



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: May 10, 2022

TIME: 11:27 AM

WSR 22-11-023

Agency: Department of Social and Health Services (department) / Aging and Long-Term Support Administration

Subject of possible rule making: The department is considering amending WAC 388-76-10455 to allow Adult Family Home providers the authority to administer epinephrine to residents in their care who have an assessed condition requiring administration of epinephrine.

Statutes authorizing the agency to adopt rules on this subject: RCW 70.128.040

Reasons why rules on this subject may be needed and what they might accomplish: When individuals with severe allergies causing anaphylaxis are prescribed epinephrine, the Adult Family Home must be able to administer the medication to residents who require assistance. Current rule requires medication administration be performed by a "practitioner", by nurse delegation or by a family member or legally appointed resident representative. Adult Family Home providers do not meet the definition of "practitioner" and the task cannot be nurse-delegated. Due to the emergency nature of the medication, family or others outside the Adult Family Home cannot administer the medication timely. Amending the rule will allow Adult Family Home providers to administer these medications to residents, minimizing risk of a severe reaction or death.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The Department of Health also regulates the subject of epinephrine administration under Chapter 70.54 RCW. The Department of Social and Health Services will consult with Department of Health staff in developing proposed rules to avoid creating conflicting or redundant requirements for long-term care facilities and homes.

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

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) The department will use a collaborative rulemaking process to develop and receive comments on draft rules. Contact the department staff listed below to receive draft material and information about how to participate in the rulemaking process.


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:

Date: May 5, 2022	Signature: 
Name: Katherine I. Vasquez	
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