



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: August 05, 2019

TIME: 9:43 AM

WSR 19-16-114

Agency: Department of Health

Subject of possible rule making: Chapter 246-08 WAC, Practice and Procedure, rules regarding Department of Health (department) adjudicative proceedings for declaratory orders; public record requests; agency indexes; and general agency administrative processes. The department is reviewing existing rules within the chapter to identify amendments that may be necessary as a result of changes in statutes, changes in internal operations, opportunities to streamline processes to reduce regulatory burden without compromising public health and safety, and to provide clear, concise and reasonable rules. This rulemaking excludes: WAC 246-08-390 Acquisition, security, disclosure and destruction of health information; and WAC 246-08-400, How much can a health care provider charge for searching and duplicating health care records.

Statutes authorizing the agency to adopt rules on this subject: RCW 34.05.220, 34.05.240, 42.56.070, and 43.70.040

Reasons why rules on this subject may be needed and what they might accomplish: The department has statutory authority to adopt rules within chapter 246-08 WAC. The rules are of general applicability adopted as authorized by law, and include statements of general policy or interpretations of general applicability formulated and adopted by the agency. Most of the rules have not been reviewed for potential changes in over 10 years. Over the years some state laws have been updated or changed, internal department processes have been streamlined, and other changes may have been made that will require necessary changes to update and clarify the existing rules. The department will consider amending the rules as a result of the review.

WAC 246-08-390 and WAC 246-08-400 are each excluded from this rulemaking as they have been updated within the last two years.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

Name: Tami Thompson	(If necessary) Name:
Address: PO Box 47890 Olympia, WA 98540-7890	Address:
Phone: 360-628-0096	Phone:
Fax:	Fax:
TTY: (360) 833-6388 or 711	TTY:
Email: tami.thompson@doh.wa.gov	Email:
Web site:	Web site:
Other:	Other:

Additional comments: Interest parties may participate by contacting Tami Thompson and requesting being added to the interested parties list.

Date: 07/31/2019	Signature: 
Name: John Wiesman, DrPH, MPH	
Title: Secretary of Health	