



# 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 246-940-990 certified animal massage practitioner, 246-841-990 nursing assistant, and 246-830-990 massage fees and renewal cycle. Proposing increases in application and renewal fees, clarification of which categories of fees require payment of HEAL-WA surcharge, and changes in formatting to make it easier for licensees to identify the fees they will be required to pay for animal massage practitioner, nursing assistant, and massage practitioner credentials.

**Hearing location(s):** Department of Health  
Point Plaza East  
310 Israel Road, Tumwater, 98501  
Room 153

Date: 4/28/2016

Time: 2:00 PM

**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) 04/28/2016

**Assistance for persons with disabilities:** Contact

Sherry Thomas by 04/18/2016

TTY (800) 833-6388 or () 711

**Date of intended adoption:** 05/05/2016

(Note: This is NOT the effective date)

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

Current licensing fees do not generate sufficient revenue to cover the full cost of administering these licensing programs. In response, the department is proposing to increase application and renewal fees for these professions. The remainder of the changes is clarifications and formatting changes to make it easier for licensees to identify the fees they will be required to pay.

**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 licensure costs. Increasing fees to the proposed levels will more closely align revenue with the programs' expenses and enable reserves to be maintained should unanticipated events occur, such as increased disciplinary costs.

**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:

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: February 26, 2016**

**TIME: 5:08 PM**

**WSR 16-06-084**

**DATE** 02/26/2016

**NAME** (type or print)

Dennis Worsham for John Wiesman, DrPH, MPH

**SIGNATURE**

, DrPH, MPH

**TITLE**

Secretary of Health

**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, Tumwater, WA 98501 | 360-236-4612 |
| Implementation....Sherry Thomas | 111 Israel Road, Tumwater, WA 98501 | 360-236-4612 |
| 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.

AMENDATORY SECTION (Amending WSR 12-24-015, filed 11/27/12, effective 7/1/13)

**WAC 246-841-990 Nursing 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) The following nonrefundable fees will be charged for registration credentials:

| <b>Title of Fee</b>             | <b>Fee</b>                             |
|---------------------------------|--|
| Application - Registration      | <del>\$((48.00))</del><br><u>65.00</u> |
| Renewal of registration         | <del>((53.00))</del><br><u>70.00</u>   |
| Duplicate registration          | 10.00                                  |
| Registration late penalty       | <del>((53.00))</del><br><u>50.00</u>   |
| Expired registration reissuance | 52.00                                  |

(3) The following nonrefundable fees will be charged for certification credentials:

| <b>Title of Fee</b>              | <b>Fee</b>                             |
|----------------------------------|--|
| Application for certification    | <del>\$((48.00))</del><br><u>65.00</u> |
| Certification renewal            | <del>((53.00))</del><br><u>70.00</u>   |
| Duplicate certification          | 10.00                                  |
| Certification late penalty       | <del>((53.00))</del><br><u>50.00</u>   |
| Expired certification reissuance | 52.00                                  |

(4) The following nonrefundable fees will be charged for medication assistant endorsement credentials:

| <b>Title of Fee</b>         | <b>Fee</b> |
|-----------------------------|------------|
| Application for endorsement | \$25.00    |
| Endorsement renewal         | 10.00      |

AMENDATORY SECTION (Amending WSR 11-14-026, filed 6/24/11, effective 7/25/11)

**WAC 246-940-990 Certified animal massage practitioner—Fees and renewal cycle.** (1) Certification must be renewed every year on or before the animal massage practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

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

| <b>Title of Fee</b>  | <b>Fee</b>                    |
|--|-------------------------------|
| Application for large animal certification                                       | \$((200.00))<br><u>250.00</u> |
| Application for small animal certification                                       | \$((200.00))<br><u>250.00</u> |
| Renewal of certification for large animal certification                          | ((150.00))<br><u>190.00</u>   |
| Renewal of certification for small animal certification                          | ((150.00))<br><u>190.00</u>   |
| Late renewal penalty fee per certification                                       | ((75.00))<br><u>95.00</u>     |
| Expired credential reissuance fee per certification                              | ((75.00))<br><u>95.00</u>     |
| Duplicate credential per certification   | 30.00                         |
| <del>((Certification))</del> <u>Verification</u> of credential per certification | 30.00                         |

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

**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.

(2) The following nonrefundable fees will be charged:

| <b>Title of Fee</b>  | <b>Fee</b>                            |
|--|---------------------------------------|
| <del>((Written examination and reexamination</del>                 | <del>\$65.00</del>                    |
| <del>Practical examination and reexamination</del>                 | <del>50.00))</del>                    |
| <b><u>Original application</u></b>                                 |                                       |
| <u>Application and initial license</u>                             | <del>((90.00))</del><br><u>125.00</u> |
| <u>UW online access fee (HEAL-WA)</u>                              | <u>16.00</u>                          |
| <b><u>Active license renewal</u></b>                               |                                       |
| Renewal  | <del>((65.00))</del><br><u>90.00</u>  |
| Late renewal penalty   | 50.00                                 |
| Expired license reissuance   | 50.00                                 |
| <u>UW online access fee (HEAL-WA)</u>                              | <u>16.00</u>                          |
| <b><u>Inactive license renewal</u></b>                             |                                       |
| Inactive license renewal   | 50.00                                 |
| Expired inactive license reissuance                                | 50.00                                 |
| <u>UW online access fee (HEAL-WA)</u>                              | <u>16.00</u>                          |
| <del>((Certification))</del> <b><u>Verification of license</u></b> | 10.00                                 |
| <b>Duplicate license</b>   | 10.00                                 |
| <b>Intraoral massage endorsement</b>                               | 25.00                                 |
| <del>((UW online access fee (HEAL-WA)</del>                        | <del>16.00))</del>                    |