



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 246-809-990 Licensed counselor and associate--Fees and renewal cycle; WAC 246-824-990 Dispensing optician fees and renewal cycle; WAC 246-840-990 Fees and renewal cycle for registered nurses (RN) and licensed practical nurses (LPN). Amending rules to add retired active license renewal fees and retired active license renewal late fees to these professions pursuant to 2012 and 2013 legislation. Reducing LPN application fees and license renewal fees and adding a HEAL-WA fee for LPNs. Repealing outdated fiscal requirements for dispensing opticians.

Hearing location(s): Department of Health
TC2 Building, Conference Room 145
111 Israel Road SE
Olympia, Washington 98501

Date: 10/22/13 Time: 11:00 a.m.

Submit written comments to:

Name: Maura Craig
Address: Department of Health
P.O. Box 47850
111 Israel Road SE
Olympia, WA 98504-7850
e-mail: <http://www3.doh.wa.gov/policyreview/>
fax 360.236.4626 by (date) 10/22/2013

Assistance for persons with disabilities: Contact

Maura Craig by 10/18/2013

TTY (800) 833-6388 or () 711

Date of intended adoption: 10/23/2013

(Note: This is NOT the effective date)

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

The proposal establishes retired active license renewal fees and retired active license renewal late fees for licensed mental health counselors, licensed marriage and family therapists, licensed advanced social workers, licensed independent clinical social workers, RNs, LPNs, and dispensing opticians per statutory requirements. In addition, the proposal responds to ESB 5206 (Ch.249, Laws of 2013) that adds LPNs as a profession that must pay an annual credential surcharge to access the University of Washington's Health Sciences Online Library (HEAL-WA). Repeal of outdated fees-renewal cycle requirements for dispensing opticians is also proposed. Finally, LPN application fees are reduced and license renewal fees are reduced to offset required HEAL-WA fees for LPNs.

Reasons supporting proposal:

These professions have been statutorily authorized to add retired active license renewal fees and retired active late fees. The Department of Health is also directed to add a surcharge annually to credentialing fees of practitioners in each of the professions listed in RCW 43.70.110(3)(c) to support the HEAL-WA health sciences online library, including LPNs. Repeal of outdated fee-renewal cycle requirements is proposed for dispensing opticians. LPN application fees are reduced to be consistent with RN application fees and renewal fees are reduced to offset the mandatory HEAL-WA fees for LPNs.

Statutory authority for adoption:

RCW18.130.250,18.225.170,43.70.110 & 280, 3ESSB5034(2013)

Statute being implemented:

RCW18.130.250,18.225.170,43.70.110 & 280,3ESSB5034(2013)

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: September 17, 2013

TIME: 3:13 PM

WSR 13-19-082

DATE 09/17/2013

NAME (type or print)

John Wiesman, DrPH, MPH

SIGNATURE

TITLE

Secretary

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..... Maura Craig	111 Israel Road SE, Tumwater, WA 98504	360.236.4997
Implementation.... Maura Craig	111 Israel Road SE, Tumwater, WA 98504	360.236.4997
Enforcement..... Maura Craig	111 Israel Road SE, Tumwater, WA 98504	360.236.4997

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

AMENDATORY SECTION (Amending WSR 12-19-088, filed 9/18/12, effective 11/1/12)

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
<u>Renewal retired active</u>	<u>70.00</u>
<u>Late renewal retired active</u>	<u>35.00</u>
Late renewal penalty	70.00
Expired license reissuance	85.00
Duplicate license	10.00
Certification of license	10.00
UW online access fee (HEAL-WA)	16.00
(4) The following nonrefundable fees will be charged for licensed mental health counselor:	
Application	140.00
Initial license	125.00
Renewal	138.00
<u>Renewal retired active</u>	<u>70.00</u>
<u>Late renewal retired active</u>	<u>35.00</u>
Late renewal penalty	60.00
Expired license reissuance	65.00
Duplicate license	10.00
Certification of license	10.00
UW online access fee (HEAL-WA)	16.00
(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
<u>Renewal retired active</u>	<u>65.00</u>
<u>Late renewal retired active</u>	<u>30.00</u>
Late renewal penalty	63.00
Expired license reissuance	72.50
Duplicate license	10.00
Certification of license	10.00
UW online access fee (HEAL-WA)	16.00
(6) The following nonrefundable fees will be charged for licensed marriage and family therapy associates:	

Title	Fee
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
<u>Independent clinical social worker renewal retired active</u>	<u>65.00</u>
<u>Independent clinical social worker late renewal retired active</u>	<u>30.00</u>
Late renewal penalty	40.00
Expired license reissuance	40.00
Duplicate license	15.00
Certification of license	15.00

WAC 246-824-990 Dispensing optician 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
Optician:	
Full examination (or reexamination)	\$200.00
Reexamination—Practical only	50.00
Reexamination—Written (basic) only	25.00
Reexamination—Written (contact lens) only	25.00
Renewal	125.00
<u>Renewal retired active</u>	<u>50.00</u>
<u>Late renewal retired active</u>	<u>25.00</u>
Late renewal penalty	75.00
Expired license reissuance	62.50
Duplicate license	15.00
Certification of license	15.00
Apprentice registration	75.00
Endorsement application	100.00
Inactive license	35.00

AMENDATORY SECTION (Amending WSR 12-19-088, filed 9/18/12, effective 11/1/12)

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 online 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 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 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))
	<u>67.00</u>
RN license renewal	76.00
<u>RN renewal retired active</u>	<u>45.00</u>
<u>RN late renewal retired active</u>	<u>23.00</u>
LPN license renewal	((91.00))
	<u>75.00</u>
<u>LPN renewal retired active</u>	<u>45.00</u>
<u>LPN late renewal retired active</u>	<u>23.00</u>
<u>LPN HEAL-WA* surcharge - Initial license and renewal</u>	<u>16.00</u>
Late renewal penalty	50.00
Expired license reissuance	70.00
Inactive renewal	40.00
Expired inactive license reissuance	40.00

Title of Fee	Fee
Inactive late renewal penalty	30.00
Duplicate license	20.00
Verification of licensure/education (written)	25.00
Nursing center surcharge	5.00
RN ((UW online access fee (HEAL-WA(¹))) [*] surcharge - Initial license and renewal	16.00

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

* HEAL-WA is the University of Washington health sciences online library. (See RCW 43.70.110.)