

WSR 23-22-094

PROPOSED RULES

DEPARTMENT OF HEALTH

[Filed October 30, 2023, 2:17 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 22-13-184.

Title of Rule and Other Identifying Information: Nursing home administrator retired active license fee. The department of health (department) is proposing to establish a retired active fee for the nursing home administrator license in WAC 246-843-990.

Hearing Location(s): On December 5, 2023, at 10:00 a.m., at Department of Health, Town Center 2, Room 166/167, 111 Israel Road S.E., Tumwater, WA 98501; or virtual. Register in advance for this webinar https://us02web.zoom.us/webinar/register/WN_BmYAxgEpRiyknKpwpBZIug. After registering, you will receive a confirmation email containing information about joining the webinar. The public hearing will be hybrid. Participants can attend in person at the physical location or virtually by registering on Zoom.

Date of Intended Adoption: December 12, 2023.

Submit Written Comments to: Kendra Pitzler, P.O. Box 47852, Olympia, WA 98504-4852, email <https://fortress.wa.gov/doh/policyreview/>, fax 360-236-2901, by December 5, 2023.

Assistance for Persons with Disabilities: Contact Kendra Pitzler, phone 360-236-4723, fax 360-236-2901, TTY 711, email nha@doh.wa.gov, by November 21, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department is proposing to establish a fee for the retired active status license. The retired active status license type has been proposed by the board of nursing home administrators (board) under WSR 23-20-116 filed on October 3, 2023. The board anticipates that some individuals who would otherwise drop their nursing home administrator license due to the high fee will choose to keep the retired active status at the reduced rate. This will allow these individuals to fill in for nursing homes that need a temporary license while recruiting a new administrator and to immediately assist in emergent circumstances such as a pandemic.

Reasons Supporting Proposal: RCW 18.130.250 allows the board to establish a retired active status license. RCW 43.70.250 requires the secretary of health to establish the amount of all application, license, and renewal fees, and any other fee associated with licensing or regulation of the profession.

Statutory Authority for Adoption: RCW 18.130.250 and 43.70.250.

Statute Being Implemented: RCW 43.70.250.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of health and the board of nursing home administrators, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Kendra Pitzler, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-4723.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. This rule is exempt from analysis according to RCW 34.05.328 (5)(b)(vi) because it is a rule that sets or adjusts fees pursuant to legislative standards.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules set or adjust fees under the authority of RCW 19.02.075 or that set or adjust fees or rates pursuant to legislative standards, including fees set or adjusted under the authority of RCW 19.80.045.

Explanation of exemptions: The proposed rule establishes a fee for a retired active license.

Scope of exemption for rule proposal:

Is fully exempt.

October 30, 2023
 Todd Mountin, PMP
 Deputy Chief of Policy
 for Umair A. Shah, MD, MPH
 Secretary

OTS-5032.1

AMENDATORY SECTION (Amending WSR 21-16-002, filed 7/22/21, effective 11/1/21)

WAC 246-843-990 Nursing home administrator fees and renewal cycle. ~~((1))~~ Licenses must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC.

~~((2) Between the effective date of this rule and October 31, 2022, the following fees will apply:~~

Title of Fee	Fee
Application-Original license	\$690.00
Administrator-in-training	285.00
Application-Endorsement	715.00
License renewal	
Renewal	835.00
Late renewal penalty	300.00
Expired license reissuance	285.00
Inactive license	
Inactive license renewal	315.00
Late renewal penalty	160.00
Expired inactive license reissuance	190.00
Temporary permit	325.00
Duplicate license	10.00
Verification of license	25.00

~~((3) On and after November 1, 2022, the following fees apply:))~~

Title of Fee	Fee
Application-Original license	\$805.00
Administrator-in-training	285.00
Application-Endorsement	805.00
License renewal	

Title of Fee	Fee
Renewal	975.00
Late renewal penalty	300.00
Expired license reissuance	285.00
Inactive license	
Inactive license renewal	315.00
Late renewal penalty	160.00
Expired inactive license reissuance	190.00
<u>Retired active license</u>	<u>150.00</u>
Temporary permit	325.00
Duplicate license	10.00
Verification of license	25.00