



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Health- Board of Optometry

- Preproposal Statement of Inquiry was filed as WSR 10-12-055 ; 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)

WAC 246-851-570 Certification required for use or prescription of drugs administered orally for diagnostic or therapeutic purposes and WAC 246-851-600 Certification required for administration of epinephrine by injection for treatment of anaphylactic shock.

Hearing location(s): Department of Health
20435 72nd South
Second Floor, Conference Room 2
Kent WA 98032

Date: 09/17/2010

Time: 11:00 a.m.

Submit written comments to:

Name: Judy Haenke
Address: P O Box 47852
Olympia, WA 98504-7852
Website: <http://www3.doh.wa.gov/policyreview/>
fax 360.236.2901 by (date) 09/16/2010

Assistance for persons with disabilities: Contact

Judy Hanke by 09/09/2010

TTY (800) 833-6388 or () 711

Date of intended adoption: 09/17/2010

(Note: This is **NOT** the **effective** date)

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

Effective January 1, 2011, all optometrists licensed in Washington State must be certified to use oral drugs and epinephrine by injection for anaphylactic shock. The proposed rules will recognize that this requirement has been met if a licensed optometrist, with an active license in another state with substantially equivalent standards, has completed similar certification.

Reasons supporting proposal:

RCW 18.53.010 requires that all optometrists in Washington State provide evidence of certification to use oral drugs and epinephrine by injection for anaphylactic shock by January 1, 2011. The purpose of this rule is to allow consideration of practice at substantially equivalent standards in other states as meeting the certification requirements for optometrists currently licensed in Washington.

Statutory authority for adoption:

RCW 18.54.070(2) and RCW 18.53.010

Statute being implemented:

RCW 18.53.010

Is rule necessary because of a:

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

DATE 08/02/10

NAME (type or print)
Michael Van Brocklin, OD

SIGNATURE *Michael Van Brocklin, OD*

TITLE
Chair, Board of Optometry

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: August 02, 2010

TIME: 4:57 PM

WSR 10-16-115

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/Board of Optometry

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Judy Haenke, Program Manager	310 Israel Road SE, Tumwater, WA 98501	360.236.4947
Implementation..... Judy Haenke, Program Manager	310 Israel Road SE, Tumwater, WA 98501	360.236.4947
Enforcement..... Judy Haenke, Program Manager	310 Israel Road SE, Tumwater, WA 98501	360.236.4947

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)(g)(ii), a SBEIS is not required for proposed rules that adopt, amend, or repeal a filing or related process requirement for applying to an agency for a license or permit.

Is a cost-benefit analysis required under RCW 34.05.328?

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

Name: Judy Haenke, Program Manager

Address: 310 Israel Road SE, Tumwater, WA 98501

phone 360.236.4947

fax 360.236.2901

e-mail judy.haenke@doh.wa.gov

No: Please explain: The agency did not complete a cost-benefit analysis under RCW 34.05.328. RCW 34.05.328(5)(a) exempts rules that, by definition, are not significant legislative rules. By definition this rule qualifies under RCW 34.05.328(5)(c)(ii) as an "interpretive rule."

AMENDATORY SECTION (Amending WSR 04-05-004, filed 2/5/04, effective 3/7/04)

WAC 246-851-570 Certification required for use or prescription of drugs administered orally for diagnostic or therapeutic purposes. (1) To qualify for certification to use or prescribe drugs administered orally for diagnostic or therapeutic purposes, a licensed optometrist~~((s))~~ must provide documentation that he or she:

(a) ~~((Are))~~ Is certified ~~((under RCW 18.53.010 (2) (b)))~~ to use or prescribe topical drugs for diagnostic and therapeutic purposes~~((.~~

~~((b) Have))~~ under WAC 246-851-400 and has successfully completed a minimum of sixteen hours of didactic and eight hours of supervised clinical instruction from an institution of higher learning, accredited by those agencies recognized by the United States Office of Education or the Council on Postsecondary Accreditation; or

(b) Holds a current active optometry license in another state that has licensing standards substantially equivalent to those in Washington state. The licensee's level of licensure must also be substantially equivalent to the licensing standards in Washington state.

(2) The didactic instruction must include a minimum of sixteen hours in the following subject area:

- (a) Basic principles of systemic drug therapy;
- (b) Side effects, adverse reactions and drug interactions in systemic therapy;
- (c) Review of oral pharmaceuticals:
 - (i) Prescription writing;
 - (ii) Legal regulations in oral prescription writing;
 - (iii) Systemic antibacterials in primary eye care;
 - (iv) Systemic antivirals in eye care;
 - (v) Systemic antifungal in eye care;
 - (vi) Systemic antihistamines and decongestants and their uses in eye care;
 - (vii) Oral dry eye agents;
 - (viii) Anti-emetics and their use in eye care;
 - (ix) Systemic diuretics and their management of elevated IOP;
 - (x) Systemic epinephrine;
- (d) Review of systemic medication in ocular pain management:
 - (i) Legal regulations with scheduled medication;
 - (ii) Systemic nonsteroidal anti-inflammatory drugs (NSAIDS);
 - (iii) Systemic noncontrolled analgesics;
 - (iv) Systemic controlled substances;
- (e) Review of oral medications used for sedation and anti-anxiety properties in eye care:

- (i) Controlled anti-anxiety/sedative substances;
- (ii) Legal ramifications of prescribing anti-anxiety drugs;
- (f) Review of systemic medications used during pregnancy and in pediatric eye care:
 - (i) Legal ramifications in prescribing to this population;
 - (ii) Dosage equivalent with pregnancy and pediatrics;
 - (iii) Medications to avoid with pregnancy and pediatrics;
 - (g) Applied systemic pharmacology:
 - (i) Eyelid and adnexal tissue;
 - (ii) Lacrimal system and peri-orbital sinuses;
 - (iii) Conjunctival and corneal disorders;
 - (iv) Iris and anterior chamber disorders;
 - (v) Posterior segment disorders;
 - (vi) Optic nerve disease;
 - (vii) Peripheral vascular disease and its relationship with ocular disease;
 - (viii) Atherosclerotic disease;
 - (ix) Other/course review.
- (3) The supervised clinical instruction must include at least eight hours in the following subject areas:
 - (a) Vital signs;
 - (b) Auscultation;
 - (c) Ear, nose and throat;
 - (d) Screening neurological exam.
 - (4) Written examination to cover required curriculum.

AMENDATORY SECTION (Amending WSR 04-05-004, filed 2/5/04, effective 3/7/04)

WAC 246-851-600 Certification required for administration of epinephrine by injection for treatment of anaphylactic shock. (1)

To qualify for certification to administer epinephrine by injection for anaphylactic shock, licensed optometrists must provide documentation that he or she:

(a) ~~((Are))~~ Is certified (~~((under RCW 18.53.010 (2) (b)))~~) to use or prescribe topical drugs for diagnostic and therapeutic purposes (~~((~~

~~(b) Have))~~ under WAC 246-851-400 and has successfully completed a minimum of four hours of didactic and supervised clinical instruction from an institution of higher learning, accredited by those agencies recognized by the United States Office of Education or the Council on Postsecondary Accreditation to qualify for certification by the optometry board to administer epinephrine by injection; or

(b) Holds a current active license in another state that has licensing standards substantially equivalent to those in Washington state. The licensee's level of licensure must also be substantially equivalent to the licensing standards in Washington

state.

(2) The didactic instruction must include the following subject area:

(a) Review of urgencies, emergencies and emergency-use agents;

(b) Ocular urgencies:

(i) Thermal burns-direct and photosensitivity-based ultraviolet burn;

(ii) Electrical injury;

(iii) Cryo-injury and frostbite;

(iv) Insect stings and bites;

(v) Punctures, perforations, and lacerations;

(c) General urgencies and emergencies:

(i) Anaphylaxis;

(ii) Hypoglycemic crisis;

(iii) Narcotic overdose.

(3) The supervised clinical instruction must include the following subject areas:

(a) Instrumentation;

(b) Informed consent;

(c) Preparation (patient and equipment);

(d) All routes of injections.

(4) With the exception of the administration of epinephrine by injection for treatment of anaphylactic shock, no injections or infusions may be administered by an optometrist.