



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 246-840-990 Practical and Registered Nursing - Fees and renewal cycle. Proposing fee adjustments to align licensing fee revenues with the actual costs of regulating these professions. The department is coordinating rulemaking with the Nursing Care Quality Assurance Commission.

Hearing location(s): Department of Health
Town Center 111 Israel Road
Building 2, Room 145
Tumwater, WA 98501

Date: 11/30/2016

Time: 1:00 PM

Submit written comments to:

Name: Nancy Elliott
Address: PO Box 47850
Olympia, WA 98504-7850
e-mail: <https://fortress.wa.gov/doh/policyreview>
fax 360-236-4626 by (date) 11/30/2016

Assistance for persons with disabilities: Contact

Nancy Elliott by 11/16/2016

TTY (800) 833-6388 or () 711

Date of intended adoption: 12/07/2016

(Note: This is NOT the effective date)

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

It has been determined that current licensing fees will not generate sufficient revenue to cover the costs of administering and regulating nursing professions. The goal of the proposed fee adjustment is to align licensing fee revenues with the actual costs of regulating these professions, while bringing year-end fund balances to the level needed to cover unanticipated expenses over a ten-year period. This proposal includes a fee reduction for nursing technicians and licensed practical nurses (LPN) because these credentials are less costly to administer than the other two credentials.

Reasons supporting proposal:

RCW 43.70.250 requires the cost of each licensing program to be fully borne by the profession's members and licensing fees to be based on the licensing program's costs. Based on six-year projections of fee revenue and expenses for each profession, using best available data, revenue from the current nursing profession fees are anticipated to lose pace with future expenditures. Without the proposed adjustments, the program's year-end reserves will fall below the recommended fund balance over a ten-year period.

Statutory authority for adoption:

RCW 43.70.250 and 43.70.280

Statute being implemented:

RCW 43.70.250 and 43.70.280

Is rule necessary because of a:

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

DATE 10/10/2016

NAME (type or print)

John Wiesman, DrPH, MPH

SIGNATURE

DrPH, MPH

TITLE

Secretary of Health

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: **October 12, 2016**

TIME: **9:21 AM**

WSR **16-21-042**

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..... Nancy Elliott	111 Israel Road, Tumwater, WA 98501	360-236-4878
Implementation.... Nancy Elliott	111 Israel Road, Tumwater, WA 98501	360-236-4878
Enforcement..... Sherry Thomas	111 Israel Road, Tumwater, WA 98501	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 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 246-840-990 Fees and renewal cycle. (1) (~~Applicants for a practical nurse license must pay the application fee, the LPN UW online access fee (HEAL-WA)*, and the nursing center surcharge fee when applying for a license. Licenses for practical nurse must be renewed~~) A licensed practical nurse (LPN) or a registered nurse (RN) must renew his or her license every year on the (practitioner's birthday as provided in chapter 246-12 WAC, Part 2. Practical nurses must pay the renewal fee, the HEAL-WA fee, and the nursing center surcharge fee when renewing licenses) licensee's birthday.

(2) When applying for a license an applicant((s)) for ((a registered nurse)) an initial or renewal LPN license or RN license must pay, in addition to 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)~~ University of Washington (UW) health sciences online library access (HEAL-WA) surcharge and the central nursing resource center (CNRC) surcharge, as required in RCW 43.70.110.

(3) An advanced registered nurse ((must be renewed)) practitioner (ARNP) must renew his or her license every two years on the ((practitioner's)) licensee's birthday ((as provided in chapter 246-12 WAC, Part 2)). An ARNP must also hold a valid RN license and pay all associated fees every year on the licensee's birthday.

(4) (~~Registrations for~~) A nursing technician((s)) must ((be renewed)) renew his or her registration 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)) required in RCW 18.79.370((. This attestation will)) that includes 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)	67.00
RN license renewal	76.00
RN renewal retired active	45.00
RN late renewal retired active	23.00
LPN license renewal	75.00
LPN renewal retired active	45.00

Title of Fee	Fee
LPN late renewal retired active	23.00
LPN HEAL-WA* surcharge -- Initial license and renewal	16.00
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 HEAL-WA* 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.))

A practitioner who holds more than one credential will be charged separate fees for each credential, in compliance with chapter 246-12 WAC, Part 2 and RCW 43.70.110.

(6) The following nonrefundable fees will be charged:

Application Fees

	<u>Registered Nurse</u>	<u>Licensed Practical Nurse</u>	<u>Advanced Registered Nurse Practitioner¹</u>	<u>Nursing Technician</u>
Application Fee	99	64	125	25
HEAL-WA Surcharge	16	16	0	0
CNRC Surcharge	5	5	0	0
Total	120	85	125	25

¹Pays a \$125 application fee per specialty license. If not currently a licensed RN, must also pay RN application fees.

On Time Renewal

	<u>Registered Nurse</u>	<u>Licensed Practical Nurse</u>	<u>Advanced Registered Nurse Practitioner²</u>	<u>Nursing Technician</u>
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Renewal Fee	<u>99</u>	<u>64</u>	<u>125</u>	<u>25</u>
HEAL-WA Surcharge	<u>16</u>	<u>16</u>	<u>0</u>	<u>0</u>
CNRC Surcharge	<u>5</u>	<u>5</u>	<u>0</u>	<u>0</u>
Total	<u>120</u>	<u>85</u>	<u>125</u>	<u>25</u>

²Pays a \$125 renewal fee per specialty license once every 2 years. Must also renew RN license every year.

Late Renewal - Up to One Year Past the Expiration

	<u>Registered Nurse</u>	<u>Licensed Practical Nurse</u>	<u>Advanced Registered Nurse Practitioner³</u>	<u>Nursing Technician</u>
Renewal Fee	<u>99</u>	<u>64</u>	<u>125</u>	<u>25</u>
HEAL-WA Surcharge	<u>16</u>	<u>16</u>	<u>0</u>	<u>0</u>
CNRC Surcharge	<u>5</u>	<u>5</u>	<u>0</u>	<u>0</u>
Late Renewal Penalty	<u>50</u>	<u>50</u>	<u>50</u>	<u>25</u>
Total	<u>170</u>	<u>135</u>	<u>175</u>	<u>50</u>

³Pays \$50 per specialty license in late fees.

Late Renewal - One Year or More Expired

	<u>Registered Nurse</u>	<u>Licensed Practical Nurse</u>	<u>Advanced Registered Nurse Practitioner</u>
Renewal Fee	<u>99</u>	<u>64</u>	<u>125</u>
HEAL-WA Surcharge	<u>16</u>	<u>16</u>	<u>0</u>
CNRC Surcharge	<u>5</u>	<u>5</u>	<u>0</u>
Late Renewal Penalty	<u>50</u>	<u>50</u>	<u>50</u>
Expired Licenses Reissuance	<u>70</u>	<u>70</u>	<u>0</u>
Total	<u>240</u>	<u>205</u>	<u>175</u>

Retired Active Renewal

	<u>Registered Nurse</u>	<u>Licensed Practical Nurse</u>
Renewal Fee	<u>44</u>	<u>44</u>
HEAL-WA Surcharge	<u>16</u>	<u>16</u>
CNRC Surcharge	<u>5</u>	<u>5</u>
Total	<u>65</u>	<u>65</u>

Retired Active Renewal—Late Renewal - Up to One Year Past the Expiration

	<u>Registered Nurse</u>	<u>Licensed Practical Nurse</u>
Renewal Fee	<u>44</u>	<u>44</u>
HEAL-WA Surcharge	<u>16</u>	<u>16</u>
CNRC Surcharge	<u>5</u>	<u>5</u>
Late Renewal Penalty	<u>45</u>	<u>45</u>
Total	<u>110</u>	<u>110</u>

Retired Active Renewal—Late Renewal - One Year or More Expired

	<u>Registered Nurse</u>	<u>Licensed Practical Nurse</u>
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<u>Renewal Fee</u>	<u>44</u>	<u>44</u>
<u>HEAL-WA Surcharge</u>	<u>16</u>	<u>16</u>
<u>CNRC Surcharge</u>	<u>5</u>	<u>5</u>
<u>Late Renewal Penalty</u>	<u>45</u>	<u>45</u>
<u>Expired License Reissuance</u>	<u>70</u>	<u>70</u>
<u>Total</u>	<u>180</u>	<u>180</u>

Inactive License Renewal

	<u>Registered Nurse</u>	<u>Licensed Practical Nurse</u>	<u>Advanced Registered Nurse Practitioner</u>
<u>Renewal Fee</u>	<u>44</u>	<u>44</u>	<u>40</u>
<u>HEAL-WA Surcharge</u>	<u>16</u>	<u>16</u>	<u>0</u>
<u>CNRC Surcharge</u>	<u>5</u>	<u>5</u>	<u>0</u>
<u>Total</u>	<u>65</u>	<u>65</u>	<u>40</u>

Inactive License Renewal—Late Renewal - Up to One Year Past the Expiration

	<u>Registered Nurse</u>	<u>Licensed Practical Nurse</u>	<u>Advanced Registered Nurse Practitioner</u>
<u>Renewal Fee</u>	<u>44</u>	<u>44</u>	<u>40</u>
<u>HEAL-WA Surcharge</u>	<u>16</u>	<u>16</u>	<u>0</u>
<u>CNRC Surcharge</u>	<u>5</u>	<u>5</u>	<u>0</u>
<u>Late Renewal Penalty</u>	<u>45</u>	<u>45</u>	<u>40</u>
<u>Total</u>	<u>110</u>	<u>110</u>	<u>80</u>

Inactive License Renewal—Late Renewal - One Year or More Expired

	<u>Registered Nurse</u>	<u>Licensed Practical Nurse</u>	<u>Advanced Registered Nurse Practitioner</u>
<u>Renewal Fee</u>	<u>44</u>	<u>44</u>	<u>40</u>
<u>HEAL-WA Surcharge</u>	<u>16</u>	<u>16</u>	<u>0</u>
<u>CNRC Surcharge</u>	<u>5</u>	<u>5</u>	<u>0</u>
<u>Late Renewal Penalty</u>	<u>45</u>	<u>45</u>	<u>40</u>
<u>Expired License Reissuance</u>	<u>40</u>	<u>40</u>	<u>40</u>
<u>Total</u>	<u>150</u>	<u>150</u>	<u>120</u>

Other fees

	<u>Registered Nurse</u>	<u>Licensed Practical Nurse</u>	<u>Advanced Registered Nurse Practitioner</u>	<u>Nursing Technician</u>
<u>Duplicate licensee or registration</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>15</u>
<u>Verification of licensure</u>	<u>25</u>	<u>25</u>	<u>25</u>	<u>25</u>