WSR 26-19-080
INTERPRETIVE STATEMENT
DEPARTMENT OF HEALTH
(Washington Medical Commission)
[Filed September 17, 2026, 9:56 a.m.]

Rescission of Interpretive Statement INS2023-02 Establishing the Use of Nitrous Oxide in Office-Based Settings Under WAC 246-919-601.

The Washington medical commission (commission) is rescinding the interpretive statement INS2023-02 Establishing the Use of Nitrous Oxide in Office-Based Settings under WAC 246-919-601. The notice of adoption for this interpretive statement was filed on November 6, 2023, and published in WSR 23-23-048.

The commission implemented this interpretive statement to outline specific conditions that must be met in order to exempt the use of nitrous oxide from the requirements under WAC 246-919-601 Regulating the use of analgesia, anesthesia, and sedation in office-based settings. The commission is rescinding this interpretive statement because the commission has completed rule making addressing the use of nitrous oxide in office-based settings.

The commission adopted amendments to WAC 246-919-601 that exempts the use of nitrous oxide when specified conditions are met. The commission also adopted new WAC 246-919-603 Use of nitrous oxide in office-based settings, which establishes requirements and governs the use of nitrous oxide in office-based settings. The rule incorporates the substance of the interpretive statement INS2023-02 into rule. The rules on this topic were adopted on May 13, 2026, under WSR 26-11-022, and became effective June 13, 2026.

As a result, INS2023-02 is no longer necessary because the requirements it addressed are now established in rule. Individuals requiring additional information on this rescission should contact Amelia Boyd, program manager, at amelia.boyd@wmc.wa.gov.