

WSR 21-19-104
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
(Nursing Care Quality Assurance Commission)
[Filed September 17, 2021, 7:36 p.m.]

Subject of Possible Rule Making: WAC 246-840-365, 246-840-367, 246-840-533, and 246-840-930. The nursing care quality assurance commission (commission) will consider amendments to specific credential and license requirements for nurse technicians (NT), licensed practical nurses (LPN), registered nurses (RN), and advanced registered nurse practitioners (ARNP) in response to the coronavirus disease 2019 (COVID-19) pandemic and the critical demand for health care professionals.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.79.010, 18.79.110, and 18.79.260.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission first adopted emergency rules in response to COVID-19 on April 24, 2020, under WSR 20-10-014. The commission has continued to file emergency rules, the most recent filing occurred on September 17, 2021, under WSR 21-19-092. The emergency rules have been necessary for the preservation of public health, safety, and general welfare, including increasing and maintaining the availability of health care professionals to help treat and prevent the spread of COVID-19.

The commission met on May 14, 2021, and decided emergency language not covered by other permanent rules should revert to the original language or be addressed in this separate rule making. Changes in WAC 246-840-365 and 246-840-367 may be needed to remove barriers to license renewal for ARNPs returning to active practice from inactive or expired status. Changes to WAC 246-840-533 may be needed to remove barriers for NTs to become credentialed. A change to WAC 246-840-930 may be necessary to clarify training requirements. The commission is considering rule making to make permanent changes to current rules identified as a barrier to the provision of services both in emergency response and during regular operations. While permanent rule making is ongoing, the commission will continue to renew emergency rules applicable to NTs, LPNs, RNs, and ARNPs.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state department of social and health services, the commission intends to collaborate to consider clarification in scope of practice for the nursing rules.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Shad Bell, P.O. Box 47864, Olympia, WA 98504-7864, phone 360-236-4711, fax 360-236-4738, TTY 711, email Shad.Bell@doh.wa.gov, website <https://www.doh.wa.gov/licensespermitsandcertificates/nursingcommission>.

Additional comments: The commission will notify interested parties of rule making by posting information on the department of health website, the commission website and by use of GovDelivery. Interested parties may sign up to receive commission rule-making notices at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. The commission will hold virtual meetings at varying times to encourage participation.

September 17, 2021
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Nursing Care Quality Assurance Commission