



PREPROPOSAL STATEMENT OF INQUIRY

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

Do **NOT** use for expedited rule making

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FILED

DATE: August 19, 2022

TIME: 11:52 AM

WSR 22-17-101

Agency: Department of Health- Veterinary Board of Governors

Subject of possible rule making: WAC 246-933-010, Definitions and WAC 246-933-200, Veterinary Client Patient Relationship (VCPR). The Veterinary Board of Governors (board) is considering establishing additional standards for telemedicine services. The board is considering amending WAC 246-933-200 and WAC 246-933-010 and creating a new rule section.

Statutes authorizing the agency to adopt rules on this subject: RCW 18.92.030

Reasons why rules on this subject may be needed and what they might accomplish: In February 2022, the board received a rulemaking petition requesting, at a minimum, that VCPR be established "either physically or through indirect supervision via remote video observation and guidance of an examination of the patient by a Washington State Licensed Veterinary Technician." The petitioner clarified an option to allow the VCPR to be maintained between medically necessary examinations via telephone or other types of consultations. However, a rule change should prohibit the prescribing of Schedule II controlled substances without first performing a hands-on examination.

In March 2022, the board received second rulemaking petition requesting the board modify veterinary telemedicine rules to allow a veterinarian to prescribe preventative medicines without the requirement for an annual in-person examination of the animal.

The board will consider a third rulemaking petition at their September 2022 business meeting requesting the board amend rules to allow VCPR virtually.

At its March 21, 2022 meeting, the board reviewed both rulemaking petitions and agreed to begin rulemaking to consider changes to WAC 246-933-010, 246-933-200 and possibly adding new section to set additional standards for veterinary telemedicine services. The board agrees there are areas of veterinarian services that may be appropriate for veterinary telemedicine. The rulemaking petitions request specific changes, the board agrees to consider those requests during the rulemaking process along with establishing new veterinary telemedicine standards.

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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(If necessary)

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Additional comments: Notices will be emailed through the program's GovDelivery interested parties list. To sign up, please go to: <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. Stakeholders will be invited to participate in meetings and rule drafting workshops. At the formal proposal stage of rulemaking, proposed rule language will be posted on the department's rules comments website to receive public comment for the public hearing.

Date: August 19, 2022	Signature: 
Name: Jennifer Santiago	
Title: Executive Director, Office of Health Professions	