



PROPOSED RULE MAKING

CR-102 (June 2012)

(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) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR
- Continuance of WSR

Title of rule and other identifying information: (Describe Subject)

Title 246 WAC - Reducing the Health Evidence Resource for Washington (HEAL-WA) surcharge for professions required to pay the fee. See Attachment A for a listing of these professions and the amended rules.

Hearing location(s): Department of Health
Town Center 2
111 Israel Rd., SE, Room 158
Tumwater, WA 98504

Date: 8/27/12 Time: 1:30 p.m.

Submit written comments to:

Name: Andy Fernando
Address: PO Box 47860
Olympia, WA 98504-7860
e-mail: <http://www3.doh.wa.gov/policyreview/>
fax 360-236-4626 by (date) 08/27/2012

Assistance for persons with disabilities: Contact

Andy Fernando by 08/14/2012

TTY (800) 833-6388 or () 711

Date of intended adoption: 08/27/2012

(Note: This is NOT the effective date)

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

The proposed rules will reduce the licensing surcharge collected from specific licensees to support the HEAL-WA web portal provided by the University of Washington (UW). These professions are outlined in RCW 43.70.110. Reducing the surcharge will align the revenue collected with the department's spending authority to transfer fees collected to the UW. The proposed fee reduction does not impact East Asian Medicine Practitioners. The proposed rules also make general housekeeping edits.

Reasons supporting proposal:

RCW 43.70.110 requires that the department collect a surcharge with the licensee fees and transfer the funds collected to the UW. The revenue the department collects exceeds the current appropriation authority because of an increase in the number of licensees for the professions required to pay the surcharge. Reducing the HEAL-WA fee will align the revenue collected with the appropriation authority.

Statutory authority for adoption:

RCW 43.70.110, RCW 43.70.250

Statute being implemented:

RCW 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:

DATE 07/17/12

NAME (type or print)

Mary C. Selecky

SIGNATURE

TITLE

Secretary

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 17, 2012

TIME: 10:37 AM

WSR 12-15-056

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	111 Israel Rd. SE, Tumwater, WA 98504	360-236-4997
Implementation....Joy King	111 Israel Rd. SE, Tumwater, WA 98504	360-236-4936
Enforcement.....Joy King	111 Israel Rd. SE, Tumwater, WA 98504	360-236-4936

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

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.

HEAL-WA Professions with Reduced Fee
Attachment A
6/27/12

Profession	WAC	Current HEAL-WA Fee (annual)	Proposed HEAL-WA Fee (annual)
Chiropractors	246-808-990	\$25.00	\$16.00
Marriage/Family Therapists	246-809-990	\$25.00	\$16.00
Massage Therapists	246-830-990	\$25.00	\$16.00
Mental Health Counselors	246-809-990	\$25.00	\$16.00
Midwives	246-834-990	\$25.00	\$16.00
Naturopathic Physicians	246-836-990	\$25.00	\$16.00
Optometrists	246-851-990	\$25.00	\$16.00
Osteopathic Physicians	246-853-990	\$25.00	\$16.00
Osteopathic Physician Assistants	246-853-990	\$25.00	\$16.00
Physicians	246-919-990	\$25.00	\$16.00
Physician Assistants	246-918-990	\$25.00	\$16.00
Podiatrists	246-922-990	\$25.00	\$16.00
Psychologists	246-924-990	\$25.00	\$16.00
Registered Nurses	246-840-990	\$20.00	\$16.00
Social Workers (advanced & independent)	246-809-990	\$25.00	\$16.00

East Asian Medicine Practitioners are not impacted by the fee change and not included in this table.

AMENDATORY SECTION (Amending WSR 11-20-092, filed 10/4/11, effective 12/1/11)

WAC 246-924-990 Psychology fees and renewal cycle. (1)
Licenses must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) The following nonrefundable fees will be charged:

Title of Fee	Fee
Application	\$275.00
Renewal	300.00
Renewal retired active	105.00
Late renewal penalty	155.00
Expired license reissuance	155.00
Duplicate license	30.00
Certification of license	30.00
Amendment of certificate of qualification	35.00
UW on-line access fee (HEAL-WA)	((25.00))
	<u>16.00</u>

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

WAC 246-922-990 Podiatry fees and renewal cycle. (1)

Licenses must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2, except for postgraduate training limited 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 program dates. ~~((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) The following nonrefundable fees will be charged:

Title of Fee	Fee
Application	\$975.00
License renewal	975.00
Inactive license renewal	175.00
Inactive late renewal penalty	100.00
Active late renewal penalty	300.00
Active expired license reissuance	300.00
Expired inactive license reissuance	67.50
Duplicate license	30.00
Certification of license	50.00
Retired active status	275.00
Temporary practice permit	50.00
Limited license application	400.00
Limited license renewal	475.00
Substance abuse monitoring surcharge	25.00

Title of Fee	Fee
UW (library) <u>on-line</u> access fee	((25.00))
<u>(HEAL-WA)</u>	<u>16.00</u>

AMENDATORY SECTION (Amending WSR 09-16-120, filed 8/4/09, effective 8/15/09)

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.

(2) Postgraduate training limited licenses must be renewed every year to correspond to the program's date.

(3) A retired active physician 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 (annual)*	\$((500.00)) <u>491.00</u>
Two-year renewal*	((675.00)) <u>657.00</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)*	((175.00)) <u>166.00</u>
Retired active physicians and surgeons: (Two-year cycle)	
Retired active physician who resides and practices in-state per RCW 18.71.080 and 18.130.250 (Washington physician health program surcharge)	100.00
Retired active physician license renewal *(does not meet in-state exemption)	((350.00)) <u>332.00</u>
Retired active late renewal penalty	50.00
Postgraduate limited license fees: RCW 18.71.095 (One-year cycle)	
Limited license application*	((400.00)) <u>391.00</u>
Limited license renewal*	((400.00)) <u>391.00</u>

Title of Fee	Fee
Limited duplicate license	15.00

*~~(includes)~~ The application or renewal fee~~(s)~~ includes: The Washington physician health program surcharge (RCW 18.71.310(2)) assessed at \$50.00 per year, and ~~(the fee to access)~~ the University of Washington (UW) HEAL-WA web ~~(site)~~ portal access fee (RCW 43.70.110) assessed at ~~\$(25.00))~~ 16.00 per year.

AMENDATORY SECTION (Amending WSR 09-16-120, filed 8/4/09, effective 8/15/09)

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.

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

Title of Fee	Fee
Physician assistants:	
Application (annual)*	\$(125.00) <u>116.00</u>
Two-year renewal*	((220.00)) <u>202.00</u>
Expired license reissuance	50.00
Duplicate license	15.00

~~*(includes:)~~ The application or renewal fee ~~(=)~~ includes 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))~~ portal access fee (RCW 43.70.110) assessed at ~~\$(25.00))~~ 16.00 per year.

AMENDATORY SECTION (Amending WSR 11-14-038, filed 6/28/11, effective 8/15/11)

WAC 246-853-990 Osteopathic fees and renewal cycle. (1) Licenses must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2, except postgraduate training limited licenses.

(2) Postgraduate training limited licenses must be renewed every year to correspond to program dates.

(3) The following nonrefundable fees will be charged for osteopathic physicians:

Title of Fee	Fee
Endorsement application	\$600.00
Active license renewal	600.00
Active late renewal penalty	250.00
Active expired license reissuance	250.00
Inactive license renewal	350.00
Expired inactive license reissuance	225.00
Inactive late renewal penalty	175.00
Endorsement/state exam application	500.00
Reexam	100.00
Certification of license	50.00
Limited license application	325.00
Limited license renewal	300.00
Temporary permit application	70.00
Duplicate certificate	20.00
Substance abuse monitoring surcharge	25.00
UW on-line access fee (HEAL-WA)	((25.00)) <u>16.00</u>

(4) The following nonrefundable fees will be charged for osteopathic physician assistants:

Title of Fee	Fee
Application	\$250.00
Renewal	250.00
Late renewal penalty	150.00
Expired license reissuance	100.00
Certification of license	30.00
Practice plan	70.00
Interim permit	200.00
License after exam	100.00

Title of Fee	Fee
Duplicate certificate	20.00
Substance abuse monitoring surcharge	25.00
UW on-line access fee (HEAL-WA)	((25.00))
	<u>16.00</u>

AMENDATORY SECTION (Amending WSR 10-19-071, filed 9/16/10, effective 10/15/10)

WAC 246-851-990 Optometry fees and renewal cycle. (1)

Licenses must be renewed every year 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 following nonrefundable fees will be charged:

Title of Fee	Fee
Application	\$175.00
Out-of-state seminar	100.00
License renewal	199.00
Late renewal penalty	100.00
Expired license reissuance	75.00
Inactive license renewal	75.00
Duplicate license	15.00
Certification of license	25.00
UW ((library)) <u>on-line access fee</u> <u>(HEAL-WA)</u>	((25.00)) <u>16.00</u>

AMENDATORY SECTION (Amending WSR 10-19-071, filed 9/16/10, effective 10/15/10)

WAC 246-840-990 Fees and renewal cycle. (1) Applicants for a practical nurse license must pay the application fee and the nursing center surcharge fee when applying for a license. Licenses for practical nurse must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2. Practical nurses must pay the renewal fee and the nursing center surcharge fee when renewing licenses.

(2) Applicants for a registered nurse license must pay the application fee, the RN UW (~~library~~) on-line access fee (HEAL-WA), and the nursing center surcharge fee when applying for a license. Licenses for registered nurse must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2. Registered nurses must pay the renewal fee, the (~~RN-UW library~~) HEAL-WA fee, and the nursing center surcharge fee when renewing licenses.

(3) Licenses for advanced registered nurse must be renewed every two years on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(4) Registrations for nursing technicians must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2. The renewal must be accompanied by an attestation as described in RCW 18.79.370. This attestation will include the nursing technician's anticipated graduation date. If the anticipated graduation date is within one year, the registration will expire thirty days after the anticipated graduation date. The expiration date may be extended to sixty days after graduation if the nursing technician can show good cause as defined in WAC 246-840-010(15).

(5) (~~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.~~

(6)) The following nonrefundable fees shall be charged by the health professions quality assurance division of the department of health. Persons who hold an RN and an LPN license shall be charged separate fees for each license. Persons who are licensed as an advanced registered nurse practitioner in more than one specialty will be charged a fee for each specialty:

RN/LPN fees:

Title of Fee	Fee
RN application (initial or endorsement)	\$67.00
LPN application (initial or endorsement)	87.00
RN license renewal	76.00
LPN license renewal	91.00
Late renewal penalty	50.00
Expired license reissuance	70.00
Inactive renewal	40.00
Expired inactive license reissuance	40.00
Inactive late renewal penalty	30.00
Duplicate license	20.00
Verification of licensure/education (written)	25.00
Nursing center surcharge	5.00
RN UW (library) <u>on-line access fee (HEAL-WA)</u>	((20.00)) <u>16.00</u>

Advanced registered nurse fees:

Title of Fee	Fee
ARNP application with or without prescriptive authority (per specialty)	\$92.00
ARNP renewal with or without prescriptive authority (per specialty)	96.00
ARNP late renewal penalty (per specialty)	50.00
ARNP duplicate license (per specialty)	20.00
ARNP written verification of license (per specialty)	25.00

Nurse technologist fees:

Title of Fee	Fee
Application fee registration	\$92.00
Renewal of registration	91.00
Duplicate registration	15.00
Registration late renewal penalty	50.00

AMENDATORY SECTION (Amending WSR 11-19-098, filed 9/20/11, effective 1/1/12)

WAC 246-834-990 Midwifery fees and renewal cycle. (1)

Licenses must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) The following fees are nonrefundable:

Title of Fee	Fee
Initial application	\$500.00
National examination administration (initial/retake)	103.00
State examination (initial/retake)	155.00
Renewal	500.00
Late renewal penalty	250.00
Duplicate license	25.00
Certification of license	25.00
Application fee--Midwife-in-training program	978.75
Expired license reissuance	300.00
UW on-line access fee (HEAL-WA)	((25.00))
	<u>16.00</u>

AMENDATORY SECTION (Amending WSR 09-11-016, filed 5/7/09, effective 6/7/09)

WAC 246-830-990 Massage fees and renewal cycle. (1) Licenses must be renewed every year 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 following nonrefundable fees will be charged:

Title of Fee	Fee
Written examination and reexamination	\$65.00
Practical examination and reexamination	50.00
Initial license	90.00
Renewal	65.00
Late renewal penalty	50.00
Expired license reissuance	50.00
Inactive license renewal	50.00
Expired inactive license reissuance	50.00
Certification of license	10.00
Duplicate license	10.00
Intraoral massage endorsement	25.00
UW ((library)) on-line access fee <u>(HEAL-</u>	((25.00))
<u>WA)</u>	<u>16.00</u>

AMENDATORY SECTION (Amending WSR 11-19-098, filed 9/20/11, effective 1/1/12)

WAC 246-809-990 Licensed counselor, and associate--Fees and renewal cycle. (1) Licenses must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) Associate licenses are valid for one year and must be renewed every year on the date of issuance. The associate license may be renewed no more than four times.

Title	Fee
(3) The following nonrefundable fees will be charged for licensed marriage and family therapist:	
Application	\$150.00
Initial license	75.00
Renewal	140.00
Late renewal penalty	70.00
Expired license reissuance	85.00
Duplicate license	10.00
Certification of license	10.00
UW on-line access fee (HEAL-WA)	((25.00))
	<u>16.00</u>
(4) The following nonrefundable fees will be charged for licensed mental health counselor:	
Application	140.00
Initial license	125.00
Renewal	138.00
Late renewal penalty	60.00
Expired license reissuance	65.00
Duplicate license	10.00
Certification of license	10.00
UW on-line access fee (HEAL-WA)	((25.00))
	<u>16.00</u>
(5) The following nonrefundable fees will be charged for licensed advanced social worker and licensed independent clinical social worker:	
Application	125.00
Initial license	125.00
Renewal	126.00
Late renewal penalty	63.00
Expired license reissuance	72.50
Duplicate license	10.00
Certification of license	10.00

Title	Fee
UW on-line access fee (HEAL-WA)	((25.00)) <u>16.00</u>
(6) The following nonrefundable fees will be charged for licensed marriage and family therapy associates:	
Application	50.00
Renewal	40.00
Late renewal penalty	40.00
Expired license reissuance	40.00
Duplicate license	15.00
Certification of license	15.00
(7) The following nonrefundable fees will be charged for licensed mental health counselor associates:	
Application	50.00
Renewal	40.00
Late renewal penalty	40.00
Expired license reissuance	40.00
Duplicate license	15.00
Certification of license	15.00
(8) The following nonrefundable fees will be charged for licensed advanced social worker associates and licensed independent clinical social worker associates:	
Application	50.00
Renewal	40.00
Late renewal penalty	40.00
Expired license reissuance	40.00
Duplicate license	15.00
Certification of license	15.00

AMENDATORY SECTION (Amending WSR 11-20-092, filed 10/4/11, effective 12/1/11)

WAC 246-808-990 Chiropractic fees and renewal cycle. (1)
Licenses and registrations must be renewed on the practitioner's birthday every year as provided in chapter 246-12 WAC, Part 2.

(2) The following nonrefundable fees will be charged for chiropractic license:

Title of Fee	Fee
Application/full examination or reexamination	\$630.00
Temporary permit application	205.00
Temporary practice permit	105.00
Preceptorship	155.00
License renewal	582.00
Late renewal penalty	302.00
Expired license reissuance	302.00
Inactive license renewal	257.00
Expired inactive license reissuance	157.00
Duplicate license	30.00
Certification of license	30.00
UW on-line access fee (HEAL-WA)	((25.00)) <u>16.00</u>

(3) The following nonrefundable fees will be charged for chiropractic X-ray technician registration:

Title of Fee	Fee
Application	47.00
Original registration	47.00
Renewal	62.00
Late renewal penalty	62.00
Expired registration reissuance	62.00
Duplicate registration	30.00
Certification of registration	30.00

AMENDATORY SECTION (Amending WSR 12-13-104, filed 6/20/12, effective 7/21/12)

WAC 246-836-990 Naturopathic physician licensing fees and renewal cycle. (1) Licenses must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) The following nonrefundable fees will be charged:

Title of Fee	Amount
Application initial/retake	\$100.00
State examination (initial/retake)	100.00
Initial license	100.00
License renewal	325.00
Late renewal penalty	62.50
Expired license reissuance	62.50
Duplicate license	15.00
Certification of license	15.00
UW (library) <u>on-line</u> access fee (<u>HEAL-WA</u>)	* (25.00) <u>16.00</u>

* The ~~(\$25)~~ University of Washington HEAL-WA web portal access fee (~~for the University of Washington HEAL-WA library web portal~~), required under RCW 43.70.110, is assessed with the initial application fee and the license renewal fee.