

WSR 21-16-002

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed July 22, 2021, 8:33 a.m., effective November 1, 2021]

Effective Date of Rule: November 1, 2021.

Purpose: WAC 246-810-990 Counselors fees and renewal cycle, 246-843-990 Nursing home administrator fees and renewal cycle, and 246-849-990 Ocularists fee and renewal cycle. The adopted rules implement a fee increase for the specified professions to satisfy the requirements of RCW 43.70.250, which 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.

The forecasted revenue for the certified counselor/advisor program is insufficient to recover the program's accumulated debt of nearly \$1.1 million and build adequate reserves. The forecasted revenue for the nursing home administrator program is insufficient to recover the program's accumulated debt of nearly \$400,000 and maintain adequate reserves. While the ocularist program ended the 2019 fiscal year with a positive fund balance of \$131, the balance is forecasted to decline over the next six years, resulting in an estimated fund deficit of approximately \$8,700 by June of 2026.

Citation of Rules Affected by this Order: Amending WAC 246-810-990, 246-843-990, and 246-849-990.

Statutory Authority for Adoption: RCW 43.70.250 and 43.70.280.

Adopted under notice filed as WSR 21-08-049 on April 2, 2021.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 3, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 3, Repealed 0.

Date Adopted: July 21, 2021.

Kristin Peterson, JD
Deputy Secretary
for Policy and Planning
for Umair A. Shah, MD, MPH
Secretary

OTS-2849.3

AMENDATORY SECTION (Amending WSR 18-01-098, filed 12/18/17, effective 4/1/18)

WAC 246-810-990 Counselors fees and renewal cycle. (1) Under chapter 246-12 WAC, (~~Part 27~~) a counselor must renew (~~his or her~~) their credential every year on the practitioner's birthday.

(2) Examination and reexamination fees are the responsibility of the applicant and are paid directly to the testing company.

(3) The following nonrefundable fees will be charged:

Title	Fee
Registered hypnotherapist:	
Application and registration	\$155.00
Renewal	\$80.00
Late renewal penalty	\$75.00
Expired registration reissuance	\$75.00
Duplicate registration	\$10.00
Verification of registration	\$25.00
Certified counselor:	
Application and certification	((\$255.00)) \$345.00
Examination or reexamination	\$85.00
Renewal	((\$225.00)) \$305.00
Late renewal penalty	((\$115.00)) \$155.00
Expired credential reissuance	\$100.00
Duplicate credential	\$10.00
Verification of credential	\$25.00
Certified adviser:	
Application and certification	((\$210.00)) \$285.00
Examination or reexamination	\$85.00
Renewal	((\$185.00)) \$250.00
Late renewal penalty	((\$95.00)) \$125.00
Expired credential reissuance	\$100.00
Duplicate credential	\$10.00
Verification of credential	\$25.00
Registered agency affiliated counselor:	
Application and registration	\$90.00
Renewal	\$75.00
Late renewal penalty	\$50.00
Expired registration reissuance	\$50.00
Duplicate registration	\$10.00
Verification of registration	\$25.00

[Statutory Authority: RCW 43.70.250 and 43.70.280. WSR 18-01-098, § 246-810-990, filed 12/18/17, effective 4/1/18. Statutory Authority: RCW 43.70.250, 18.19.050, 43.70.110 and 2013 c 4. WSR 14-07-095, § 246-810-990, filed 3/18/14, effective 7/1/14. Statutory Authority: RCW 43.70.110, 43.70.250, and 2011 1st sp.s. c 50. WSR 11-20-092, §

246-810-990, filed 10/4/11, effective 12/1/11. Statutory Authority: RCW 18.19.050 and chapter 18.19 RCW. WSR 09-15-041, § 246-810-990, filed 7/8/09, effective 7/8/09. Statutory Authority: RCW 43.70.110, 43.70.250 and 2008 c 329. WSR 08-16-008, § 246-810-990, filed 7/24/08, effective 7/25/08. Statutory Authority: RCW 18.19.050. WSR 06-08-106, § 246-810-990, filed 4/5/06, effective 5/6/06. Statutory Authority: RCW 43.70.250, [43.70.]280 and 43.70.110. WSR 05-12-012, § 246-810-990, filed 5/20/05, effective 7/1/05. Statutory Authority: RCW 43.70.250. WSR 99-08-101, § 246-810-990, filed 4/6/99, effective 7/1/99. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-810-990, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 18.19.050(1). WSR 97-17-113, § 246-810-990, filed 8/20/97, effective 9/20/97. Statutory Authority: Chapter 18.19 RCW. WSR 96-08-069, § 246-810-990, filed 4/3/96, effective 5/4/96. Statutory Authority: RCW 43.70.250. WSR 93-14-011, § 246-810-990, filed 6/24/93, effective 7/25/93. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-810-990, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.70.250. WSR 90-18-039 (Order 084), § 308-190-010, filed 8/29/90, effective 9/29/90; WSR 90-04-094 (Order 029), § 308-190-010, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 43.24.086. WSR 87-18-033 (Order PM 669), § 308-190-010, filed 8/27/87.]

OTS-2850.3

AMENDATORY SECTION (Amending WSR 17-24-014 and 17-22-088, filed 11/27/17 and 10/27/17, effective 3/1/18)

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(~~(7-Part-2)~~).

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

Title of Fee	Fee
Application-Original license	((\$75.00)) <u>\$690.00</u>
Administrator-in-training	285.00
Application-Endorsement	715.00
License renewal	
Renewal	((695.00)) <u>835.00</u>
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

Title of Fee	Fee
Verification of license	25.00

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

<u>Title of Fee</u>	<u>Fee</u>
<u>Application-Original license</u>	<u>\$805.00</u>
<u>Administrator-in-training</u>	<u>285.00</u>
<u>Application-Endorsement</u>	<u>805.00</u>
<u>License renewal</u>	
<u>Renewal</u>	<u>975.00</u>
<u>Late renewal penalty</u>	<u>300.00</u>
<u>Expired license reissuance</u>	<u>285.00</u>
<u>Inactive license</u>	
<u>Inactive license renewal</u>	<u>315.00</u>
<u>Late renewal penalty</u>	<u>160.00</u>
<u>Expired inactive license reissuance</u>	<u>190.00</u>
<u>Temporary permit</u>	<u>325.00</u>
<u>Duplicate license</u>	<u>10.00</u>
<u>Verification of license</u>	<u>25.00</u>

[Statutory Authority: RCW 43.70.250 and 43.70.280. WSR 17-24-014 and 17-22-088, § 246-843-990, filed 11/27/17 and 10/27/17, effective 3/1/18. Statutory Authority: RCW 43.70.110, 43.70.250, and 2011 1st sp.s. c 50. WSR 11-20-092, § 246-843-990, filed 10/4/11, effective 12/1/11. Statutory Authority: RCW 43.70.110, 43.70.250, 2008 c 329. WSR 08-15-014, § 246-843-990, filed 7/7/08, effective 7/7/08. Statutory Authority: RCW 43.70.250, [43.70.]280 and 43.70.110. WSR 05-12-012, § 246-843-990, filed 5/20/05, effective 7/1/05. Statutory Authority: RCW 43.70.250, [43.70.]280 and chapter 18.52 RCW. WSR 99-24-098, § 246-843-990, filed 11/30/99, effective 12/31/99. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-843-990, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 43.70.250 and chapter 18.52 RCW. WSR 94-09-006, § 246-843-990, filed 4/11/94, effective 5/12/94. Statutory Authority: RCW 43.70.250. WSR 93-14-011, § 246-843-990, filed 6/24/93, effective 7/25/93; WSR 91-09-051 (Order 154), § 246-843-990, filed 4/16/91, effective 5/17/91. Statutory Authority: RCW 43.70.040. WSR 91-06-058 (Order 138), recodified as § 246-843-990, filed 3/1/91, effective 4/1/91. Statutory Authority: RCW 43.70.250. WSR 90-04-094 (Order 029), § 308-54-315, filed 2/7/90, effective 3/10/90. Statutory Authority: RCW 43.24.086. WSR 87-18-031 (Order PM 667), § 308-54-315, filed 8/27/87. Statutory Authority: 1983 c 168 § 12. WSR 83-17-031 (Order PL 442), § 308-54-315, filed 8/10/83. Formerly WAC 308-54-310.]

OTS-2851.2

AMENDATORY SECTION (Amending WSR 17-24-014 and 17-22-088, filed 11/27/17 and 10/27/17, effective 3/1/18)

WAC 246-849-990 Ocularist 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
Original application and examination	((\$200.00)) <u>\$370.00</u>
License renewal	
Renewal	((300.00)) <u>555.00</u>
Late renewal penalty	((150.00)) <u>185.00</u>
Apprentice registration	
Apprentice renewal	((25.00)) <u>100.00</u>
Expired license reissuance	115.00
Temporary practice permit	25.00
Retired active license	50.00
Duplicate license	10.00
Verification of license	25.00

[Statutory Authority: RCW 43.70.250 and 43.70.280. WSR 17-24-014 and 17-22-088, § 246-849-990, filed 11/27/17 and 10/27/17, effective 3/1/18. Statutory Authority: RCW 43.70.250, [43.70.]280 and 43.70.110. WSR 05-12-012, § 246-849-990, filed 5/20/05, effective 7/1/05. Statutory Authority: RCW 43.70.250. WSR 99-08-101, § 246-849-990, filed 4/6/99, effective 7/1/99. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-849-990, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 43.70.250. WSR 93-14-011, § 246-849-990, filed 6/24/93, effective 7/25/93; WSR 92-02-018 (Order 224), § 246-849-990, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 43.70.040. WSR 91-02-049 (Order 121), recodified as § 246-849-990, filed 12/27/90, effective 1/31/91. Statutory Authority: RCW 43.24.086. WSR 87-18-031 (Order PM 667), § 308-55-025, filed 8/27/87. Statutory Authority: 1983 c 168 § 12. WSR 83-17-031 (Order PL 442), § 308-55-025, filed 8/10/83. Formerly WAC 308-55-010.]