

## WSR 23-05-010

## EXPEDITED RULES

## DEPARTMENT OF HEALTH

(Pharmacy Quality Assurance Commission)

[Filed February 2, 2023, 1:17 p.m.]

Title of Rule and Other Identifying Information: Chapter 246-861 WAC and WAC 246-901-061 Continuing education requirements. The pharmacy quality assurance commission (commission) is seeking to repeal continuing education requirements established in chapter 246-861 WAC and WAC 246-901-061, as such requirements are also in practice in more current sections of rule, WAC 246-945-178 and 246-945-220.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The commission completed a major rules consolidation project in 2020 in which various sections and chapters in Title 246 WAC were either repealed or consolidated into new chapter 246-945 WAC. The new continuing education requirements in chapter 246-945 WAC require pharmacists whose licenses expire on or after December 1, 2021, to complete the equivalent of 3.0 continuing pharmacy education (CPE) administered by an accreditation council for pharmacy education (ACPE) accredited provider prior to renewing their license. Pharmacy technicians whose licenses expire on or after December 1, 2021, must complete the equivalent of 2.0 CPE administered by an ACPE accredited provider. Additionally, the license renewal cycle for both licensee groups is increased from one year to two years.

Transitioning all licensees onto the new renewal cycle took one year from December 1, 2021, because everyone had to have one renewal cycle to get onto the two-year cycle. In other words, updated continuing education requirements did not take effect for pharmacists and pharmacy technicians whose licenses expired before December 1, 2022, since the new CE rules correspond with a two-year license cycle and a change in license fees to match that cycle. This required the older sections of rule establishing continuing education standards, WAC 246-861-090 and 246-901-061, be maintained until the one-year license cycle for those pharmacists and pharmacy technicians ended on December 1, 2022. The commission issued a guidance document (G001) that went into effect on July 1, 2020, and was updated on December 3, 2020, for the purpose of retaining the older sections of rule until the December 1, 2022, expiration date.

Reasons Supporting Proposal: The rules-rewrite process conducted by the commission resulted in the creation of chapter 246-945 WAC and had the intent of updating regulatory standards around the practice of pharmacy, including license renewal standards. After December 1, 2021, all pharmacists and pharmacy technicians licensed with the commission must renew their licenses solely under the standards described in WAC 246-945-178 and 246-945-220. Repealing the old sections of rule regulating continuing education standards for pharmacists and pharmacy technicians will eliminate any confusion regarding conflicting standards for renewing a license.

Statutory Authority for Adoption: RCW 18.64.005.

Statute Being Implemented: RCW 18.64.005.

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

Name of Proponent: Washington state pharmacy quality assurance commission, Governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Haleigh Mauldin, 111 Israel Road S.E., Tumwater, WA 98501, 360-890-0720.

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

Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: The proposed rule will repeal chapter 246-861 WAC and WAC 246-901-061 which are redundant under WAC 246-945-178 and 246-945-220.

#### 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 Haleigh Mauldin, Pharmacy Quality Assurance Commission, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-890-0720, fax 360-236-2901, email <https://fortress.wa.gov/doh/policyreview>, AND RECEIVED BY April 17, 2023.

February 1, 2023  
Teri Ferreira, RPh  
Chair

#### OTS-4229.1

#### REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-861-010	Definitions.
WAC 246-861-020	Renewal requirements.
WAC 246-861-040	Applications for approval of continuing education program—Post-approval of continuing education program.
WAC 246-861-050	Continuing education program approved providers.
WAC 246-861-055	Continuing education program.
WAC 246-861-060	Instructors' credit toward continuing education unit.
WAC 246-861-090	Amount of continuing education.
WAC 246-861-095	Pharmacists licensed in other health professions.
WAC 246-861-105	Suicide prevention education.

OTS-4230.1

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-901-061      Pharmacy technician—Continuing  
education requirements.