



PREPROPOSAL STATEMENT OF INQUIRY

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

Do **NOT** use for expedited rule making

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DATE: August 06, 2025

TIME: 1:13 PM

WSR 25-17-001

Agency: Department of Health

Subject of possible rule making:

The Department of Health (department) is considering creating new rules to implement Chapter 220, Laws of 2017 (RCW 43.70.057), which addresses the collection and confidentiality of emergency department patient care information. Rules would establish reporting requirements and standards for the collection and release of emergency department data as part of a syndromic surveillance system. As directed by RCW 43.70.057, the department will consider current and emerging national standards in the development of these rules.

Statutes authorizing the agency to adopt rules on this subject: RCW 43.70.057 (Chapter 220, Laws of 2017)

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

In 2017, the Washington State Legislature adopted RCW 43.70.057, mandating the automated, electronic reporting of patient visit data from Washington State emergency departments to the Department of Health. Prior to its enactment, such reporting was voluntary and funded through the Centers for Medicare and Medicaid Services, with standards defined by the Public Health Information Network and Washington State messaging guides. RCW 43.70.057 directs the department to adopt rules governing data element and format requirements, reporting time frames, and procedures for addressing data submission errors. Rulemaking may be necessary to effectively implement these provisions and to standardize the collection, reporting, and release of emergency department data statewide.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

RCW 43.70.057 requires the department to adopt rules to establish standards for data reporting for Washington State emergency departments and data release. The Centers for Disease Control and Prevention and the Centers for Medicare and Medicaid Services also maintain a regularly updated messaging guide for syndromic surveillance data reporting, which the department incorporates into the state messaging guide. Additionally, the state syndromic surveillance program works closely with national partners to standardize surveillance practices.

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

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

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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Additional comments: If you are interested in this rulemaking and would like to be added to the interested parties list, please email cynthia.harry@doh.wa.gov	
Date: August 6, 2025	Signature:
Name: Kristin Peterson, JD for Dennis E. Worsham	
Title: Chief of Policy for Secretary of Health	