

WSR 24-11-069

EXPEDITED RULES

DEPARTMENT OF HEALTH

(Board of Osteopathic Medicine and Surgery)

[Filed May 14, 2024, 11:55 a.m.]

Title of Rule and Other Identifying Information: Osteopathic physicians and surgeons five-year rule review. In accordance with RCW 43.70.041, the board of osteopathic medicine and surgery (board) and the department of health (department) have conducted a five-year rule review of chapter 243-853 WAC, Osteopathic medicine and surgery. As a result of this review, the board is proposing amendments to WAC 246-853-045 and 246-853-210 to clarify and update outdated language. In addition, the board is proposing to repeal WAC 243-853-060.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: In compliance with RCW 43.70.041, the board conducted a review of sections in chapter 246-853 WAC that have not been reviewed in the last five years and have identified that WAC 246-853-045 and 246-853-210 contain outdated language. The board is proposing to update the term "practitioner" to "osteopathic physician" to be consistent with the entire chapter. The board has also identified that WAC 246-853-060 does not contain any rule language content and is proposing to repeal this section.

Reasons Supporting Proposal: RCW 43.70.041 requires the department to have a formal review process of its existing rules to simplify, improve, and streamline rules pertaining to health professions at least once every five years. As a result of this review, the board is proposing amendments that update rule language to currently accepted language without changing its effect.

Statutory Authority for Adoption: RCW 18.57.005 and 43.70.041.

Statute Being Implemented: RCW 43.70.041.

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

Name of Proponent: Board of osteopathic medicine and surgery, governmental.

Name of Agency Personnel Responsible for Drafting: Becky McElhiney, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-4766; Implementation and Enforcement: James Chaney, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-2831.

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.

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 amendments clarify and update language to currently accepted rule language and remove an obsolete rule section that does not contain any rule language content.

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 Becky McElhiney, Department of Health, Board of Osteopathic Medicine and Surgery, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4766, fax 360-236-2901, email osteopathic@doh.wa.gov, <https://fortress.wa.gov/doh/policyreview>, AND RECEIVED BY July 22, 2024.

May 13, 2024
U. James Chaney
Executive Director
Board of Osteopathic Medicine and Surgery

OTS-5239.1

AMENDATORY SECTION (Amending WSR 98-05-060, filed 2/13/98, effective 3/16/98)

WAC 246-853-045 Inactive credential. (~~(A practitioner)~~) An osteopathic physician may obtain an inactive credential. Refer to the requirements of chapter 246-12 WAC(~~(, Part 4)~~).

AMENDATORY SECTION (Amending WSR 98-05-060, filed 2/13/98, effective 3/16/98)

WAC 246-853-210 Expired license. (1) If the license has expired for three years or less, the (~~(practitioner)~~) osteopathic physician must meet the requirements of chapter 246-12 WAC(~~(, Part 2)~~).

(2) If the license has expired for over three years, and the (~~(practitioner)~~) osteopathic physician has been in active practice in another United States jurisdiction, the (~~(practitioner)~~) osteopathic physician must:

(a) Submit verification of active practice from any other United States jurisdiction;

(b) Meet the requirements of chapter 246-12 WAC(~~(, Part 2)~~).

(3) If the license has expired for over three years, and the (~~(practitioner)~~) osteopathic physician has not been in active practice in another United States jurisdiction, the (~~(practitioner)~~) osteopathic physician:

(a) May be required to be reexamined as provided in RCW 18.57.080;

(b) Must meet the requirements of chapter 246-12 WAC(~~(, Part 2)~~).

OTS-5014.1

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-853-060 Continuing professional education
required.