

**WSR 23-16-127**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**  
(Board of Nursing)  
[Filed August 1, 2023, 11:58 a.m.]

Subject of Possible Rule Making: Creating a fee and updating a surcharge for a multistate nursing license. WAC 246-840-990 Fees and renewal cycle. The department of health (department) in consultation with the Washington state board of nursing (board), formerly known as nursing care quality assurance commission, must update an existing licensing surcharge amount in rule to comply with the new surcharge amount in law. The department and the board are also considering rule making to create a fee for a new multistate license option for registered nurses (RNs) and licensed practical nurses (LPNs) residing in Washington state in keeping with SSB 5499 Multistate nurse licensure compact (chapter 123, Laws of 2023), effective July 23, 2023.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.79.202, 43.70.110, 43.70.250, 43.70.280; and SSB 5499 (chapter 123, Laws of 2023).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making is needed to bring the rule in compliance with the law as amended by SSB 5499, effective July 23, 2023, which changes an existing surcharge from \$5 to \$8 on all license types for RNs and LPNs. Advanced registered nurse practitioners are only required to pay the surcharge on their RN licenses. The surcharge provides grants to a central nursing resource center.

Rule making is also necessary to enact provisions in SSB 5499 to include Washington state in a nurse licensure compact with multiple states. The legislation created a new multistate license option for RNs and LPNs whose primary state of residence is Washington. The department and board will consider the fee to be charged for the new license type during the rule-making process. The multistate license option will allow RNs and LPNs who reside in Washington State to forgo their single-state license and practice in person or via telehealth in other compact states. To maintain the multistate license issued in Washington State, the RN or LPN must maintain their primary residence in Washington state.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Collaborative.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jessilyn Dagum, P.O. Box 47864, Olympia, WA 98504-7864, phone 360-236-3538, fax 360-236-4738, TTY 711, email NCQAC.RULES@doh.wa.gov, website www.nursing.wa.gov.

Additional comments: The board will notify interested parties of rule making by posting information on the department website, the board website, and by use of GovDelivery. Interested parties may sign up to receive board rule-making notices at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>, select the "Subscribe" button at the bottom of the page, and then select "Nursing Commission." The board will hold virtual meetings at varying times to encourage participation.

July 28, 2023  
Kristin Peterson, JD  
Chief of Policy

