853 WAC establishing standards for nitrous oxide use. Filed as WSR 26-16-035.

**Pharmacy Accreditation of Schools or Colleges**. The Pharmacy Quality Assurance Commission is considering amendments to WAC 246-945-155, 246-945-162, 246-945-163, and adding a new section in chapter 246-945 WAC in order to codify the commission's accreditation body in rule. Filed as WSR 26-15-108.

**Pharmacy Change of Ownership Licensing Standards.** Pharmacy Quality Assurance Commission and WA DOH are considering amendments to WAC 246-945-230 and 246-945-992 to clarify licensure requirements when pharmacy ownership changes through stock sales. Filed as WSR 26-16-006.

**Pharmacy Classification of Schedule I Substances - Specific Synthetic Benzodiazepines**. Pharmacy Quality Assurance Commission is considering amending WAC 246-945-051 to classify specified synthetic benzodiazepines as Schedule I substances in response to federal rulemaking and because they pose an imminent risk to public health and safety. Filed as WSR 26-15-126.

## Proposed Rules (CR-102)

**Applied Behavior Analysis—Continuing Supervision and Educational Programs.** WA DOH is proposing amendments to WAC 246-805-210, 246-805-240, and 246-805-330 to remove educational barriers and update supervision standards. Filed as WSR 26-16-014.

**Hospital Charity Care.** WA DOH is proposing comprehensive amendments to chapter 246-453 WAC to implement statutory changes, modernize charity care procedures, and establish uniform standards. Filed as WSR 26-16-047.

**Minimum Horizontal Separations for On-site Sewage Systems**. SBOH is proposing amendments to WAC 246-272A-0210 and related sections to revise drinking water setbacks and make technical corrections. Filed as WSR 26-15-117.

**Osteopathic Physician Fee Updates.** WA DOH, in consultation with the Board of Osteopathic Medicine and Surgery, is proposing amendments to WAC 246-853-990 updating fees, removing obsolete examination fees, and adding the Washington Physicians Health Program (WPHP) surcharge to initial licensure. Filed as WSR 26-16-025.

## Expedited Rulemaking (CR-105)

No filings.

## Emergency Rules (CR-103E)

No filings.

## Adopted Rules (CR-103P)

**Ancillary Utilization Plans.** Pharmacy Quality Assurance Commission adopted amendments to WAC 246-945-410 clarifying that only pharmacies may submit ancillary utilization plans for approval. Filed as WSR 26-15-078.

**Osteopathic Physician and Surgeon Continuing Education Certification Requirements.** Board of Osteopathic Medicine and Surgery adopted amendments to WAC 246-853-080, allowing maintenance of certification to satisfy continuing education requirements. Filed as WSR 26-16-042.

## Miscellaneous Filings

**Medical Cannabis Consultant Training**—Policy Statement. WA DOH adopted Policy Statement HSQA MC 2025-01.2, extending the allowance for alternative continuing education for medical cannabis consultants through September 30, 2026. Files as WSR 26-15-092

**Music Therapy Advisory Committee**—Schedule of regular meetings for 2027. Filed as WSR 26-15-089.

**Physical Therapy Licensure Compact Fee Increase**—Withdrawal. WA DOH withdrew CR-101 WSR 26-09-030 and will not pursue compact fee increases at this time. Filed as WSR 26-15-094

**Pharmacy Quality Assurance Commission**—Revised schedule of regular meetings for 2027. Filed as WSR 26-15-097.

**Rules Agenda—July 2026**. WA DOH and SBOH filed the July 2026 Rules Agenda outlining current and anticipated rulemaking activities for July through December of 2026. Filed as WSR 26-16-038.