

**Significant Legislative Rule Analysis**  
**WAC 246-933-320**  
**a Rule Concerning Veterinary General Requirements**  
**for all Veterinary Medical Facilities.**

The proposed amendments are limited to veterinary patient records.

**Section 1. What is the scope of the rule?**

This proposed rule amends current requirements. Currently, copies of veterinary medical records are to be made available to the owner or authorized agent as promptly as required under the circumstances, but no later than fifteen working days of receipt of the request. This proposed amendment changes that interval from fifteen days to ten days. The rule clarifies that a veterinarian may charge a fee for providing a copy of a medical image. The proposed rule adopts the fee schedule for copying records set forth in WAC 246-08-400. The proposed rule also deletes language related to documentation of low income status of persons that seek the limited veterinary services provided by qualified animal care and control agencies because this language is not relevant to the rule.

The Veterinary Board of Governors is proposing this rule because generally, veterinary records can be accessed and forwarded within ten days. Often, an animal patient will not present for treatment until the symptoms are severe which necessitates a prompt response from treating veterinarians, veterinary clinics, or surgical centers.

The proposed rule, as drafted, requires records to be provided in ten days rather than fifteen, clarifies that veterinarians may charge a fee for duplicating a medical image and adopts the fee schedule for copying records set forth in WAC 246-08-400. A medical image is considered part of the medical record.

The proposed rule also deletes language related to documentation of low income status of persons that seek the limited veterinary services provided by qualified animal care and control agencies. This language is not relevant to the rule.

**Section 2. What are the general goals and specific objectives of the proposed rule's authorizing statute?**

RCW 18.92.030, General duties of the Board, directs the Veterinary Board of Governors to adopt rules for standard prescribing requirements for veterinary medical facilities. The proposed rule clarifies the content, maintenance, and release of veterinary medical records resulting in more efficient and more informed care for animal patients.

The statute's objectives the rule implements are:

1. The proposed rule clarifies the content, maintenance, and release of veterinary medical records resulting in more efficient and more informed care for animal patients.

### **Section 3. What is the justification for the proposed rule package?**

The proposed rule will achieve the authorizing statute's goals and objectives because it does clarify what is required to be included in veterinary medical records, it sets forth the cost and process to respond to requests for veterinary medical records and it clarifies that a veterinarian may charge for providing a copy of a medical image.

The Department of Health has assessed and determined that there are no feasible alternatives to rulemaking.

### **Section 4. What are the costs and benefits of each rule included in the rules package? What is the total probable cost and total probable benefit of the rule package?**

1. Identification of total number of rules in package

One rule in this package. **WAC 246-933-320 General requirements for all veterinary medical facilities.**

Rule Overview: The proposed amendments are limited to veterinary patient records. This proposed rule amends current requirements. Currently, copies of veterinary medical records are to be made available to the owner or authorized agent as promptly as required under the circumstances, but no later than fifteen working days of receipt of the request. This proposed amendment changes that interval from fifteen days to ten days. The rule also clarifies that a veterinarian may charge a fee for providing a copy of a medical image. The rule also adopts the fee schedule for copying records set forth in WAC 246-08-400. The proposed rule also deletes language related to documentation of low income status of persons that seek the limited veterinary services provided by qualified animal care and control agencies. This language is not relevant to the rule. The proposed rule also deletes language related to documentation of low income status of persons that seek the limited veterinary services provided by qualified animal care and control agencies because this language is not relevant to the rule.

Rule Cost/Benefit Analysis –

#### 4. Rule Package Cost-Benefit Conclusion

##### **Cost summary**

## **Benefit summary**

Required Action Assessment Table (Section 4)

WAC 246-933-230 – General requirements for all veterinary medical facilities. (record keeping and release only)

Subject (Who must complete action)	Action Verb Statement	Frequency	Cost Category (Type of Cost)	Action Verb Cost	Benefit Category (Type of Benefit)	Action Verb Benefit
Veterinarian	1. Maintain complete records with sufficient information to justify the tentative diagnosis and to warrant the treatment.	Every time the veterinarian performs and exams or orders treatment.	Record keeping.	Record Keeping at no additional cost. There is no additional record keeping requirement.	Quality of Care	Creates a complete record of care and treatment which may be accessed or consulted to the benefit of the treatment of the animal patient
No action	2. Deletes language related to documentation of low income status of persons that seek the limited veterinary services provided by qualified animal care and control agencies because this language is not relevant to the rule.	No needed – this is a record that should be maintained by the animal care and control agency, not the veterinarian or the veterinary facility.	Does not apply	Does not apply	Does not apply	Does not apply
Veterinarian,	3. The rule also adopts	Fees are	Administration	There is no	Access to goods	Provides

veterinary facility personnel	the fee schedule for copying records set forth in WAC 246-08-400.	charged when records are produced based on a request for records.		additional activity needed since there has always been a fee that is charged.	and services (but the access has been there, there is no added benefit)	standardized fees that may be charged for providing records upon request.
Veterinarian	4. Charging a fee for copying a medical image.	When a medical image is copied.	Administration	Clarifies that a charge may be made when the medical image, which is part of the patient record, is copied upon the request of an owner or authorized agent.	Access to goods and services (but the access has been there, there is no added benefit)	No benefit.
Veterinarian or veterinary facility	5. Provide a copy of the record or medical image within ten days of the request.	Whenever there is a request for medical records or a medical image.	Administration	Generally, veterinary records can be accessed and forwarded within ten days. Often, an animal patient will not present for treatment until the symptoms are		

				severe which necessitates a prompt from treating veterinarians or veterinary clinics or surgical centers.		
	6.					
				Total Rule Cost =0		Total Rule Benefit =

**Section 5. What alternative versions of the rule did we consider? Is the proposed rule the least burdensome approach?**

**Descriptions of alternatives considered**

The alternative that was considered was the rule as it was currently written. The purpose of the amendments to the rule is to clarify what is required to be included in veterinary medical records, it sets forth the cost and process to respond to requests for veterinary medical records and it does clarify that a veterinarian may charge for providing a copy of a medical image.

**Least burdensome determination**

The amended rule does not appear to add any additional burden.

**Section 6. Did you determine that the rule does not require anyone to take an action that violates another federal or state law?**

The rule does not require those to whom it applies to take an action that violates requirements of federal or state law.

**Section 7. Did we determine that the rule does not impose more stringent performance requirements on private entities than on public entities unless the difference is required in federal or state law?**

The Department of Health determined that the rule does not impose more stringent performance requirements on private entities than on public entities.

**Section 8. Did you determine if the rule differs from any federal regulation or statute applicable to the same activity or subject matter and, if so, did we determine that the difference is justified by an explicit state statute or by substantial evidence that the difference is necessary?**

The rule does not differ from any applicable federal regulation or statute.

**Section 9. Did we demonstrate that the rule has been coordinated, to the maximum extent possible, with other federal, state, and local laws applicable to the same activity or subject matter?**

There are no other applicable laws.