

WSR 24-21-095

PERMANENT RULES

DEPARTMENT OF HEALTH

(Board of Osteopathic Medicine and Surgery)

[Filed October 17, 2024, 10:15 a.m., effective November 17, 2024]

Effective Date of Rule: Thirty-one days after filing.

Purpose: Osteopathic Physicians and surgeons five-year rule review. RCW 43.70.041 requires a formal review process of existing rules every five years to simplify, improve, and streamline rules pertaining to health professions. The board of osteopathic medicine and surgery (board) conducted a review of all sections in chapter 246-853 WAC that have not been reviewed in the last five years and identified that WAC 246-853-045 and 246-853-210 contain outdated language. The board is adopting amendments 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 repealing this section.

Citation of Rules Affected by this Order: Repealing WAC 246-853-060; and amending WAC 246-853-045 and 246-853-210.

Statutory Authority for Adoption: RCW 18.57.005 and 43.70.041.

Adopted under notice filed as WSR 24-11-069 on May 14, 2024.

A final cost-benefit analysis is available by contacting Becky McElhiney, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4766, fax 360-236-2901, TTY 711 email osteopathic@doh.wa.gov, website <https://fortress.wa.gov/doh/policyreview>.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 2, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 1.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 1.

Date Adopted: October 9, 2024.

Lisa Galbraith, DO, Chair
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.