



EXPEDITED RULE MAKING

CR-105 (June 2004)
(Implements RCW 34.05.353)
EXPEDITED RULE MAKING ONLY

Agency: Department of Health- Chiropractic Quality Assurance Commission

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

WAC 246-808-640 - Scope of practice - Revocation or suspension of license authorized for practice outside scope - Repeal - Chiropractic Quality Assurance Commission

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

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AND RECEIVED BY (Date) Nov. 17, 2008 ^{YMT}

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

WAC 246-808-640 is inaccurate and unnecessary because RCW 18.25.005 and WAC 246-808-505 accurately cover the chiropractic scope of practice. Therefore WAC 246-808-640 needs to be repealed.

Reasons supporting proposal:

Please see Attachment A

Statutory authority for adoption: RCW 18.25.0171

Statute being implemented: RCW 18.25.0171

Is rule necessary because of a:

- | | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

DATE 9/8/08

NAME (TYPE OR PRINT)
Mark Sutton, DC

SIGNATURE

TITLE
Chair, Chiropractic Quality Assurance Commission

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

SEP 11 2008

TIME 1241 AM
WSR 08-19-051 PM

Name of proponent: (person or organization) Chiropractic Quality Assurance Commission

- Private
- Public
- Governmental

Name of agency personnel responsible for:

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

None

RECEIVED

FEB 12 2008

DEPARTMENT OF HEALTH
HEALTH PROFESSIONS SEC.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-808-640

Scope of practice--Revocation or suspension of license authorized for practice outside scope.

WAC 246-808-640 - Scope of practice - Revocation or suspension of license authorized for practice outside scope - Chiropractic Quality Assurance Commission - Repeal

Reasons Supporting Proposal.

Attachment A:

RCW 18.25.005 defines the scope of practice for chiropractic. In 2002, the law was amended to include dietary advice and recommendation of nutritional supplementation. However, WAC 246-808-640 was never updated. This rule conflicts with the law because the rule prohibits the use of herbs. In addition, it also prohibits sputum, hair, and urine analysis as well as blood samples. All these procedures can be ordered as part of a chiropractic physical exam.

In 1991, the Chiropractic Disciplinary Board began maintaining the Classification of Chiropractic Procedures and Instrumentation list (list) of approved and non-approved instruments and procedures as directed by the law and defined in WAC 246-807-410.

In 1995, the Chiropractic Disciplinary Board and Licensing Board merged creating the commission, as chapter 246-808 WAC.

With the creation of the commission in 1995, the list became WAC 246-808-505. The list primarily focused on procedures and instruments that are within the scope of practice.

The commission also adopted WAC 246-808-640 – Scope of Practice. This rule focused on instruments and procedures that are not within the scope of practice.

WAC 246-808-640 is inaccurate and unnecessary because RCW 18.25.005 and WAC 246-808-505 accurately cover the chiropractic scope of practice. Therefore, WAC 246-808-640 needs to be repealed.