



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 246-320-199, Fees. Hospital licensing fee increase.

Hearing location(s): Department of Health
Point Plaza East
Room 152/153
310 Israel Road SE
Tumwater, WA 98501-7852

Date: 4/19/12 Time: 9:30

Submit written comments to:

Name: Barbara Runyon
Address: PO Box 47852
Olympia, WA 98504-7852
E-mail: barbara.runyon@doh.wa.gov
Website: <http://www3.doh.wa.gov/policyreview/>
fax 360-236-2901 by (date) 04/19/2012

Assistance for persons with disabilities: Contact

Barbara Runyon by 04/12/2012

TTY (800) 833-6388 or () 711

Date of intended adoption: 05/03/2012

(Note: This is NOT the effective date)

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

The proposed rule will increase licensing fees for hospitals. In 2011, the Washington State Legislature adopted the 2011-2013 Operating Budget (2ESHB 1087, C50, L11, 1st Spec. Sess.), giving the department authority to raise licensing fees. The fee increase is necessary to defray the costs of the hospital inspection program. The expenses in 2011-2013 biennium will exceed the projected revenue without the fee increase. State law (RCW 43.70.250) requires that business licensing programs be fully self supporting and directs the department to raise fees as necessary to meet the actual costs of operating the acute care hospital program.

Reasons supporting proposal:

RCW 43.70.250 requires the cost of each licensing program be fully borne by the members of that business. The department is required to periodically adjust fees at a sufficient level to defray the costs of administering its programs. Expenses in the 2011-2013 biennium, including travel, rent and utilities will exceed the projected revenue. These fees are critical to ensuring the safety of patients accessing hospital care services.

Statutory authority for adoption:

Chapter 43.70 RCW; 2ESHB 1087; (C50, L11, 1st Spec. Sess.)

Statute being implemented:

RCW 43.70.250; 2ESHB 1087;(C50,L11,1st Spec. Sess.)

Is rule necessary because of a:

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

DATE 03/05/12

NAME (type or print)

Mary C. Selecky

SIGNATURE

TITLE

Secretary of Health

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: **March 05, 2012**

TIME: **10:43 AM**

WSR **12-06-051**

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..... Barbara Runyon	310 Israel Rd. SE Tumwater, WA	(360) 236-2937
Implementation.... Barbara Runyon	310 Israel Rd. SE Tumwater, WA	(360) 236-2937
Enforcement..... Barbara Runyon	310 Israel Rd. SE Tumwater, WA	(360) 236-2937

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 09-07-050, filed 3/11/09, effective 4/11/09)

WAC 246-320-199 Fees. This section establishes the license and annual use fees for hospitals.

(1) Applicants must:

(a) Send the department an initial license fee of one hundred (~~(thirteen)~~) twenty-three dollars for each bed space within the authorized bed capacity for the hospital;

(b) Include all bed spaces in rooms complying with physical plant and movable equipment requirements of this chapter for twenty-four-hour assigned patient care;

(c) Include level 2 and 3 bassinet spaces;

(d) Include bed spaces assigned for less than twenty-four-hour patient use as part of the licensed bed capacity when:

(i) Physical plant requirements of this chapter are met without movable equipment; and

(ii) The hospital currently possesses the required movable equipment and certifies this fact to the department;

(e) Exclude all normal infant bassinets.

(2) Licensees shall:

(a) Send the department by November 30 of each year an annual use fee of one hundred (~~(thirteen)~~) twenty-three dollars for each bed space within the authorized bed capacity of the hospital;

(b) Include all bed spaces in rooms complying with physical plant and movable equipment requirements of this chapter for twenty-four-hour assigned patient rooms;

(c) Include level 2 and 3 bassinet spaces;

(d) Include bed spaces assigned for less than twenty-four-hour patient use as part of the licensed bed capacity when:

(i) Physical plant requirements of this chapter are met without movable equipment; and

(ii) The hospital currently possesses the required movable equipment and certifies this fact to the department;

(e) Exclude all normal infant bassinets; and

(f) Exclude beds banked as authorized by certificate of need under chapter 70.38 RCW.

(3) A licensee shall send a late fee in the amount of one hundred dollars per day whenever the annual use fee is not paid by November 30. The total late fee will not exceed twelve hundred dollars.

(4) An applicant may request a refund for initial licensure as follows:

(a) Two-thirds of the initial fee paid after the department has received an application and not conducted an on-site survey or provided technical assistance; or

(b) One-third of the initial fee paid after the department has received an application and conducted either an on-site survey or

provided technical assistance but not issued a license.