



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: October 30, 2023

TIME: 1:24 PM

WSR 23-22-092

Agency: Department of Health

Subject of possible rule making: Prescription Monitoring Program (PMP) - Clarifying terms and information about prescription history for the PMP. The Department of health (department) is considering clarifying that prescribers can request the history of prescriptions they have written. The department is considering changes to WAC 246-470- 010, 246-470-030, and 246-470-050 and potentially other related sections in chapter 246-470 WAC to help clarify rules including terms and definitions relating to the Prescription Monitoring Program.

Statutes authorizing the agency to adopt rules on this subject: RCW 70.225.025 and chapter 70.225 RCW

Reasons why rules on this subject may be needed and what they might accomplish:

The department is considering clarifying terms and definitions used in the PMP rules after receiving several questions from various interested parties around definitions of “sold,” “dispense,” “filled,” and “distributed” during a State Auditor’s Office audit of the PMP as well as in various other routine operational situations. The department will consider those questions and concerns during the rulemaking process. The department is also considering clarifying that prescribers can request the history of prescriptions they have written. Clarifying and defining some phrases found in rule is necessary to cut down on confusion about what the rules mean for dispensers and prescribers.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: None

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Collaborative rulemaking

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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Other:	Other:

Additional comments: Rulemaking notices will be delivered via the GovDelivery. You may subscribe to the Washington State PMP GovDelivery listserv to receive updates at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>

Select "Health Systems Quality Assurance" and "Health Professions" and then select "Prescription Monitoring Program" and any other lists you wish to subscribe to.

Date: October 30, 2023

Name: Todd Mountin, PMP for Umair A. Shah, MD, MPH

Title: Deputy Chief of Policy for Secretary of Health

Signature:

A handwritten signature in black ink, appearing to read "Todd Mountin". The signature is written in a cursive style with a large initial "T".