

WSR 24-07-065

PROPOSED RULES

DEPARTMENT OF HEALTH

[Filed March 15, 2024, 1:56 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-17-091.

Title of Rule and Other Identifying Information: Athletic trainer scope of practice for medication purchase, storage, and administration in chapter 246-916 WAC. The department of health (department), in consultation with the athletic training advisory committee (committee), is proposing to create new WAC 246-916-070 Medications, to define terms used and establish education and training requirements for athletic trainers in response to SHB 1275, (chapter 143, Laws of 2023).

Hearing Location(s): On May 2, 2024, at 1:00 p.m., at the Washington State Department of Health, 111 Israel Road S.E., Town Center 2, Room 166/167, Tumwater, WA 98501; or via Zoom. Register in advance for this webinar https://us02web.zoom.us/webinar/register/WN_BLdmPYljRkmAFpXHQKS55w. After registering, you will receive a confirmation email containing information about joining the webinar.

Date of Intended Adoption: May 9, 2024.

Submit Written Comments to: Allyson McIver, Program Manager, P.O. Box 47852, Olympia, WA 98504-7852, email <https://fortress.wa.gov/doh/policyreview/>, fax 360-236-2901, allyson.mciver@doh.wa.gov, by May 2, 2024.

Assistance for Persons with Disabilities: Contact Allyson McIver, program manager, phone 360-236-2878, fax 360-236-2901, TTY 711, email allyson.mciver@doh.wa.gov, by April 25, 2024.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of the proposed new rule is to: (1) Define terms to provide direction to athletic trainers regarding what types of medications an athletic trainer is permitted to purchase, store, and administer; and (2) create training requirements for an athletic trainer to purchase, store, and administer medications.

The proposed rule provides clear instructions and requirements for athletic trainers to use both over-the-counter and prescription medications as a part of athletic training care, while supporting patient safety.

Reasons Supporting Proposal: SHB 1275 authorizes athletic trainers to purchase, store, and administer over-the-counter medications as prescribed by an authorized health care practitioner for the practice of athletic training. SHB 1275 also permits athletic trainers who have completed accredited training programs on pharmacology and medication administration to purchase, store, and administer medications in accordance with the accredited training programs, as prescribed by an authorized health care practitioner. SHB 1275 requires athletic trainers complete an accredited training program prior to purchasing, storing, or administering prescription medications. However, SHB 1275 does not specify what is considered an appropriate accredited training program. The proposed rule is needed to create specific training guidelines and requirements to ensure athletic trainers receive appropriate education on how to store, purchase, and administer these medications safely. SHB 1275 does not define "medications" which could cause confusion among athletic trainers regarding what types of medications they can purchase, store, and administer. Chapter 69.50 RCW, Uniform Controlled Substances Act, excludes athletic trainers from handling medications that are controlled substances. The proposed rule is nec-

essary to ensure athletic trainers know that they are not permitted to purchase, store, and administer controlled substances and to create an enforceable standard.

Statutory Authority for Adoption: RCW 18.250.020 and 18.250.030.

Statute Being Implemented: SHB 1275 (chapter 143, Laws of 2023), codified as RCW 18.250.110.

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

Name of Proponent: Department of health, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Allison McIver, 111 Israel Road N.W., Tumwater, WA 98501, 360-236-2878.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Allyson McIver, Program Manager, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-2878, fax 360-236-2901, TTY 711, email allyson.mciver@doh.wa.gov.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(4).

Explanation of exemptions: The proposed rules only impact Washington state credentialed athletic trainers.

Scope of exemption for rule proposal:

Is fully exempt.

March 15, 2024
Kristin Peterson, JD
Chief of Policy
for Umair A. Shah, MD, MPH
Secretary

OTS-5125.2

NEW SECTION

WAC 246-916-070 Medications. (1) An athletic trainer licensed under chapter 18.250 RCW may, for the practice of athletic training:

(a) Purchase, store, and administer over-the-counter medications as prescribed by an authorized healthcare practitioner;

(b) Purchase, store, and administer medications as prescribed by an authorized healthcare practitioner, if the athletic trainer has completed an accredited training program on the topic of pharmacology and medication administration. The athletic trainer shall only purchase, store, and administer medications in accordance with the accredited training program completed.

(2) For the purposes of this section:

(a) "Accredited training program on the topic of pharmacology and medication administration" includes:

(i) Coursework on pharmacology and medication administration within an accredited athletic training program approved under WAC 246-916-020;

(ii) Board of certification for the athletic trainer (BOC) approved Category A continuing education on the topic of pharmacology and medication administration;

(iii) BOC approved Category C postcertification college and university coursework on the topic of pharmacology and medication administration;

(iv) Other accredited training programs on the topic of pharmacology and medication administration.

(b) "Over-the-counter medications" has the same meaning as RCW 69.60.020, and also includes vitamins.

(c) "Medications" means legend drugs as defined under RCW 69.41.010, and does not include controlled substances as defined under RCW 69.50.101.

(3) Athletic trainers shall follow other medication limitations and requirements in RCW 18.250.110.