



# RULE-MAKING ORDER PERMANENT RULE ONLY

## CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: June 20, 2024

TIME: 8:25 AM

WSR 24-13-115

**Agency:** Department of Health

**Effective date of rule:**

**Permanent Rules**

31 days after filing.

Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

Yes  No If Yes, explain:

**Purpose:** Athletic Trainer scope of practice for medication purchase, storage, and administration. The Department of Health (department) in collaboration with the Athletic Training Advisory Committee (committee) is adopting a new section in chapter 246-916 WAC in response to Substitute House Bill (SHB) 1275 (chapter 143, Laws of 2023) that passed during the 2023 legislative session. SHB 1275 authorized athletic trainers to purchase, store, and administer over-the-counter medications as prescribed by an authorized health care practitioner for the practice of athletic training. SHB 1275 also permits athletic trainers who have completed accredited training programs on pharmacology and medication administration to purchase, store, and administer medications other than over-the-counter medications as prescribed by an authorized health care practitioner, and in accordance with the training program.

The purpose of the adopted medications rule, WAC 246-916-070, is to:

1. Define terms to provide direction to athletic trainers regarding what types of medications an athletic trainer is permitted to purchase, store, and administer; and
2. Create training requirements for athletic trainers who would like to purchase, store, and administer medications for the practice of athletic training.

The adopted rule provides clear instructions and requirements for athletic trainers to use both over-the-counter and prescription medications as a part of athletic training care, while supporting patient safety.

The purpose of rulemaking was to clarify that athletic trainers are not permitted to purchase, store, or administer controlled substances, as that would conflict with chapter 69.50 RCW, Uniform Controlled Substances Act. Chapter 69.50 RCW excludes athletic trainers from handling medications that are controlled substances. Rulemaking was also necessary to create enforceable standards and set training requirements for athletic trainers seeking to purchase, store, or administer medications while providing athletic training services.

**Citation of rules affected by this order:**

New: WAC 246-916-070

Repealed: None

Amended: None

Suspended: None

**Statutory authority for adoption:** RCW 18.250.020 and 18.250.030

**Other authority:** Substitute House Bill 1275 (chapter 143, Laws of 2023) codified as RCW 18.250.110

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 24-07-065 on March 15, 2024.

Describe any changes other than editing from proposed to adopted version: None.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

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**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

|                                  |     |          |         |          |          |          |
|----------------------------------|-----|----------|---------|----------|----------|----------|
| Federal statute:                 | New | <u>0</u> | Amended | <u>0</u> | Repealed | <u>0</u> |
| Federal rules or standards:      | New | <u>0</u> | Amended | <u>0</u> | Repealed | <u>0</u> |
| Recently enacted state statutes: | New | <u>1</u> | Amended | <u>0</u> | Repealed | <u>0</u> |

**The number of sections adopted at the request of a nongovernmental entity:**

|     |          |         |          |          |          |
|-----|----------|---------|----------|----------|----------|
| New | <u>0</u> | Amended | <u>0</u> | Repealed | <u>0</u> |
|-----|----------|---------|----------|----------|----------|

**The number of sections adopted on the agency's own initiative:**

|     |          |         |          |          |          |
|-----|----------|---------|----------|----------|----------|
| New | <u>1</u> | Amended | <u>0</u> | Repealed | <u>0</u> |
|-----|----------|---------|----------|----------|----------|

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

|     |          |         |          |          |          |
|-----|----------|---------|----------|----------|----------|
| New | <u>0</u> | Amended | <u>0</u> | Repealed | <u>0</u> |
|-----|----------|---------|----------|----------|----------|

**The number of sections adopted using:**

|                                |     |          |         |          |          |          |
|--------------------------------|-----|----------|---------|----------|----------|----------|
| Negotiated rule making:        | New | <u>0</u> | Amended | <u>0</u> | Repealed | <u>0</u> |
| Pilot rule making:             | New | <u>0</u> | Amended | <u>0</u> | Repealed | <u>0</u> |
| Other alternative rule making: | New | <u>1</u> | Amended | <u>0</u> | Repealed | <u>0</u> |

**Date Adopted:** 6/20/2024

**Name:** Kristin Peterson, JD for Umair A. Shah, MD, MPH

**Title:** Chief of Policy for Secretary of Health

**Signature:**



NEW SECTION

**WAC 246-916-070 Medications.** (1) An athletic trainer licensed under chapter 18.250 RCW may, for the practice of athletic training:

(a) Purchase, store, and administer over-the-counter medications as prescribed by an authorized healthcare practitioner;

(b) Purchase, store, and administer medications as prescribed by an authorized healthcare practitioner, if the athletic trainer has completed an accredited training program on the topic of pharmacology and medication administration. The athletic trainer shall only purchase, store, and administer medications in accordance with the accredited training program completed.

(2) For the purposes of this section:

(a) "Accredited training program on the topic of pharmacology and medication administration" includes:

(i) Coursework on pharmacology and medication administration within an accredited athletic training program approved under WAC 246-916-020;

(ii) Board of certification for the athletic trainer (BOC) approved Category A continuing education on the topic of pharmacology and medication administration;

(iii) BOC approved Category C postcertification college and university coursework on the topic of pharmacology and medication administration;

(iv) Other accredited training programs on the topic of pharmacology and medication administration.

(b) "Over-the-counter medications" has the same meaning as RCW 69.60.020, and also includes vitamins.

(c) "Medications" means legend drugs as defined under RCW 69.41.010, and does not include controlled substances as defined under RCW 69.50.101.

(3) Athletic trainers shall follow other medication limitations and requirements in RCW 18.250.110.