

WSR 24-15-054

EXPEDITED RULES

DEPARTMENT OF HEALTH

(Washington Medical Commission)

[Filed July 16, 2024, 12:12 p.m.]

Title of Rule and Other Identifying Information: Removing references to osteopathic physician assistants. The Washington medical commission (commission) is proposing amendments to WAC 246-918-895 and 246-919-945, Pain management specialist—Chronic pain, to align rule language with currently accepted language.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: In 2020, the legislature passed SHB 2378 Concerning physician assistants. This bill eliminated the profession of osteopathic physician assistant and placed all physician assistants under the authority of the commission. As a result of this bill, chapter 246-854 WAC, which pertained to osteopathic physician assistants, was repealed.

In both WAC 246-918-895 and 246-919-945, the commission references a section to the now-repealed chapter 246-854 WAC. Additionally, these sections reference both allopathic and osteopathic physician assistants. The commission intends to remove the references to chapter 246-854 WAC and to allopathic and osteopathic physician assistants.

Reasons Supporting Proposal: With the repeal of chapter 246-854 WAC and the elimination of classifying physician assistants as either allopathic or osteopathic, WAC 246-918-895 and 246-919-945 need to be updated to align rule language with currently accepted language.

Statutory Authority for Adoption: RCW 18.71.017 and SHB 2378 (chapter 80, Laws of 2020).

Statute Being Implemented: RCW 18.71.017.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington medical commission, governmental.

Name of Agency Personnel Responsible for Drafting: Amelia Boyd, 111 Israel Road S.E., Tumwater, WA 98501, 360-918-6336; Implementation and Enforcement: Kyle Karinen, 111 Israel Road S.E., Tumwater, WA 98501, 564-233-1557.

This notice meets the following criteria to use the expedited adoption process for these rules:

Corrects typographical errors, makes address or name changes, or clarifies language of a rule without changing its effect.

Content is explicitly and specifically dictated by statute.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: The proposed amendments aligns rule language with currently accepted language without changing its effect.

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 Amelia Boyd, Department of Health, Washington Medical Commission, P.O. Box 47866, Olympia, WA 98504-7866, phone 360-918-6336, email amelia.boyd@wmc.wa.gov, AND RECEIVED BY September 23, 2024, at midnight.

July 16, 2024
 Kyle S. Karinen
 Executive Director
 Washington Medical Commission

OTS-5454.4

AMENDATORY SECTION (Amending WSR 20-08-069, filed 3/26/20, effective 4/26/20)

WAC 246-918-895 Pain management specialist—Chronic pain. A pain management specialist shall meet one or more of the following qualifications:

(1) If ~~((an allopathic))~~ a physician assistant ~~((or osteopathic physician assistant))~~ must have a delegation agreement with a physician pain management specialist and meet ~~((s))~~ the educational requirements and practice requirements listed below:

(a) A minimum of three years of clinical experience in a chronic pain management care setting;

~~(b) ((Credentialed in pain management by an entity approved by the commission for an allopathic physician assistant or the Washington state board of osteopathic medicine and surgery for an osteopathic physician assistant;~~

~~(c))~~ Successful completion of a minimum of at least ~~((eighteen))~~ 18 continuing education hours in pain management during the past two years; and

~~((d))~~ (c) At least ~~((thirty))~~ 30 percent of the physician assistant's current practice is the direct provision of pain management care or in a multidisciplinary pain clinic.

(2) If an allopathic physician, in accordance with WAC 246-919-945.

(3) If an osteopathic physician, in accordance with WAC 246-853-750.

(4) If a dentist, in accordance with WAC 246-817-965.

(5) If a podiatric physician, in accordance with WAC 246-922-750.

(6) If an advanced registered nurse practitioner, in accordance with WAC 246-840-493.

OTS-5453.1

AMENDATORY SECTION (Amending WSR 18-23-061, filed 11/16/18, effective 1/1/19)

WAC 246-919-945 Pain management specialist—Chronic pain. A pain management specialist shall meet one or more of the following qualifications:

(1) If an allopathic physician or osteopathic physician:

(a) Is board certified or board eligible by an American Board of Medical Specialties-approved board (ABMS) or by the American Osteopathic Association (AOA) in physical medicine and rehabilitation, neurology, rheumatology, or anesthesiology;

(b) Has a subspecialty certificate in pain medicine by an ABMS-approved board;

(c) Has a certification of added qualification in pain management by the AOA;

(d) Is credentialed in pain management by an entity approved by the commission for an allopathic physician or the Washington state board of osteopathic medicine and surgery for an osteopathic physician;

(e) Has a minimum of three years of clinical experience in a chronic pain management care setting; and

(i) Has successful completion of a minimum of at least (~~eighteen~~) 18 continuing education hours in pain management during the past two years for an allopathic physician or three years for an osteopathic physician; and

(ii) Has at least (~~thirty~~) 30 percent of the allopathic physician's or osteopathic physician's current practice is the direct provision of pain management care or is in a multidisciplinary pain clinic.

(2) If (~~an allopathic~~) a physician assistant, in accordance with WAC 246-918-895.

(3) (~~If an osteopathic physician assistant, in accordance with WAC 246-854-330.~~

~~(4))~~ If a dentist, in accordance with WAC 246-817-965.

(~~(+5))~~ (4) If a podiatric physician, in accordance with WAC 246-922-750.

(~~(+6))~~ (5) If an advanced registered nurse practitioner, in accordance with WAC 246-840-493.