

WSR 22-18-105

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed September 7, 2022, 11:45 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 22-03-104.

Title of Rule and Other Identifying Information: WAC 308-48-800 Fees.

Hearing Location(s): On October 11, 2022, at 11:00 a.m. Join Zoom meeting link https://dol-wa.zoom.us/j/89156878143?pwd=UnRtaERWTFV0K3pKL0tVOUxENXRLdz09, Meeting ID 891 5687 8143, Passcode 457675, one tap mobile +12532158782,,89156878143#,,,,\*457675# US (Tacoma), +16694449171,,89156878143#,,,,\*457675# US; dial by your location +1 253 215 8782 US (Tacoma). Find your local number https://dol-wa.zoom.us/j/89156878143?pwd=UnRtaERWTFV0K3pKL0tVOUxENXRLdz09. If you are having trouble accessing the public hearing at the time of the hearing, please call 360-902-3846.

Date of Intended Adoption: October 12, 2022.

Submit Written Comments to: Ellis Starrett, 1125 Washington Street S.E., Olympia, WA 98504, email rulescoordinator@dol.wa.gov, by October 10, 2022.

Assistance for Persons with Disabilities: Ellis Starrett, phone 360-902-3846, email rulescoordinator@dol.wa.gov, by October 3, 2022.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department is increasing fees to cover the cost of administering the funerals and cemeteries program.

Reasons Supporting Proposal: The department is required to set fees for each professional, occupational, or business licensing program at a sufficient level to defray the costs of administering that program. These programs last saw an increase in fees in 2017. Current fees are insufficient to sustain these programs. The department is considering fee increases that would go into effect Fall of 2022.

Statutory Authority for Adoption: RCW 43.24.086 Fee policy for professions, occupations, and businesses—Determination by rule.

Statute Being Implemented: Not applicable.

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

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Not applicable.

Name of Agency Personnel Responsible for Drafting: Kelsey Stone, 1125 Washington Street S.E., Olympia, WA 98504, 360-902-0131; Implementation and Enforcement: Julie Japhet, 405 Black Lake Boulevard S.W., Olympia, WA 98502, 360-664-1442.

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. These fees are exempt from the requirements in RCW 34.05.328 because they set or adjust fees or rates pursuant to legislative standards, specifically RCW 43.24.086.

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 rule content is explicitly and specifically dictated by statute; and 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.

Scope of exemption for rule proposal:  
Is fully exempt.

September 7, 2022  
Ellis Starrett  
Rules and Policy Manager

**OTS-3954.2**

AMENDATORY SECTION (Amending WSR 20-09-031, filed 4/6/20, effective 5/7/20)

**WAC 308-48-800 Fees. (1) Funeral fees.**

| Title of Fee  | Fee                       |
|---|---------------------------|
| Embalmer:   |                           |
| State examination application                       | (( <del>\$100.00</del> )) |
|   | <u>\$135.00</u>           |
| Renewal   | (( <del>150.00</del> ))   |
|   | <u>203.00</u>             |
| Late renewal fee                                    | (( <del>35.00</del> ))    |
|   | <u>47.00</u>              |
| (( <del>Duplicate</del> )) <u>License print fee</u> | (( <del>25.00</del> ))    |
|   | <u>5.00</u>               |
| Embalmer intern:                                    |                           |
| Intern application                                  | (( <del>135.00</del> ))   |
|   | <u>182.00</u>             |
| Application for examination                         | 100.00                    |
| Intern renewal                                      | (( <del>100.00</del> ))   |
|   | <u>135.00</u>             |
| Late renewal fee                                    | (( <del>35.00</del> ))    |
|   | <u>47.00</u>              |
| (( <del>Duplicate</del> )) <u>License print fee</u> | (( <del>25.00</del> ))    |
|   | <u>5.00</u>               |
| Funeral director:                                   |                           |
| State examination application                       | (( <del>100.00</del> ))   |
|   | <u>135.00</u>             |
| Renewal   | (( <del>150.00</del> ))   |
|   | <u>203.00</u>             |
| Late renewal fee                                    | (( <del>35.00</del> ))    |
|   | <u>47.00</u>              |
| (( <del>Duplicate</del> )) <u>License print fee</u> | (( <del>25.00</del> ))    |
|   | <u>5.00</u>               |
| Funeral director intern:                            |                           |
| Intern application                                  | (( <del>135.00</del> ))   |
|   | <u>182.00</u>             |
| Application for examination                         | 100.00                    |
| Intern renewal                                      | (( <del>100.00</del> ))   |
|   | <u>135.00</u>             |

| Title of Fee                               | Fee                         |
|--|-----------------------------|
| Late renewal fee                           | ((35.00))<br><u>47.00</u>   |
| <del>((Duplicate))</del> License print fee | ((25.00))<br><u>5.00</u>    |
| Funeral establishment:                     |                             |
| Original application                       | ((400.00))<br><u>540.00</u> |
| Renewal                                    | ((325.00))<br><u>439.00</u> |
| Branch license                             | ((350.00))<br><u>473.00</u> |
| Branch renewal                             | ((325.00))<br><u>439.00</u> |
| <del>((Preneed application</del>           | 250.00                      |
| <del>Preneed renewal</del>                 | 225.00))                    |
| License print fee                          | <u>5.00</u>                 |
| <u>Prearrangement funeral services:</u>    |                             |
| <u>Application</u>                         | <u>338.00</u>               |
| <u>Renewal</u>                             | <u>304.00</u>               |
| <u>License print fee</u>                   | <u>5.00</u>                 |
| Academic intern                            | No fee                      |
| Certificate of removal license:            |                             |
| Application                                | ((30.00))<br><u>41.00</u>   |
| Renewal                                    | ((15.00))<br><u>25.00</u>   |
| Retired status certificate                 | No fee                      |

(2) Cemetery fees.

| Title of Fee   | Fee                           |
|--|-------------------------------|
| Certificate of authority:  |                               |
| Application  | ((300.00))<br><u>\$405.00</u> |
| License print fee  | <u>5.00</u>                   |
| Renewal:   | ((6.20))<br><u>8.37</u>       |
| Charge per each interment, entombment and inurnment during preceding calendar year collected at renewal or change of ownership |                               |
| Prearrangement sales <del>((license))</del> endorsement  |                               |
| Application  | ((250.00))<br><u>338.00</u>   |
| Renewal  | ((225.00))<br><u>304.00</u>   |
| Exemption from prearrangement sales <del>((license))</del> endorsement   |                               |
| Application  | ((70.00))<br><u>95.00</u>     |
| Renewal  | ((35.00))<br><u>47.00</u>     |

| Title of Fee  | Fee                       |
|---|---------------------------|
| Disposition permit for human remains following cremation, alkaline hydrolysis, or natural organic reduction |                           |
| Application   | ((70.00))<br><u>95.00</u> |
| Renewal   | ((35.00))<br><u>47.00</u> |

(3) **Reduction facility fees.**

| Title of Fee  | Fee                           |
|---|-------------------------------|
| Crematory license application   | ((210.00))<br><u>\$284.00</u> |
| Alkaline hydrolysis license application   | ((210.00))<br><u>284.00</u>   |
| Natural organic reduction license application   | ((210.00))<br><u>284.00</u>   |
| <u>License print fee</u>  | <u>5.00</u>                   |
| Renewal:  | ((8.00))<br><u>10.80</u>      |
| Regulatory fee for crematories, alkaline hydrolysis facilities, and natural organic reduction facilities collected at time of renewal per cremation, hydrolysis, or natural organic reduction performed during previous calendar year |                               |
| Crematory operator license:   |                               |
| Application   | ((135.00))<br><u>182.00</u>   |
| Renewal   | ((100.00))<br><u>135.00</u>   |
| Alkaline hydrolysis operator license:   |                               |
| Application   | ((135.00))<br><u>182.00</u>   |
| Renewal   | ((100.00))<br><u>135.00</u>   |
| Natural organic reduction facility operator license:  |                               |
| Application   | ((135.00))<br><u>182.00</u>   |
| Renewal   | ((100.00))<br><u>135.00</u>   |

[Statutory Authority: RCW 68.05.105 and 18.39.175. WSR 20-09-031, § 308-48-800, filed 4/6/20, effective 5/7/20. Statutory Authority: RCW 68.05.205, 18.39.050, and 43.24.086. WSR 14-24-067, § 308-48-800, filed 11/26/14, effective 1/1/15. Statutory Authority: RCW 18.39.050 and 18.39.175, chapter 34.05 RCW and RCW 43.24.086. WSR 10-24-046, § 308-48-800, filed 11/24/10, effective 1/1/11; WSR 09-17-116, § 308-48-800, filed 8/18/09, effective 9/18/09. Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-18-030, § 308-48-800, filed 8/28/07, effective 9/28/07; WSR 07-03-027, § 308-48-800, filed 1/5/07, effective 2/5/07. Statutory Authority: RCW 18.39.181 and chapter 34.05 RCW. WSR 05-20-076, § 308-48-800, filed 10/4/05, effective 11/4/05. Statutory Authority: RCW 18.39.050. WSR 03-11-021, § 308-48-800, filed

5/12/03, effective 6/30/03. Statutory Authority: RCW 18.39.181. WSR 99-16-040, § 308-48-800, filed 7/29/99, effective 8/29/99. Statutory Authority: RCW 18.39.175(4). WSR 98-21-056, § 308-48-800, filed 10/19/98, effective 11/19/98; WSR 91-11-023, § 308-48-800, filed 5/7/91, effective 6/7/91; WSR 91-01-006, § 308-48-800, filed 12/6/90, effective 1/6/91. Statutory Authority: RCW 43.24.086. WSR 90-07-024, § 308-48-800, filed 3/14/90, effective 4/14/90; WSR 87-10-028 (Order PM 650), § 308-48-800, filed 5/1/87.]