



# 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: July 18, 2023

TIME: 7:28 AM

WSR 23-15-082

**Agency:** Department of Health

**Subject of possible rule making:** Aligning hospital licensing regulations with the current national construction standards. The Department of Health (department) is considering amending WACs 246-320-010, 246-320-500, 246-320-505, 246-320-600 and other sections of chapter 246-320 WAC relevant to construction standards.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 70.41.030

**Reasons why rules on this subject may be needed and what they might accomplish:**

The department is considering aligning the construction requirements of chapter 246-320 WAC with current national construction standards, so as to comply with RCW 70.41.030. The current rules reference the 2014 edition of the Guidelines for Design and Construction of Health Care Facilities. In August 2018, the department filed a preproposal statement of inquiry, under WSR 18-17-045, to consider updating the rules to reference the 2018 edition of these guidelines. This rulemaking project was underway when the coronavirus disease 2019 (COVID-19) emerged and subsequent emergency response by department staff resulted in the cessation of activities for the project. Recently, the 2022 edition of the guidelines was published. Adopting current standards would allow facilities to take advantage of newer construction methods and provide the opportunity to be consistent with widely-recognized standards that are vital to the health and safety of hospital patients and staff. The department is withdrawing the original CR-101, filed as WSR 18-17-045.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** The department will closely coordinate with the Centers for Medicaid and Medicare Services, national code writing bodies, and the state building code council to avoid conflict and duplication with other built environment requirements. This will be accomplished through the department's ongoing involvement with construction code development.

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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Collaborative rulemaking

**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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Other:	Other:

Additional comments: Interested parties may participate in the development of draft rules prior to a formal proposal by joining the department's interested parties list (GovDelivery), attending workshops, and providing input on draft and proposed materials. To find out more information about our rulemaking and to be included on the interested parties list, please follow these steps: 1) Go to [www.doh.wa.gov](http://www.doh.wa.gov); 2) Click on the "Sign up for Updates From DOH" button on the bottom of the page; 3) Enter your contact information; 4) Click "Submit"; 5) Under the subscription preferences, scroll to "Facilities" and check the box that says "Hospitals"; 6) Scroll to the bottom of the page and click "Submit".

**Date:** 7/18/2023

**Name:** Kristin Peterson, JD for Umair A. Shah, MD, MPH

**Title:** Chief of Policy for Secretary of Health

**Signature:**

A handwritten signature in black ink that reads "Kristin Peterson". The signature is written in a cursive style with a large initial "K".