



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** Department of Health- Dental Quality Assurance Commission

- 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) or 34.05.330(1).

- Original Notice  
 Supplemental Notice to WSR  
 Continuance of WSR

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

WAC 246-817-360 Prescribing, dispensing or distributing drugs. The Commission proposes repealing the rule as it is duplicative in intent to statute RCW 18.32.020 and unnecessary.

**Hearing location(s):** Department of Health  
Point Plaza East  
310 Israel Rd. S.E.  
Tumwater, WA 98501

Date: April 24, 2015

Time: 8:05 a.m.

**Submit written comments to:**

Name: Jennifer Santiago  
Address: PO Box 47852  
Olympia, WA 98504-7852  
e-mail: <http://www3.doh.wa.gov/policyreview/>  
fax 360-236-2901 by (date) 04/17/2015

**Assistance for persons with disabilities:** Contact

Jennifer Santiago by 04/17/2015

TTY (800) 833-6388 or () 711

**Date of intended adoption:** 04/24/2015

(Note: This is NOT the effective date)

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

Proposed repeal of WAC 246-817-360 as it is duplicative in intent to statute RCW 18.32.020 and unnecessary. Repealing the rule would allow dentists to rely on the statute definition of the practice of dentistry for prescribing rather than a rule that uses the term "dental-related condition".

**Reasons supporting proposal:**

Proposed repeal of the rule will eliminate differing interpretations by stakeholders of the term "dental-related condition." RCW 18.32.685 authorizes a pharmacist to "fill prescriptions of legally licensed dentists necessary in the practice of dentistry." RCW 18.32.020 defines the practice of dentistry.

**Statutory authority for adoption:**

RCW 18.32.0365

**Statute being implemented:**

RCW 18.32.020 and 18.32.685

**Is rule necessary because of a:**

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

**DATE** February 12, 2015

**NAME** (type or print)

Trina Castle

**SIGNATURE**

**TITLE**

Executive Director

**CODE REVISER USE ONLY**

**OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED**

**DATE: February 13, 2015**

**TIME: 9:54 AM**

**WSR 15-05-052**

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

None

**Name of proponent:** (person or organization) Washington State Dental Quality Assurance Commission  Private  
 Public  
 Governmental

<b>Name of agency personnel responsible for:</b>		
Name	Office Location	Phone
Drafting..... Jennifer Santiago	111 Israel Rd SE, Tumwater, WA 98501	360-236-4893
Implementation....Jennifer Santiago	111 Israel Rd SE, Tumwater, WA 98501	360-236-4893
Enforcement.....Jennifer Santiago	111 Israel Rd SE, Tumwater, WA 98501	360-236-4893

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

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 was not prepared. The proposed rule would not impose more than minor costs on businesses in an industry.

**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.

