



# 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)

WAC 246-822-990, 246-828-990, and 246-847-990, amended. The proposed rules implement Engrossed Senate Bill (ESB) 5206 by adding an annual surcharge to credentialing fees for dietitians and nutritionists, occupational therapists, occupational therapy assistants, and speech language pathologists. The surcharge supports the University of Washington (UW) Health Resources for Washington online resource library, also known as HEAL-WA.

**Hearing location(s):**

Department of Health  
Point Plaza East - Rooms 152/153  
310 Israel Road SE  
Tumwater, WA 98501

Date: September 12, 2013

Time: 1:00 p.m.

**Submit written comments to:**

Name: Lisa Hodgson  
Address: Department of Health  
PO Box 47850, Olympia, WA 98504-7850  
e-mail: <http://www3.doh.wa.gov/policyreview/>  
fax 360-236-4626 by (date) 09/12/2013

**Assistance for persons with disabilities:** Contact

Susan Chamberland by 09/05/2013

TTY (800) 833-6388 or () 711

**Date of intended adoption:** 10/01/2013

(Note: This is NOT the effective date)

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

ESB 5206 amends RCW 43.70.110(3)(c), adding five practitioner types that must pay an annual credential surcharge to access the HEAL-WA online resource library: dietitians and nutritionists, occupational therapists, occupational therapy assistants, speech language pathologists, and licensed practical nurses. HEAL-WA fees for licensed practical nurses will be covered in a separate proposal revising other nursing credential fees. (Continued in attachment A.)

**Reasons supporting proposal:**

The department is directed to add a surcharge annually on credentialing fees of practitioners in each of the professions listed in RCW 43.70.110(3)(c) to support the HEAL-WA online library. The proposed rules would implement ESB 5206 by adding an annual \$16 HEAL-WA surcharge to credential fees for dietitians and nutritionists, occupational therapists, occupational therapy assistants, and speech language pathologists. Surcharge revenue collected is transferred to the UW. All credentialed members of these professions would be able to access the HEAL-WA resource library.

**Statutory authority for adoption:**

RCW 43.70.280

**Statute being implemented:**

RCW 43.70.110 as amended by ESB 5206 (chap. 249, Laws of 2013)

**Is rule necessary because of a:**

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

DATE 07/29/2013

**NAME** (type or print)

John Wiesman, DrPH, MPH

**SIGNATURE**

for John Wiesman, DrPH, MPH

**TITLE**

Secretary of Health

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: **July 29, 2013**

TIME: **2:33 PM**

**WSR 13-16-030**

**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..... Andy Fernando	111 Israel Road, Tumwater, WA 98501	360-236-4692
Implementation.... Lisa Hodgson	111 Israel Rd, Tumwater, WA 98501	360-236-2927
Enforcement..... Lisa Hodgson	111 Israel Rd, Tumwater WA 98501	360-236-2927

**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)(b), a SBEIS is not required for proposed rules that set 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. RCW 34.05.328(5)(b)(vi) exempts rules that set or adjust fees or rates pursuant to legislative standards.

**Attachment A to CR-102  
WAC 246-822-990, 246-828-990 and 246-847-990  
Adding New Professions to the HEAL-WA Surcharge  
Per ESB 5206 (2012)**

**Purpose of the proposal and its intended effects, including any changes in existing rules (continued):**

The HEAL-WA library gives health care practitioners access to online clinical resources, journals, decision support tools, research and other evidence-based materials at a lower cost than would be available to practitioners subscribing to these resources individually.

Under the proposed rules, practitioners in the professions added by ESB 5206 with a one-year licensing cycle will have a \$16 annual HEAL-WA surcharge added to their initial credential fee (for new applicants) and to each renewal. Professions with a two-year licensing cycle will have a \$32 surcharge (\$16 per year) added to their initial credentialing fee and to each renewal thereafter.

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

**WAC 246-822-990 Dietitian and nutritionist fees and renewal cycle.** (1) Certificates 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:

<b>Title</b>	<b>Fee</b>
Application	\$100.00
Renewal	70.00
<u>HEAL-WA* surcharge—Application and renewal</u>	<u>16.00</u>
Late renewal penalty	50.00
Expired certificate reissuance	50.00
Duplicate certificate	30.00
Certification of certificate	30.00

\* HEAL-WA is the health resources for Washington online library. See RCW 43.70.110.

**WAC 246-828-990 Hearing instrument fitter/dispenser, audiologist, speech language pathologist, and speech language pathology assistant fees and renewal cycle.** (1) Credentials must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) Practitioners must pay the following nonrefundable fees:

**Audiologist or Speech Language Pathologist**

<b>Fee Type:</b>	<b>Fee</b>
Interim permit	
Application	\$165.00
Permit	140.00
Initial license	
Application	165.00
License	140.00
<u>HEAL-WA* surcharge</u>	<u>16.00</u>
Renewal	110.00
<u>HEAL-WA* surcharge</u>	<u>16.00</u>
Inactive license	60.00
Late renewal penalty	90.00
Expired license reissuance	140.00
Expired inactive license reissuance	90.00
Certification of license	30.00
Duplicate license	30.00

\* Surcharge applies to speech language pathologists only. HEAL-WA is the health resources for Washington online library. See RCW 43.70.110.

**Hearing Instrument Fitter/Dispenser**

<b>Fee Type:</b>	<b>Fee</b>
License application	\$165.00
Initial license	140.00
Renewal	110.00
Inactive license	56.00
Late renewal penalty	90.00
Expired license reissuance	136.00
Expired inactive license reissuance	86.00
Certification of license	30.00
Duplicate license	30.00

**Speech Language Pathology Assistant**

<b>Fee Type:</b>	<b>Fee</b>
Application	\$125.00
Renewal	70.00
Inactive credential	50.00
Late renewal penalty	50.00
Expired credential reissuance	50.00
Expired inactive credential reissuance	50.00

**Speech Language Pathology Assistant**

**Fee Type:**

Certification of credential

Duplicate credential

**Fee**

15.00

15.00

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

**WAC 246-847-990 Occupational therapy 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 following nonrefundable fees will be charged for occupational therapist:

<b>Title of Fee</b>	<b>Fee</b>
Application and initial license fee	\$175.00
License renewal	145.00
<u>HEAL-WA* surcharge - Initial license and renewal (\$16.00 per year for two-year cycle)</u>	<u>32.00</u>
Limited permit fee	55.00
Late renewal fee	80.00
Expired license reissuance	80.00
Inactive license	15.00
Expired inactive license reissuance	15.00
Duplicate license	30.00
Certification of license	30.00

(3) The following nonrefundable fees will be charged for occupational therapy assistant:

<b>Title of Fee</b>	<b>Fee</b>
Application and initial license fee	175.00
License renewal	125.00
<u>HEAL-WA* surcharge - Initial license and renewal (\$16.00 per year for two-year cycle)</u>	<u>32.00</u>
Late renewal fee	70.00
Expired license reissuance	70.00
Inactive license	15.00
Expired inactive license reissuance	14.00
Limited permit fee	45.00
Duplicate license	30.00
Certification of license	30.00

\* HEAL-WA is the health resources for Washington online library. See RCW 43.70.110.