



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Labor & Industries

- Preproposal Statement of Inquiry was filed as WSR 05-07-122 ; or
 Expedited Rule Making--Proposed notice was filed as WSR _____; or
 Proposal is exempt under RCW 34.05.310(4).

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

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

Physician Assistants ordering Physical Therapy, Occupational Therapy, and Massage Therapy

WAC 296-23-220, WAC 296-23-230, and WAC 296-23-250.

Hearing location(s):

Department of Labor and Industries
Auditorium
7273 Linderson Way, SW
Tumwater, WA 98501

Date: July 19, 2005 Time: 2:00 PM

Submit written comments to:

Name: Jami Lifka
Address: Office of the Medical Director, PO Box 44321
Olympia WA 98504-4321
e-mail lifk235@lni.wa.gov
fax (360)902-6315 by (date) July 26, 2005

Assistance for persons with disabilities: Contact

Office of Information and Assistance by June 30, 2005

TTY (360) 902-5797 or (360) 902-4941

Date of intended adoption: August 30, 2005

(Note: This is NOT the effective date)

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

This rulemaking is being proposed in response to a petition to amend WAC 296-23-220 to allow physician assistants to order physical therapy. WAC 296-23-220, WAC 296-23-230, and WAC 296-23-250 will be amended to allow physician assistants to order physical therapy, occupational therapy, and massage therapy for the attending doctor without requiring a co-signature by the supervising physician.

Reasons supporting proposal: The proposed changes will allow timely necessary medical treatment. The current rule which requires a co-signature by the attending doctor when therapy is ordered by a physician assistant can result in a delay in treatment particularly in rural areas where the physician and physician assistant are not present at the same location.

Statutory authority for adoption: RCW 51.04.020 and RCW 51.04.030

Statute being implemented: RCW 51.04.030

Is rule necessary because of a:

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

CODE REVISER USE ONLY

WSR # 05-11-060

DATE

May 17, 2005

NAME (type or print)

Judy Schurke

SIGNATURE

TITLE

Acting Director

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

Name of proponent: (person or organization) Darcie Adams, PA-C

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting.....	Jami Lifka	7273 Linderson Way SW, Tumwater	(360) 902-4941
Implementation....	Gary Franklin, MD,	Medical Director	(360) 902-5020
Enforcement.....	Robert Malooly	Assistant Director for Insurance Services	(360) 902-4209

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

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.

RCW 19.85.030 (1) (a) states:

In the adoption of a rule under chapter 35 RCW, an agency shall prepare a small business economic impact statement if the proposed rule will impose more than minor costs on businesses in an industry. Since the proposed changes to WAC 296-23-220, WAC 296-23-230 and WAC 296-23-250 will not impose any costs on businesses, no SBEIS is required.

Is a cost-benefit analysis required under RCW 34.05.328?

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

Name:

Address:

phone () _____
fax () _____
e-mail _____

No: Please explain: This rule will impose no costs.