

## WSR 21-01-213

## EXPEDITED RULES

## DEPARTMENT OF HEALTH

(Washington Medical Commission)

[Filed December 23, 2020, 10:42 a.m.]

Title of Rule and Other Identifying Information: WAC 246-919-380 (allopathic physicians) AIDS prevention and information education requirements and WAC 246-918-080 (allopathic physician assistants) requirements for licensure. The Washington medical commission (commission) proposes repealing WAC 246-919-380 and amending WAC 246-918-080 to repeal subsection (2)(d) to implement ESHB 1551, modernizing the control of certain communicable diseases (chapter 76, Laws of 2020), which repealed specific statutory authority.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Section 22(11) of ESHB 1551 repeals RCW 70.24.270 Health professionals—Rules for AIDS education and training, to no longer require health professionals to obtain AIDS education and training. As a result of this law being repealed, the commission proposes to repeal requirements for AIDS training included in WAC 246-919-380 and 246-918-080 (2)(d).

The intent of ESHB 1551 is to help reduce stigma towards people living with HIV/AIDS by not singling out AIDS as an exceptional disease that requires specific training and education separate from other health conditions.

Reasons Supporting Proposal: When Washington adopted statutes concerning AIDS, very little was known about the disease compared to today. Now, AIDS is very treatable and preventable. In 2014, Governor Inslee issued a proclamation including efforts to reduce stigma, which included updating state law. ESHB 1551 repeals statutes concerning AIDS education and training for emergency medical personnel, health professionals, and health care facility employees, which helps reduce stigma towards people living with HIV/AIDS by not singling out AIDS as an exceptional disease that requires specific training and education separate from other health conditions.

Statutory Authority for Adoption: RCW 18.71.017, 18.130.050.

Statute Being Implemented: ESHB 1551 (chapter 76, Laws of 2020).

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

Name of Proponent: Washington medical commission, governmental.

Name of Agency Personnel Responsible for Drafting: Amelia Boyd, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-2727; Implementation and Enforcement: Melanie de Leon, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-2755.

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

The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: ESHB 1551 (chapter 76, Laws of 2020) repeals RCW 70.240.270, the statutes [statutes] in which the commission rules are based.

## NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEAR-

INGS, 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 Amelia Boyd, Program Manager, Department of Health, P.O. Box 47866, phone 360-236-2727, email <https://fortress.wa.gov/doh/policyreview> AND RECEIVED BY March 8, 2021.

December 22, 2020  
Melanie de Leon  
Executive Director

### OTS-2753.1

AMENDATORY SECTION (Amending WSR 15-04-122, filed 2/3/15, effective 3/6/15)

#### **WAC 246-918-080 Physician assistant—Requirements for licensure.**

(1) Except for a physician assistant licensed prior to July 1, 1999, individuals applying to the commission for licensure as a physician assistant must have graduated from an accredited commission approved physician assistant program and successfully passed the NCCPA examination.

(2) An applicant for licensure as a physician assistant must submit to the commission:

(a) A completed application on forms provided by the commission;

(b) Proof the applicant has completed an accredited commission approved physician assistant program and successfully passed the NCCPA examination;

(c) All applicable fees as specified in WAC 246-918-990; and

(d) ~~((Proof of completion of four clock hours of AIDS education as required in chapter 246-12 WAC, Part 8; and~~

~~(e)))~~ Other information required by the commission.

(3) The commission will only consider complete applications with all supporting documents for licensure.

(4) A physician assistant may not begin practicing without written commission approval of a delegation agreement.

[Statutory Authority: RCW 18.71.017, 18.130.050, chapter 18.71A RCW, and 2013 c 203. WSR 15-04-122, § 246-918-080, filed 2/3/15, effective 3/6/15. Statutory Authority: RCW 18.71.017, 18.71.050 and chapter 18.71 RCW. WSR 01-18-085, § 246-918-080, filed 9/5/01, effective 10/6/01. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-918-080, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 18.71.017 and 18.71A.020. WSR 96-03-073, § 246-918-080, filed 1/17/96, effective 2/17/96. Statutory Authority: RCW 18.71.017. WSR 91-06-030 (Order 147B), recodified as § 246-918-080, filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 18.71A.020. WSR 89-06-077 (Order PM 822), § 308-52-139, filed 3/1/89. Statutory Authority: RCW 18.71.017 and 18.71A.020. WSR 88-21-047 (Order PM 782), § 308-52-139, filed 10/13/88. Statutory Authority: RCW 18.71A.020. WSR 88-06-008 (Order PM 706), § 308-52-139, filed 2/23/88; WSR 86-12-031 (Order PM 599), § 308-52-139, filed 5/29/86; WSR 82-24-013 (Order PL 412), §

308-52-139, filed 11/19/82; WSR 81-03-078 (Order PL 368), §  
308-52-139, filed 1/21/81; WSR 80-15-031 (Order PL-353), § 308-52-139,  
filed 10/8/80; WSR 78-04-029 (Order PL 285, Resolution No. 78-140), §  
308-52-139, filed 3/14/78.]

**OTS-2756.1**

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-919-380      AIDS prevention and information  
education requirements.