



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: July 22, 2019

TIME: 9:25 AM

WSR 19-15-095

Agency: Department of Health- Dental Quality Assurance Commission

Subject of possible rule making: WAC 246-817-907 Patient notification, secure storage, and disposal. The Dental Quality Assurance Commission (commission) is considering amending WAC 246-817-907 to establish patient notification, documentation, and counseling requirements for those prescribing opioids, as directed by Substitute Senate Bill (SSB) 5380. The commission may also consider exemptions to patient notification, documentation, and counseling requirements for opioid prescribing .

Statutes authorizing the agency to adopt rules on this subject: SSB 5380 (Chapter 314, Laws of 2019) and RCW 18.32.0365

Reasons why rules on this subject may be needed and what they might accomplish: SSB 5380 requires the commission, along with the Podiatric Medical Board, Board of Osteopathic Medicine and Surgery, Washington Medical Commission, and Nursing Care Quality Assurance Commission to adopt or amend rules establishing patient notification requirements for those who prescribe opioids.

Section 4 of SSB 5380 directs the commission to adopt or amend the opioid prescribing rules by January 1, 2020, to establish the requirement for dentists to notify patients of their right to refuse an opioid prescription or order and to document any refusal.

Section 17 of SSB 5380 adds a new section to chapter 69.50 RCW requiring the prescribing practitioner, prior to the first opioid prescription, to discuss with the patient risks of opioids, pain management alternatives to opioids, and provide the patient a written copy of the warning. Commission rules may be amended to include pain management alternatives in the patient notification.

Patient notification already exists in current rule, however rulemaking is necessary to amend the rule to include the requirements of SSB 5380.

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 rule making

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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(If necessary)

Name:
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Web site:

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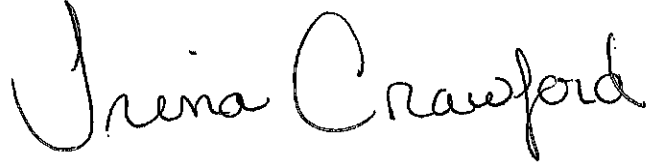
Additional comments: Notice will be sent to the commission interested parties GovDelivery list, bulk email service, and to the Washington State Dental Association, and Washington State Society of Oral and Maxillofacial Surgeons. Stakeholders will be invited to rule drafting workshops and commission meetings through the dental commission interested parties GovDelivery lists. Interested parties can be added to the GovDelivery list by subscribing at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>.

Date: 07/19/2019

Signature:

Name: Trina Crawford

Title: Executive Director

A handwritten signature in black ink that reads "Trina Crawford". The signature is written in a cursive, flowing style.