

WSR 24-03-138
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed January 23, 2024, 12:58 p.m.]

Subject of Possible Rule Making: Temporary worker housing fees; the department of health (department) is considering amending fees in WAC 246-358-990 to cover operating costs in the temporary worker housing program. The department will consider updating or restructuring existing fees and creating new fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.114A RCW; RCW 43.70.334, 43.70.335, and 43.70.340.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 43.70.335 and 43.70.340 require temporary worker housing owners and operators to have an annual operating license and pay a fee. The department is required to charge a fee for each operating license issued to owners or operators of temporary worker housing facilities regulated by the department. The fee must cover the cost of administering a license and enforcing the department's temporary worker building code according to RCW 70.114A.081. The department conducted an initial assessment of the program and determined the current fee is not generating sufficient revenue to cover the program's costs. As a result, the department is considering updating or proposing new fees for temporary worker housing facilities to cover the costs of the program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of labor and industries and employment security department also regulate temporary worker housing facilities. The department is the responsible agency according to RCW 70.114A.040 to coordinate activities. The department has memorandum of understanding agreements with both agencies that identify respective roles and responsibilities.

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 Peter Beaton, P.O. Box 47820, Olympia, WA 98504-7820, phone 360-236-4031, TTY 711, email peter.beaton@doh.wa.gov, website www.doh.wa.gov; or Juan Gamez Briceno, P.O. Box 47820, Olympia, WA 98504-7820, phone 360-628-6620, TTY 711, email juan.gamezbriceno@doh.wa.gov, website www.doh.wa.gov.

Additional comments: The department will use a collaborative rule making approach by keeping interested parties informed of the rule development through GovDelivery email, and posting information on the department's rule-making websites. Interested parties will have the opportunity to provide comments throughout the rule-making process and at the public hearing.

January 23, 2024
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