

1 **SHB 2264 - H AMDS 540 ADOPTED 4-14-97**

2 By Representative Dyer

3 On page 12, line 6, after "considered:))", strike all material down through and  
4 including "RCW 43.70.320." on line 15

5 On page 12, after line 15, insert the following:

6 NEW SECTION. Sec. 8. A new section is added to chapter 43.72 RCW to read as follows:

7 The secretary of health shall from time to time establish fees to accompany the filing of a  
8 petition under this section and for the active supervision of conduct approved under RCW 43.72.310.  
9 Such fees may vary according to the size of the transaction proposed in the petition or under active  
10 supervision. In setting such fees, the secretary shall consider that consumers and the public benefit  
11 when activities meeting the standards of this section are permitted to proceed; the importance of  
12 assuring that persons sponsoring beneficial activities are not foreclosed from filing a petition under  
13 this section because of the fee; and the necessity to avoid a conflict, or the appearance of a conflict,  
14 between the interests of the department and the public. The fee for a petition shall not exceed the  
15 level that will defray the reasonable costs the department and attorney general incur in considering a  
16 petition, and in no event shall be greater than \$25,000. The fee for review of approved conduct shall  
17 not exceed the level that will defray the reasonable costs the department and attorney general incur  
18 in conducting such a review and in no event shall be greater than \$10,000 per annum. The fees shall  
19 be fixed by rule adopted in accordance with the provisions of the administrative procedure act,  
20 chapter 34.05 RCW, and shall be deposited in the health professions account established in accordance  
21 with RCW 43.70.320."

22 Renumber remaining sections consecutively and correct internal  
23 references.

24 On page 17, after line 32, insert the following:

25 NEW SECTION. Sec. 11. If specific funding for the purposes of  
26 section 8 of this act, referencing section 8 of this act by bill and  
27 section number, is not provided by June 30, 1997, in the omnibus  
28 appropriations act, section 8 of this act is null and void.-

**EFFECT:** Places a lid on the fees that the Department of Health may charge to support the anti-trust immunity petition review and monitoring activities. Makes the section authorizing the fee null and void if not referenced in the biennial operating budget.