



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Health

- Preproposal Statement of Inquiry was filed as WSR ; or
- Expedited Rule Making--Proposed notice was filed as WSR _ ; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR
- Continuance of WSR

Title of rule and other identifying information: (Describe Subject)

Chapter 246-826 WAC amends health care assistant rules by expanding the scope of practice to include oral, topical or nasal administration of vaccines as authorized by Chapter 58, Laws of 2008 (SHB2475), to make housekeeping changes, and eliminate sections that are no longer needed.

Hearing location(s): Department of Health
Point Plaza East
Room 139
310 Israel Road SE
Tumwater, WA 98501

Date: 09/11/2008

Time: 10:00 a.m.

Submit written comments to:

Name: Betty Moe
Address: Department of Health
PO Box 47869
Olympia, WA 98504-7869
Website: <http://www3.doh.wa.gov/policyreview/>
fax 360-236-4909 by (date) 09/11/2008

Assistance for persons with disabilities: Contact

Betty Moe by 09/04/2008

TTY (800) 833-6388 or () 711

Date of intended adoption: 10/03/2008

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

Chapter 58, Laws of 2008, allows health care assistants to administer vaccines with proper delegation and supervision. This can be done orally, topically, or by nasal administration. The decertification or disciplinary action rule is repealed because it is included in the uniform disciplinary act chapter 18.130 RCW. The grandfather clause rule is repealed because it no longer applies and is outdated.

Reasons supporting proposal:

To implement Chapter 58, Laws of 2008 (SHB2475), that allows health care assistants to administer oral, topical or nasal vaccines. The exception process allows for housekeeping changes and repeal of outdated rules.

Statutory authority for adoption:

18.135.030 RCW

Statute being implemented:

Chapter 18.135 RCW as amended by Chapter 58, Laws of 2008

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

DATE 07/16/08

NAME (type or print)

Mary C. Selecky

SIGNATURE

TITLE

Secretary

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 16, 2008

TIME: 5:35 PM

WSR 08-15-086

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

Name of proponent: (person or organization) Department of Health

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Betty Moe	310 Israel Road SE, Tumwater, WA 98501	(360) 236-4912
Implementation.... Betty Moe	310 Israel Road SE, Tumwater, WA 98501	(360) 236-4912
Enforcement..... Betty Moe	310 Israel Road SE, Tumwater, WA 98501	(360) 236-4912

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No. Explain why no statement was prepared.

A small business economic impact statement (SBEIS) was not prepared. Under RCW 19.85.025 and 34.05.310(4)(e), a SBEIS is not required for a proposed rule where the content of the rule is explicitly and specifically dictated by statute.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No: Please explain: The agency did not complete a cost benefit analysis under RCW 34.05.328. RCW 34.05.328(5)(b)(v) exempts rules the content of which is explicitly and specifically dictated by statute.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-826-030 Supervision of health care assistants. A health care assistant may be supervised by either the ~~((practitioner who delegated the act))~~ delegator or by ~~((a))~~ another practitioner who ~~((could))~~ can order the act under his or her own license. The practitioner who is supervising the health care assistant must be physically present and immediately available in the facility during the administration of injections or vaccines. The supervising practitioner need not be present during procedures to withdraw blood.

AMENDATORY SECTION (Amending Order 224, filed 12/23/91, effective 1/23/92)

WAC 246-826-070 Maintenance of listing of drugs and functions authorized. Each delegator must maintain a list of the specific medications ~~((=))~~, diagnostic agents, or vaccines and the route of administration of each that he or she has authorized ~~((for injection))~~. Both the delegator and the delegatee shall sign and date the ~~((above))~~ list ~~((, indicating the date of each signature))~~. The signed list shall be available for review by the secretary of the department of health or his/her designee.

AMENDATORY SECTION (Amending Order 224, filed 12/23/91, effective 1/23/92)

WAC 246-826-080 Medication ~~((and))~~, diagnostic agent, and vaccine list. The list of specific medications, diagnostic agents, and vaccines, and the route of administration of each that has been authorized ~~((for injection pursuant to RCW 18.135.065))~~ shall be submitted to the secretary at the time of initial certification ~~((registration))~~ and again with every recertification ~~((registration))~~. If any changes occur which alter the list, a new list with the delegator and delegatee's signatures must be submitted to the department within thirty days of the change. All submitted lists will be maintained ~~((in))~~ by the department of health ~~((filed under the name of the certifying practitioner or~~

~~facility and shall be available for review)).~~

AMENDATORY SECTION (Amending WSR 02-06-115, filed 3/6/02, effective 4/6/02)

WAC 246-826-100 Health care assistant classification.

~~((Effective December 2001, there are seven categories of health care assistants:))~~ There are seven categories of health care assistants. All categories may administer vaccines with appropriate delegation and supervision. This can be done by injection, orally, topically, or by nasal administration.

(1) Category A assistants may perform venous and capillary invasive procedures for blood withdrawal.

(2) Category B assistants may perform arterial invasive procedures for blood withdrawal.

(3) Category C assistants may perform intradermal, subcutaneous and intramuscular injections for diagnostic agents and administer skin tests.

(4) Category D assistants may perform intravenous injections for diagnostic agents.

(5) Category E assistants may perform intradermal, subcutaneous and intramuscular injections for therapeutic agents and administer skin tests.

(6) Category F assistants may perform intravenous injections for therapeutic agents.

(7) Category G assistants may perform hemodialysis.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 246-826-090	Decertification or disciplinary actions.
WAC 246-826-190	Grandfather clause.