

WSR 22-11-023
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed May 10, 2022, 11:27 a.m.]

Subject of Possible Rule Making: The department is considering amending WAC 388-76-10455 to allow adult family home providers the authority to administer epinephrine to residents in their care who have an assessed condition requiring administration of epinephrine.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.128.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: When individuals with severe allergies causing anaphylaxis are prescribed epinephrine, the adult family home must be able to administer the medication to residents who require assistance. Current rule requires medication administration be performed by a "practitioner," by nurse delegation or by a family member or legally appointed resident representative. Adult family home providers do not meet the definition of "practitioner" and the task cannot be nurse-delegated. Due to the emergency nature of the medication, family or others outside the adult family home cannot administer the medication timely. Amending the rule will allow adult family home providers to administer these medications to residents, minimizing risk of a severe reaction or death.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of health (DOH) also regulates the subject of epinephrine administration under chapter 70.54 RCW. The department of social and health services will consult with DOH staff in developing proposed rules to avoid creating conflicting or redundant requirements for long-term care facilities and homes.

Process for Developing New Rule: Negotiated rule making; and the department will use a collaborative rule-making process to develop and receive comments on draft rules. Contact the department staff listed below to receive draft material and information about how to participate in the rule-making process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Colleen Jensen, P.O. Box 45600, Olympia, WA 98504, phone 564-999-3182, email colleen.jensen1@dshs.wa.gov.

May 5, 2022
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