

WSR 25-04-091

PERMANENT RULES

DEPARTMENT OF HEALTH

(Dental Quality Assurance Commission)

[Filed February 3, 2025, 4:48 p.m., effective March 6, 2025]

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

Purpose: Adding facility types to the list of opioid prescribing exclusions for dentists. The amendments to WAC 246-817-905 expand the types of patients who are exempt from opioid prescribing rules.

The adopted language aligns with the Washington medical commission's (WMC) recently adopted rules to ensure consistency and alignment with best practices.

Citation of Rules Affected by this Order: Amending WAC 246-817-905.

Statutory Authority for Adoption: RCW 18.32.0365, 18.32.800, and 18.130.050.

Adopted under notice filed as WSR 24-20-025 on September 20, 2024.

A final cost-benefit analysis is available by contacting Debbie Gardner, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4893, TTY 771 [711], email dental@doh.wa.gov, website www.doh.wa.gov.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 1, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: January 31, 2025.

Bryan Swanson, DDS, Chair  
Dental Quality Assurance Commission

**OTS-5615.1**

AMENDATORY SECTION (Amending WSR 19-02-043, filed 12/26/18, effective 1/26/19)

**WAC 246-817-905 Exclusions.** WAC 246-817-901 through 246-817-980 do not apply to:

(1) The treatment of patients with cancer-related pain. Cancer-related pain means pain that is unpleasant, persistent, subjective sensory and emotional experience associated with actual or potential tissue injury or damage or described in such terms and is related to cancer or cancer treatment that interferes with usual functioning;

(2) The provision of palliative, hospice, or other end-of-life care;

~~(3) ((The treatment of inpatient hospital patients. Inpatient means a person who has been admitted to the hospital for more than twenty-four hours; or~~

~~(4)) The provision of procedural medications;~~

~~(4) The treatment of patients who have been admitted to any of the following facilities for more than 24 hours:~~

~~(a) Acute care hospitals licensed under chapter 70.41 RCW;~~

~~(b) Psychiatric hospitals licensed under chapter 71.12 RCW;~~

~~(c) Nursing homes licensed under chapter 18.51 RCW and nursing facilities as defined in WAC 388-97-0001;~~

~~(d) Long-term acute care hospitals as defined in RCW 74.60.010;~~

or

~~(e) Residential treatment facilities as defined in RCW 71.12.455.~~

~~(5) The treatment of patients in residential habilitation centers as defined in WAC 388-825-089 when the patient has been transferred directly from a facility listed in subsection (4) of this section.~~