

**DATE:** March 11, 2025

**TO:** Kristin Peterson, JD  
Chief of Policy  
Executive Office of Policy, Planning, and Evaluation

**FROM:** Joshua Munroe, Rules and Legislative Consultant  
Pharmacy Quality Assurance Commission

**SUBJECT:** CONCISE EXPLANATORY STATEMENT for Medication assistance in community-based and in-home care settings, chapter 246-945 WAC. The Pharmacy Quality Assurance Commission (commission) and Department of Health (department) are jointly adopting five new sections, WAC 246-945-710, 246-945-712, 246-945-714, 246-945-716, and 246-945-718, to establish standards for the practice of medication assistance in community-based and in-home care settings.

1. Identify the agency's reasons for adopting this rule.

The purpose of the adopted rule is to make permanent and update regulatory guidelines around the practice of medication assistance under the commission's and department's jurisdiction. The adopted rule establishes criteria for medication assistance in community-based and in-home care settings in accordance with chapter 69.41 RCW. The definition for medication assistance provided in RCW 69.41.010(15) states:

"Medication assistance" means assistance rendered by a nonpractitioner to an individual residing in a community-based care setting or in-home care setting to facilitate the individual's self-administration of a legend drug or controlled substance. It includes reminding or coaching the individual to take their medication, handing the medication container to the individual, opening the individual's medication container, using an enabler, or placing the medication in the individual's hand, handing an individual their prefilled insulin syringe, transferring an individual's medication from one container to another in order to prepare an individual dose, and medication alteration, provided the individual is aware their medication is being altered.

The commission conducted a rule consolidation project resulting in the formation of a new chapter—chapter 246-945 WAC—which went into effect in July 2020. The old rules, including the former rules on medication assistance (chapter 246-888 WAC), were repealed in March 2021. The commission's repeal of chapter 246-888 WAC resulted in unintended disruptions for medication assistance in the community-based and in-home care settings permitted under chapter 69.41 RCW.

Emergency rulemaking was implemented to immediately restore medication assistance regulations to preserve patient safety and welfare while the commission and the department began work on permanent rulemaking. Emergency rules have remained in effect and will be rescinded once the permanent rules become effective.

The commission and department largely retained the medication assistance rule language formerly in chapter 246-888 WAC as its emergency rule language while the standard rulemaking process was ongoing. Each filing of the emergency rules remained the same while the goal of the standard rulemaking was to update and streamline the language. The purpose for doing so was so individuals involved in providing medication assistance services would not need to regularly change their standards of practice around medication assistance with each filing of a new emergency rule. The commission and the department worked in collaboration with and with feedback from the Washington State Board of Nursing (WABON), the Department of Social and Health Service (DSHS), and interested parties such as the Washington Health Care Association as it drafted updated rule language for the CR-102 Rules Proposal package. This collaboration allowed the commission and department to craft language that meets the need of the impacted community and will not disrupt the existing practice of medication assistance in Washington State when the adopted rule language is enacted. The adopted rule is significantly different than the current emergency rule that is in effect. However, the commission and department staff believe the adopted rule best reflects the current standard of care for medication assistance in community-based and in-home care settings.

2. Is the adopted rule different from the text of the proposed rule as published in the Washington State Register? YES ☒ or NO ☐

If yes, explain why the rule was changed.

An instance of the word “and” in WAC 246-945-712(6) was changed to “or” for the purpose of clarifying the settings in which medications used in the provision of medication assistance may be prescribed.

3. By category or subject matter, summarize all comments received since filing the CR-102 regarding the proposed rule, program's responses, and either how the final rule reflects agency consideration of those comments or why the agency cannot use those comments.

All comments received by the commission—one in writing via email and two submitted orally during the public hearing—were general statements of support for the adopted rule and thanks to the commission for conducting the rulemaking. The commission thanked the commenters in return for their feedback.

4. Describe any remaining public opposition to the rule.

There is no known remaining public opposition to the rule.

Any questions regarding this rule adoption should be directed to Joshua Munroe, Rules and Legislative Consultant, by phone at 360-502-5058 or by email at [PharmacyRules@doh.wa.gov](mailto:PharmacyRules@doh.wa.gov).

Attachments:

Code Reviser (CR) 103P form

Final Order Typing Service (OTS) copy of rule language text

Final Cost of Rulemaking form

Rule Implementation Plan