



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Health- Veterinary Board of Governors

- Preproposal Statement of Inquiry was filed as WSR 15-11-056 ; or
- Expedited Rule Making--Proposed notice was filed as WSR _ ; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR
- Continuance of WSR

Title of rule and other identifying information: (Describe Subject)

WAC 246-933-340 Practice Management. The Veterinary Board of Governors (board) is proposing to amend WAC 246-933-340 to include a drug expiration date in the list of labeling requirements for legend drugs dispensed by a veterinarian.

Hearing location(s): Department of Health
Creekside Two at Center Point
20425 72nd Ave. South, Room 309
Kent, WA 98032

Date: September 19, 2016

Time: 10:00 a.m.

Submit written comments to:

Name: Lorelei Walker
Address: Department of Health
Veterinary Board of Governors
P O Box 47852
Olympia WA 98504-7852
e-mail: <https://fortress.wa.gov/doh/policyreview>
fax 360-236-2901 by (date) 08/31/2016

Assistance for persons with disabilities: Contact

Lorelei Walker by 08/31/2016

TTY (800) 833-6388 or () 711

Date of intended adoption: 09/19/2016

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The labeling requirements for legend drugs dispensed by veterinarians in WAC 246-933-340 (5) do not include a drug expiration date. To protect patient safety and to bring the rule into alignment with the requirements of RCW 18.92.013, the proposed rule adds a drug expiration date to labeling requirements for legend drugs dispensed by a veterinarian.

Reasons supporting proposal:

For the patient safety, the board is proposing to amend the rule to include a drug expiration date. The labeling requirements are consistent with current pharmacy requirements. Amending the rule will result in consistency between the rule and statute and provide clear direction to licensed veterinarians when labeling medications to be dispensed and important information to consumers regarding the expiration date of medications.

Statutory authority for adoption:

RCW 18.92.030, RCW 18.92.013

Statute being implemented:

RCW 18.92.030, RCW 18.92.013

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

DATE 07/26/2016

NAME (type or print)
Kathy Schmitt

SIGNATURE

TITLE
Deputy Director, Health Professions and Facilities

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 26, 2016

TIME: 3:53 PM

WSR 16-16-045

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

Name of proponent: (person or organization) Department of Health - Veterinary Board of Governors

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Brett Lorentson	111 Israel RD SE, Tumwater, WA 98501	360-236-4611
Implementation.... Lorelei Walker	111 Israel RD SE, Tumwater, WA 98501	360-236-4947
Enforcement..... Lorelei Walker	111 Israel RD SE, Tumwater, WA 98501	360-236-4947

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No. Explain why no statement was prepared.

A small business economic impact statement was not prepared. The proposed rule would not impose more than minor costs on businesses in an industry.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Lorelei Walker

Address: Department of Health

P O Box 47852

Olympia WA 98504-7852

phone 360-236-4947

fax 360-236-2901

e-mail Lorelei.Walker@doh.wa.gov

No: Please explain:

WAC 246-933-340 Practice management. All veterinary medical facilities shall maintain a sanitary environment to avoid sources and transmission of infection. This includes the proper sterilization or sanitation of all equipment used in diagnosis or treatment and the proper routine disposal of waste materials.

(1) **Surgery:** Surgery shall be performed in a manner compatible with current veterinary practice with regard to anesthesia, asepsis or antiseptics, life support and monitoring procedures, and recovery care. The minimum standards for surgery shall be:

(a) Aseptic or antiseptic surgery shall be performed in a room designated and reserved for surgery and directly related noncontaminating activities.

(b) The surgery room shall be clean, orderly, well lighted and maintained in a sanitary condition, free of offensive odors.

(c) Storage in the surgery room shall be limited only to items and equipment related to surgery and surgical procedures.

(d) Instruments and equipment utilized in the surgery room shall be appropriate for the type of surgical service being provided.

(e) The operating table shall be constructed of a smooth and impervious material.

(f) Chemical disinfection ("cold sterilization") may be used only for field conditions or minor surgical procedures. Sterilizing of all appropriate equipment is required. Provisions for sterilization shall include a steam pressure sterilizer (autoclave) or a gas sterilizer (e.g., ethylene oxide).

(g) Surgical packs include towels, drapes, gloves, sponges and proper instrumentation. They shall be properly prepared for sterilization by heat or gas (sufficient to kill spores) for each sterile surgical procedure.

(h) For any major procedure, such as opening the abdominal or thoracic cavity or exposing bones or joints, a separate sterile surgical pack shall be used for each animal. Surgeons and surgical assistants shall use aseptic technique throughout the entire surgical procedure.

(i) Uncomplicated ovariohysterectomy or castration of normal healthy animals, and minor surgical procedures, such as excising small skin lesions or suturing superficial lacerations, may be performed under clean, antiseptic conditions. Surgeons and surgical assistants shall wear clean attire and sterile gloves, and care shall be taken to avoid introducing bacterial contamination.

(j) All animals shall be properly prepared for surgery as follows:

(i) Clipping and shaving of the surgical area for major procedures requiring aseptic technique as in (h) of this subsection shall be performed in a room other than the surgery room. Loose hair shall be removed from the surgical area((-));

(ii) Scrubbing the surgical area with soap and water((-));

(iii) Disinfecting the surgical area((-));

(iv) Draping the surgical area if appropriate((-));

(k) Anesthetic equipment appropriate for the type of patient and surgery performed shall be available at all times((-));

(l) Compressed oxygen or other adequate means shall be available to be used for resuscitation((-));

(m) Emergency drugs shall be available to the surgery area((~~-~~));

(n) Grossly contaminated procedures, such as lancing and draining abscesses, shall not be performed in the room designated for aseptic or antiseptic surgery.

(2) **Library:** A library of appropriate veterinary journals and textbooks shall be available on the premises for ready reference.

(3) **Laboratory:** Veterinary medical facilities shall have the capability for use of either in-house or consultant laboratory service for blood chemistry, bacterial cultures and antibiotic sensitivity examinations, complete blood counts, histopathologic examinations and complete necropsies. The in-house laboratory facility shall meet the following minimum standards:

(a) The laboratory room shall be clean and orderly with provision for ample storage((~~-~~));

(b) Ample refrigeration shall be provided((~~-~~));

(c) Any tests performed shall be properly conducted by currently recognized methods to assure reasonable accuracy and reliability of results.

(4) **Radiology:** Veterinary medical facilities shall have the capability for use of either in-house or consultant services for obtaining radiographs of diagnostic quality. Radiology equipment and use shall be in compliance with federal and Washington state laws, and shall follow the guidelines approved by the American Veterinary Medical Association.

(5) **Biologicals and drugs:** The minimum standards for drug procedures shall be:

(a) All controlled substances shall be stored, maintained, administered, dispensed and prescribed in compliance with federal and Washington state laws.

(b) Among things otherwise provided by RCW 18.64.246 and 69.41.050, legend drugs dispensed by a veterinarian shall be labeled with the following:

(i) Name of client or identification of animal((~~-~~));

(ii) Date dispensed((~~-~~));

(iii) Drug expiration date;

(iv) Complete directions for use((~~-~~
~~(iv)~~));

(v) Name and strength of the drug((~~-~~
~~(v)~~)); and

(vi) Name of prescribing veterinarian.

(c) A record of all drugs administered or dispensed shall be kept in the client's record. In the case of companion animals this record shall be by individual animal.

(6) **Limited services:** If veterinary medical services are limited to specific aspects of practice((~~-~~));

(a) The public shall be informed of the limitation of services provided((~~-~~));

(b) All veterinary services provided in the facility shall conform to the requirements for those services listed in WAC 246-933-330 and this section((~~-~~));

(c) The general requirements prescribed in WAC 246-933-320 shall apply to all veterinary medical facilities.

(7) **Exceptions:**

(a) The standards and requirements prescribed in WAC 246-933-330(3) and subsection (1)(a), (c), (j)(i), (n) of this section, shall not apply to equine or food animal veterinary procedures performed in medical facilities.

(b) The standards and requirements prescribed in WAC 246-933-320 (1), (2), (3), (4), (6), (8), 246-933-330 and subsections (1)(a), (b), (c), (e), (h), (j)(i), (l), (n), (2), (3), (4), (6)(b), (c) of this section, shall not apply to equine or food animal veterinary procedures performed on the owner's premises by a veterinarian.