



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 246-853-990 Osteopathic fees and renewal cycle; WAC 246-851-990 Optometry fees and renewal cycle; WAC 246-812-990 Denturist fees and renewal cycle, and WAC 246-817-990 Dentist fees and renewal cycle. The department is proposing amendments to add retired active renewal fees and retired active renewal late fees to these professions. The department is also proposing clarification of when the impaired provider surcharge and University of Washington (HEAL-WA) surcharge are due, deleting obsolete language, and making minor housekeeping changes.

Hearing location(s): Department of Health
PPE Conference Room 153
310 Israel Road SE
Tumwater, WA 98501

Date: 12/16/2014

Time: 9:00 AM

Submit written comments to:

Name: Sherry Thomas
Address: PO Box 47850
Olympia, WA 98504-7850
e-mail: <http://www3.doh.wa.gov/policyreview/>
fax 360-236-4626 by (date) 12/16/2014

Assistance for persons with disabilities: Contact

Sherry Thomas by 12/08/2014

TTY (800) 833-6388 or () 711

Date of intended adoption: 12/23/2014

(Note: This is NOT the effective date)

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

The proposal amends existing fee rules to establish renewal and late fees for a retired active license category for osteopathic physicians, osteopathic physician assistants, optometrists, denturists, and dentists. Each of these profession's disciplining authorities is developing rules for obtaining and renewing a retired active license. RCW 18.130.250 directs the secretary to adopt fees for these credentials.

Reasons supporting proposal:

RCW 43.70.250 requires the department to charge sufficient fees to cover the costs of administering each profession. The proposed fees meet this requirement by enacting sufficient fees to cover the new retired active license status, which includes a late renewal penalty. The proposed fees have been determined through fee analyses to support the costs of the new credential status.

Statutory authority for adoption:

RCW 18.130.250, 43.70.250, 18.130.186, 18.32.534

Statute being implemented:

RCW 18.130.250, 43.70.250

Is rule necessary because of a:

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

DATE 10/28/2014

NAME (type or print)

Dennis Worsham for John Wiesman, DrPH, MPH

SIGNATURE

for John Wiesman, DrPH, MPH

TITLE

Deputy Secretary for Secretary of Health

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: **October 30, 2014**

TIME: **7:28 AM**

WSR 14-22-049

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..... Sherry Thomas	111 Israel Road SE, Tumwater, WA 98504	360-236-4612
Implementation....Sherry Thomas	111 Israel Road SE, Tumwater, WA 98504	360-236-4612
Enforcement.....Sherry Thomas	111 Israel Road SE, Tumwater, WA 98504	360-236-4612

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 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.

WAC 246-812-990 Denturist 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
<u>Original application</u>	
Application	\$1,500.00
Examination	1,500.00
Reexamination, written	500.00
Reexamination, practical	500.00
<u>Active license renewal</u>	
((License)) <u>Renewal</u>	1,855.00
Late renewal penalty	300.00
Expired license reissuance	300.00
<u>Inactive license renewal</u>	
((Inactive license)) <u>Renewal</u>	750.00
Expired ((inactive)) license reissuance	300.00
<u>Retired active license renewal</u>	
<u>Renewal</u>	<u>930.00</u>
<u>Late renewal penalty</u>	<u>150.00</u>
Duplicate license	15.00
Certification of license	25.00
Multiple location licenses	50.00

AMENDATORY SECTION (Amending WSR 13-21-069, filed 10/16/13, effective 1/1/14)

WAC 246-817-990 Dentist 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 faculty and resident licenses.

(2) Faculty and resident licenses must be renewed every year on July 1 as provided in chapter 246-12 WAC, Part 2.

(3) The following nonrefundable fees will be charged:

Title of Fee	Fee
Original application by examination*	
Initial application	\$500.00
Original application - Without examination	
Initial application	500.00
Initial license	500.00
Faculty license application	500.00
Resident license application	115.00
Active license renewal:	
Renewal	350.00
Surcharge - Impaired dentist	50.00
Late renewal penalty	288.00
Expired license reissuance	300.00
Inactive license renewal:	
Renewal	125.00
Surcharge - Impaired dentist	50.00
Late renewal penalty	50.00
<u>Retired active license renewal</u>	
<u>Renewal</u>	<u>150.00</u>
<u>Surcharge - Impaired dentist</u>	<u>50.00</u>
<u>Late renewal penalty</u>	<u>75.00</u>
Duplicate license	15.00
Certification of license	25.00
Anesthesia permit	
Initial application	150.00
Renewal - (Three-year renewal cycle)	150.00
Late renewal penalty	75.00
Expired permit reissuance	50.00
On-site inspection fee	To be determined by future rule adoption.

* In addition to the initial application fee above, applicants for licensure via examination will be required to submit a separate application and examination fee directly to the dental testing agency accepted by the dental quality assurance commission.

AMENDATORY SECTION (Amending WSR 13-21-069, filed 10/16/13, effective 1/1/14)

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
<u>Original application</u>	
Endorsement application	\$425.00
<u>UW online access fee (HEAL-WA)</u>	<u>16.00</u>
<u>Active license renewal</u>	
((Active license)) <u>Renewal</u>	425.00
((Active)) <u>Late renewal penalty</u>	250.00
((Active)) <u>Expired license reissuance</u>	250.00
<u>UW online access fee (HEAL-WA)</u>	<u>16.00</u>
<u>Substance abuse monitoring surcharge</u>	<u>25.00</u>
<u>Inactive license renewal</u>	
((Inactive license)) <u>Renewal</u>	350.00
Expired ((inactive)) license reissuance	225.00
((Inactive)) <u>Late renewal penalty</u>	175.00
<u>UW online access fee (HEAL-WA)</u>	<u>16.00</u>
<u>Substance abuse monitoring surcharge</u>	<u>25.00</u>
<u>Retired active license renewal</u>	
<u>Renewal</u>	<u>219.00</u>
<u>Late renewal penalty</u>	<u>110.00</u>
<u>UW online access fee (HEAL-WA)</u>	<u>16.00</u>
<u>Substance abuse monitoring surcharge</u>	<u>25.00</u>
Endorsement/state exam application	500.00
Reexam	100.00
Certification of license	50.00
<u>Limited license</u>	
((Limited license)) <u>Application</u>	325.00
((Limited license)) <u>Renewal</u>	300.00
<u>UW online access fee (HEAL-WA)</u>	<u>16.00</u>
<u>Substance abuse monitoring surcharge</u>	<u>25.00</u>
Temporary permit application	70.00
Duplicate certificate	20.00
((Substance abuse monitoring surcharge	
UW online access fee (HEAL-WA)	25.00 16.00))

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

Title of Fee	Fee
<u>Original application</u>	
Application	\$250.00
<u>UW online access fee (HEAL-WA)</u>	<u>16.00</u>
<u>Active license renewal</u>	
Renewal	250.00
Late renewal penalty	150.00
Expired license reissuance	100.00
<u>UW online access fee (HEAL-WA)</u>	<u>16.00</u>
<u>Substance abuse monitoring surcharge</u>	<u>25.00</u>
<u>Retired active license renewal</u>	
<u>Renewal</u>	<u>134.00</u>
<u>Late renewal penalty</u>	<u>75.00</u>
<u>UW online access fee (HEAL-WA)</u>	<u>16.00</u>
<u>Substance abuse monitoring surcharge</u>	<u>25.00</u>
Certification of license	30.00
Interim permit	200.00
License after exam	100.00
Duplicate certificate	20.00
((Substance abuse monitoring surcharge	25.00
UW online access fee (HEAL-WA)	16.00

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

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.

(2) The following nonrefundable fees will be charged:

Title of Fee	Fee
<u>Original application</u>	
Application	\$175.00
Out-of-state seminar	100.00
<u>UW online access fee (HEAL-WA)</u>	<u>16.00</u>
<u>Active license renewal</u>	
((License)) <u>Renewal</u>	199.00
Late renewal penalty	100.00
Expired license reissuance	75.00
<u>UW online access fee (HEAL-WA)</u>	<u>16.00</u>
<u>Inactive license renewal</u>	
((Inactive license)) <u>Renewal</u>	75.00
<u>UW online access fee (HEAL-WA)</u>	<u>16.00</u>
<u>Retired active license renewal</u>	
<u>Renewal</u>	<u>94.00</u>
<u>Late renewal penalty</u>	<u>50.00</u>
<u>UW online access fee (HEAL-WA)</u>	<u>16.00</u>
Duplicate license	15.00
Certification of license	25.00
((UW online access fee (HEAL-WA)	16.00))