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: November 23, 2026
TIME: 12:28 PM

WSR 26-24-044

Agency: Department of Health

Subject of possible rule making: Ambulance staffing standards for interfacility transport. The Department of Health (department) is considering amending WAC 246-976-260 and 246-976-890 in response to new legislative requirements under Engrossed Substitute House Bill (ESHB) 2110 (chapter 193, Laws of 2026) codified under chapter 18.73 RCW regarding personnel staffing standards for ambulance service interfacility specialty care transports.

Statutes authorizing the agency to adopt rules on this subject: RCW 18.73.081, 43.70.040, and ESHB 2110 (chapter 193, Laws of 2026).

Reasons why rules on this subject may be needed and what they might accomplish: The legislature passed ESHB 2110 in 2026 with the intent to improve timely and safe interfacility specialty care transfers of patients to the appropriate level of care when workforce limitations would otherwise inhibit the transport.

The law states that a registered nurse without an emergency medical technician (EMT) certification is sufficient personnel for an ambulance service providing an interfacility specialty care transport if:

(i) there is an emergency medical technician within the ambulance,
(ii) no paramedic or nurse that holds an EMT certification is available,
(iii) medical direction is provided to the nurse by the sending or receiving facility,
(iv) the nurse works under nursing scope of practice, and
(v) the sending hospital coordinates with the EMS service to ensure the nurse is familiar with ambulance equipment.

This legislation allows for a registered nurse to be used rather than the required two personnel who both hold an EMT certification.

Rule amendments may be necessary to align current rules with the new legislation and to ensure that enforceable staffing standards are clear.

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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Additional comments: Interested parties can participate in the drafting of the proposed rules. The department will conduct a series of rules workshops. Rulemaking notices will be delivered via the email update list. To receive notices, please go to: https://public.govdelivery.com/accounts/WADOH/subscriber/new. After signing in, please click open the box labeled "Health Systems Quality Assurance." Next click open the box labeled "Community Health Systems" and then click open the box labeled “Emergency Medical Services and Trauma.” Finally, click the box for “Emergency Medical Services (EMS) Rule Making Chapter WAC 246.976.” You may also check the box next to one or more of the other professions or facilities listed to receive information related to that specific topic.	
Date: November 20, 2026 **Name:** Kristin Peterson, JD for Dennis E. Worsham **Title:** Chief of Policy for Secretary of Health	**Signature:** 