

WSR 23-06-059

PROPOSED RULES

DEPARTMENT OF HEALTH

[Filed February 27, 2023, 4:53 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 22-20-014.

Title of Rule and Other Identifying Information: Occupational therapy licensure compact (compact) fees and renewal cycle. The department of health (department) is proposing new WAC 246-847-991 to implement SB 5518, which creates a new interstate licensure compact for occupational therapy and gives member states the discretion to charge a fee for granting compact privileges. The proposed rule specifies the fees and renewal cycle.

Hearing Location(s): On April 4, 2023, at 9:00 a.m. The department will be holding a virtual-only hearing. Register in advance for this webinar https://us02web.zoom.us/webinar/register/WN_02-K67eS2CmxUGs2Q9Frw. After registering, you will receive a confirmation email containing information about joining the webinar.

Date of Intended Adoption: April 11, 2023.

Submit Written Comments to: Kathy Weed, Department of Health, P.O. Box 47852, Olympia, WA 98504-7852, email kathy.weed@doh.wa.gov, fax 360-236-2901, <https://fortress.wa.gov/doh/policyreview>, by April 4, 2023.

Assistance for Persons with Disabilities: Contact Kathy Weed, phone 360-236-4883, fax 360-236-2901, TTY 360-833-6388 or 711, email kathy.weed@doh.wa.gov, by March 21, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: SB 5518, passed in 2022 and codified in RCW 18.59.180, enacted the occupational therapy licensure compact (compact) in Washington state. The purpose of the compact is to facilitate interstate practice of occupational therapists and occupational therapy assistants. RCW 18.59.180, Article 3(3), allows the state of Washington to collect fees for the compact. The purpose of the proposal is to charge a fee for granting the privilege of licensure in Washington through the compact.

Reasons Supporting Proposal: RCW 43.70.250 requires that the costs of licensing each profession be fully borne by members of that profession. The office of financial management also requires professions to maintain a reasonable cash reserve to cover fluctuations in cash flow and operating expenses. These fees are needed to ensure the department is in line with RCW 43.70.250 and the fees set are sufficient to recover the costs of issuing a license for compact privileges.

Statutory Authority for Adoption: RCW 43.70.110, 43.70.250, and 43.70.280; and SB 5518 (chapter 152, Laws of 2022), codified as RCW 18.59.180.

Statute Being Implemented: RCW 18.59.180.

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

Name of Proponent: Department of health, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Kathy Weed, 111 Israel Road S.E., Tumwater, WA 98501, 360-236-4883.

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. As defined in RCW 34.05.328 (5)(b), the department has determined that no significant analysis is required because the rule sets fees.

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.

Scope of exemption for rule proposal:

Is fully exempt.

February 27, 2023
Kristin Peterson, JD
Chief of Policy
for Umair A. Shah, MD, MPH
Secretary

OTS-4276.2

NEW SECTION

WAC 246-847-991 Occupational therapy licensure compact privilege fees and renewal cycle. (1) The compact privilege must be renewed no later than the expiration date of the home state license. The compact privilege holder must comply with all occupational therapy compact eligibility requirements in RCW 18.59.180 to maintain the compact privilege.

(2) The following nonrefundable fees will be charged:

Title of Fee	Fee
Application - Original license	\$150.00
Compact renewal	\$125.00

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