



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Health

- Preproposal Statement of Inquiry was filed as WSR ; 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)

WAC 246-919-990 Fees and Renewal cycles, Physician and surgeon; and WAC 246-918-990 Physician Assistants. Amending impaired physician program surcharge and retired active physician licensing fees to implement 2009 SHB 1765 and 2009 2SHB 1899.

Hearing location(s):

Department of Health
101 Israel Rd SE TC1
Room 163
Tumwater, WA 98501

Date: 07/21/09

Time: 3:00 pm

Submit written comments to:

Name: Julie Kitten
Address: 243 Israel Rd. SE
Tumwater, WA 98504
Website: <http://www3.doh.wa.gov/policyreview/>
fax 360-236-2795 by (date) 07/21/2009

Assistance for persons with disabilities: Contact

Julie Kitten by 07/07/2009

TTY (800) 833-6388 or () 711

Date of intended adoption: 07/21/2009

(Note: This is **NOT** the **effective** date)

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

The proposed rules increase the annual impaired provider surcharge fee to \$50.00 for physicians, surgeons, and physician assistants. The annual surcharge fee is assessed in two-year cycles on each license renewal or new license for practitioners licensed under 18.71 and 18.71A. The proposed rules will also provide for a two-year renewal cycle for retired active physicians to align with the cycle for physicians, and correct the impaired physician program statute cited for physician assistants. In addition, the proposed rules will implement 2SHB 1899 that exempts retired active physicians who reside and practice in Washington from paying all fees except the impaired physician program surcharge.

Reasons supporting proposal:

SHB 1765 (Chapter 98, Laws of 2009) requires that physicians and physician assistants pay \$50.00 per year for the impaired physician program. 2SHB 1899 (Chapter 403, Laws of 2009) exempts retired active physicians who reside and practice in Washington from paying all fees except the impaired physician program surcharge. These changes and the housekeeping change require amendments to the fee rules to create accurate rules.

Statutory authority for adoption:

RCW 43.70.250 and RCW 43.70.280

Statute being implemented:

RCWs 18.71.310, 18.71A.020, 18.71.080, 18.130.250, 43.70.110

Is rule necessary because of a:

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

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 16, 2009

TIME: 12:14 PM

WSR 09-13-088

DATE 06/16/09

NAME (type or print)

Mary C. Selecky

SIGNATURE

TITLE

Secretary of Health

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

None

Name of proponent: (person or organization) Department of Health

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Dianna Staley	310 Israel Rd. SE, Tumwater, WA	360-236-4997
Implementation..... Julie Kitten	243 Israel Rd. SE, Tumwater, WA	360-236-2757
Enforcement..... Julie Kitten	243 Israel Rd. SE, Tumwater, WA	360-236-2757

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.

A small business economic impact statement (SBEIS) was not prepared. Under RCW 19.85.025 and 34.05.310(4)(f), a SBEIS is not required for proposed rules that set or adjust fees or rates pursuant to legislative standards.

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: The agency did not complete a cost benefit analysis under RCW 34.05.328. RCW 34.05.328(5)(b)(vi) exempts rules that set or adjust fees or rates pursuant to legislative standards.

AMENDATORY SECTION (Amending WSR 08-15-014, filed 7/7/08, effective 7/7/08)

WAC 246-918-990 Physician assistants fees and renewal cycle.

(1) Licenses must be renewed every two years on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2. ~~((The secretary may require payment of renewal fees less than those established in this section if the current level of fees is likely to result in a surplus of funds. Surplus funds are those in excess of the amount necessary to pay for the costs of administering the program and to maintain a reasonable reserve. Notice of any adjustment in the required payment will be provided to practitioners. The adjustment in the required payment shall remain in place for the duration of a renewal cycle to assure practitioners an equal benefit from the adjustment.))~~

(2) The applicant or licensee must pay the following nonrefundable fees:

Title of Fee	Fee
Physician assistants(certified physician assistants, physician assistant-surgical assistants, acupuncture physician assistants):	
Application (<u>annual</u>)*	(\$50.00) <u>\$125.00</u>
Two-year renewal*	((70.00)) <u>220.00</u>
Expired license reissuance	50.00
Duplicate license	15.00
(Impaired physician program surcharge *(assessed at \$35.00 on each application and for each year of the renewal period as required in RCW 18.71.310(2))	-35.00
UW library fee	25.00)

*Includes: The application or renewal fee, the Washington physician health program surcharge (RCW 18.71A.020(3)) assessed at \$50.00 per year, and the fee to access the University of Washington (UW) HEAL-WA web site (RCW 43.70.110) assessed at \$25.00 per year.

AMENDATORY SECTION (Amending WSR 08-15-014, filed 7/7/08, effective 7/7/08)

WAC 246-919-990 Physician and surgeon fees and renewal cycle.

(1) Licenses must be renewed every two years on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2, except postgraduate training limited licenses ~~((and retired active physician licenses. The secretary may require payment of renewal fees less than those established in this section if the current level of fees is likely to result in a surplus of funds. Surplus funds are those in excess of the amount necessary to pay for the costs of administering the program and to maintain a reasonable reserve. Notice of any adjustment in the required payment will be provided to practitioners. The adjustment in the required payment shall remain in place for the duration of a renewal cycle to assure practitioners an equal benefit from the adjustment))~~.

(2) Postgraduate training limited licenses must be renewed every year to correspond to the program's date. ~~((The secretary may require payment of renewal fees less than those established in this section if the current level of fees is likely to result in a surplus of funds. Surplus funds are those in excess of the amount necessary to pay for the costs of administering the program and to maintain a reasonable reserve. Notice of any adjustment in the required payment will be provided to practitioners. The adjustment in the required payment shall remain in place for the duration of a renewal cycle to assure practitioners an equal benefit from the adjustment.))~~

(3) A retired active physician ~~((licenses shall be renewed every year. The secretary may require payment of renewal fees less than those established in this section if the current level of fees is likely to result in a surplus of funds. Surplus funds are those in excess of the amount necessary to pay for the costs of administering the program and to maintain a reasonable reserve. Notice of any adjustment in the required payment will be provided to practitioners. The adjustment in the required payment shall remain in place for the duration of a renewal cycle to assure practitioners an equal benefit from the adjustment))~~ who resides and practices in Washington and obtains or renews a retired active license is exempt from all licensing fees except for the impaired physician program surcharge authorized by RCW 18.71.310.

(4) The applicants and licensees must pay the following nonrefundable fees:

Title of Fee	Fee
Physicians and surgeons: Chapter 18.71 RCW	
Application <u>(annual)*</u>	(((\$425.00)) <u>\$500.00</u>

Title of Fee	Fee
((Retired active physician license renewal*	100.00
Retired active late renewal penalty	50.00))
Two-year renewal*	((525.00))
	<u>675.00</u>
Late renewal penalty	262.50
Expired license reissuance	262.50
Certification of license	50.00
Duplicate license	15.00
Temporary permit	50.00
Application fee for transitioning from a postgraduate training limited license (annual)*	((100.00)) <u>175.00</u>
<u>Retired active physicians and surgeons:</u>	
<u>(Two-year cycle)</u>	
<u>Retired active physician who resides and practices in-state per RCW 18.71.080 and 18.130.250 (Washington physician health program surcharge)</u>	<u>100.00</u>
<u>Retired active physician license renewal*(does not meet in-state exemption)</u>	<u>350.00</u>
<u>Retired active late renewal penalty</u>	<u>50.00</u>
Postgraduate limited license fees: RCW 18.71.095	
<u>(One-year cycle)</u>	
Limited license application*	((325.00))
	<u>400.00</u>
Limited license renewal*	((325.00))
	<u>400.00</u>
Limited duplicate license	15.00
((Impaired physician program *(assessed at \$35.00 on each application and for each year of the renewal period as required in RCW 18.71.310(2))	35.00
UW library fee	25.00))

*Includes: The application or renewal fee, the Washington physician health program surcharge (RCW 18.71A.020(3)) assessed at \$50.00 per year, and the fee to access the University of Washington (UW) HEAL-WA web site (RCW 43.70.110) assessed at \$25.00 per year.