



EMS DATA SYSTEM RULES WORKSHOP

Meeting 1: Kickoff / Proposed Changes

November 17, 2020



Presenters

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WHAT IS THE RULEMAKING PROCESS?



Statutory Authority To Do Rules

[RCW 43.70.040](#)

[RCW 18.71.205](#)

[RCW 18.73.081](#)

[RCW 18.73.140](#)

[RCW 70.168.050](#)

[RCW 70.168.090](#)



What is a Rule?

A rule is an enforceable order, directive, or regulation that:

- Subjects someone to a penalty or sanction for violation;
- Sets license or permit qualifications; Conditions to renew, deny or revoke licenses or permits;
- Sets agency hearing procedures or practices;
- Sets qualifications to receive a public benefit or privilege;
- Sets standards for goods to be sold or distributed in Washington.



What is a Rule?

A rule helps define and clarify an enforceable requirement when the underlying statute is broad or unclear.

A rule cannot conflict with or go beyond the authorizing statute.



What May Trigger Rulemaking?

- Passed Legislation
- Office of Community Health Systems' discretion
- Petition (see RCW 34.05.330)
- Court Order, Federal law or rule changes
- Changes in technology or national standards
- Governor's directives



Rulemaking Process

Administrative Procedures Act - Rulemaking consists by law of three parts:

Step	Process	Activity
CR101	Preproposal inquiry	Public outreach and stakeholder work occurs (workshops, drafts, informal input).
CR102	Proposal	The product that goes forward for public hearing and final testimony from the public.
CR 103	Adoption	Final rule is adopted, filed with the Code Reviser's Office, and becomes effective 31 days later unless another effective date is specified in rule.



WHAT RULES ARE BEING DISCUSSED?
HOW DO I PARTICIPATE?



What Rule(s) Will Be Discussed for Possible Revisions?

WAC 246-976 Emergency Medical Services (EMS) and Trauma Care Systems

Changes should relate to EMS data

May create new sections within chapter

Why are we revising these rules?

Align existing ambulance and aid service requirements with [RCW 70.168.090](#) as revised under [SSB 5380 \(19\)](#).

[RCW 70.168.090](#) requires licensed ambulance and aid services to report patient data electronically to the department and allow for certain data sharing for the purpose of substance abuse treatment.

Need clear and concise data submission standards and to produce quality, usable data for improving standards of care and best practices for the benefit and safety of the public.

“I thought EMS rules were already open”

Certain **EMS** rules have been opened since 2017 for routine rule-revision. These rules cover general EMS requirements.

EMS data rulemaking has been opened separately. These rules cover areas related to EMS data only.

Some WAC sections overlap between the two.

DOH staff are coordinating to ensure rules are revised effectively despite the overlap.



Rules Process – Roles and Responsibilities

Members of the public, interested parties, and key stakeholders offer recommendations to DOH staff for possible rule revisions, repeals, or new language to existing rules.

DOH Program Staff take all public comments and recommendations into consideration, develop drafts and proposed rules in accordance with the Administrative Procedure Act (chapter 34.05 RCW).

EMS & Trauma Steering Committee approves draft and proposed rules going forward as formal rules packages for filing with the Code Reviser.

Secretary must review and approve proposed and final rules for adoption. ([RCW 18.130.065](#))

Stakeholder Meeting Guiding Principles

- Ensure public safety
- Make evidence-based recommendations
- Be efficient, innovative, and transparent
- Leverage knowledge and partnerships
- Consider statewide impact and equity



Proposed Rule Development Timeline

Tentative Date	Process Step	Activity
August 2020	CR101	Announces possible rule making to address a certain issue.
NOV 2020 – FEB 2021	Stakeholder work	Public outreach and stakeholder work occurs (workshops, drafts, informal input).
MAY 2021	CR102	The formal proposed rule is developed.
JUL 2021	Public comment period and hearing	Rules public hearing held, and all written comments received.
AUG 2021	CR103	Final rule adoption and rules package developed .
NOV 2021	CR103 filed	CR-103 is approved by the Secretary for filing with the Code Reviser.
JAN 2022	Rules effective	Anticipated rule effective date. A rule becomes effective 31 days after it is filed with the Code Reviser.

Meeting Focus and Frequency

DATE	TIME	LOCATION	MEETING FOCUS
NOVEMBER 17, 2020	3:00pm – 5:00pm	Online	Introduction & Review WAC 246-976 proposed changes and additions
DECEMBER 14, 2020	2:00pm – 4:00pm	Online	DOH Responsibilities
JANUARY 13, 2021	10:00am – 12:00pm	Online	Ambulance and Aid Service Responsibilities
FEBRUARY 16, 2021	9:00am – 11:00pm	Online	Data elements

Meeting schedule and focus are subject to change



Meeting Access

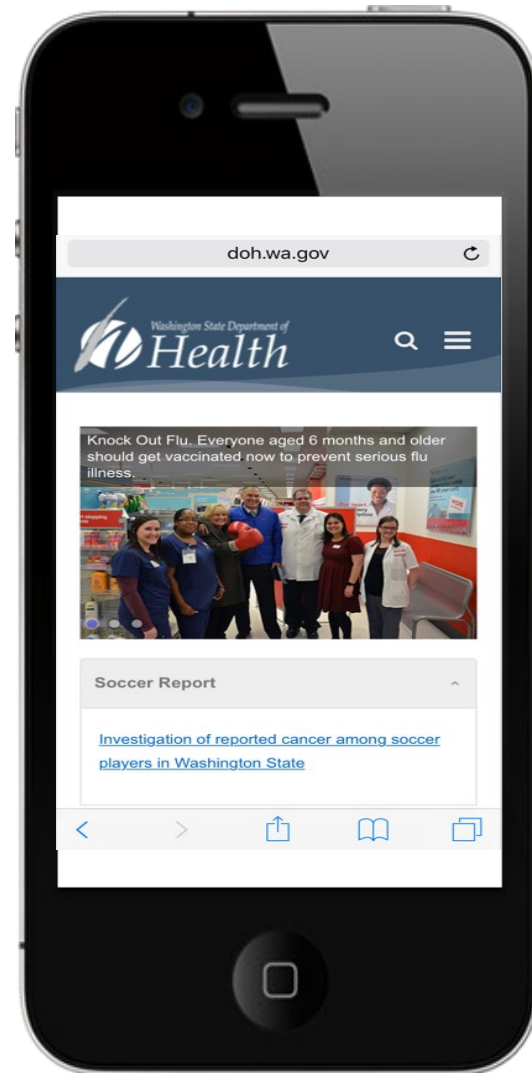
All meetings will be held online

Meeting access information will be available on the [DOH EMS Data Rules Development webpage](#) and will be sent out via the EMS data system Rule Making GovDelivery account.



How to Stay Informed

- Visit DOH [Website](#)
- Subscribe to [GovDelivery](#)
- Email comments to WEMISIS@doh.wa.gov
- Attend workgroup meetings
- Contact DOH WEMISIS Staff





Lead DOH Staff for Rulemaking

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Questions?

Sections for proposed changes

- [246-976-001](#) – Purpose
- [246-976-010](#) – Definitions
- [246-976-161](#) – General education requirements for EMS provider recertification
- [246-976-260](#) – Licenses Required
- [246-976-330](#) – Ambulance and Aid Services Record Requirements
- [246-976-430](#) – Trauma registry
- [246-976-910](#) – Regional Quality Assurance and Improvement Program
- [246-976-920](#) – MPDs
- [246-976-960](#) – Regional Emergency Medical Services and Trauma Care Councils
- [246-976-xxx](#) – WEMSIS – Department responsibilities **(New Section)**
- [246-976-xxx](#) – WEMSIS – Ambulance and Aid service responsibilities **(New Section)**



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