



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Department of Health- Pharmacy Quality Assurance Commission

Subject of possible rule making: WAC 246-860-100 Sexual Misconduct. The Pharmacy Quality Assurance Commission (Commission) is considering revising the rule to clarify what forcible or nonconsensual acts are within the definition of sexual misconduct by a pharmacist, pharmacy intern, technician, or assistant.

Statutes authorizing the agency to adopt rules on this subject: RCW 18.64.005 and RCW 18.130.062

Reasons why rules on this subject may be needed and what they might accomplish: The Commission is considering updating the sexual misconduct rule to establish clearer standards of conduct for pharmacy health care providers. The Commission's experience with investigating and enforcing the current rule has raised the need to clarify what acts constitute sexual misconduct by providers under the authority of the Commission. Updating the sexual misconduct rule will establish clearer standards of conduct and will help the department be consistent in its enforcement activities to more fully comply with RCW 18.130.062 and Executive Order 06-03.

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

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Stakeholders may provide input throughout the rulemaking process. Interested parties can sign-up to receive information, updates, or provide comments to the Pharmacy Quality Assurance Commission at WSPQAC@doh.wa.gov or by contacting Brett Lorentson, Rules Consultant, at the Department of Health, Pharmacy Quality Assurance Commission, P.O. Box 47852, Olympia WA 98504-7852. Email: brett.lorentson@doh.wa.gov. Phone: (360) 236.4611. Fax: (360) 236-2260.

DATE
December 1, 2015

NAME (TYPE OR PRINT)
Albert Linggi

SIGNATURE

TITLE
Chair, Pharmacy Quality Assurance Commission

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