

WSR 26-04-087
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed January 30, 2026, 7:30 a.m.]

Subject of Possible Rule Making: Updating the osteopathic physician and surgeon fees in WAC 246-853-990. The department of health (department), in consultation with the board of osteopathic medicine and surgery (board), is considering rule amendments that include removing the Washington osteopathic principals and practices (OP&P) exam and re-exam fee, adding the Washington physicians health program (WPHP) impaired practitioner surcharge to initial licensure for osteopathic physicians, and updating fees to appropriate levels for the program's operating costs and reserve levels.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.57.015, 43.70.110, 43.70.250, and 43.70.280.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: OP&P exam fee: On January 7, 2025, the board adopted amendments to the osteopathic physician examination requirements listed under WAC 246-853-020. The purpose of this rule project was to simplify the examination requirements for out-of-state applicants entering in the Washington workforce. As a result, the board removed the OP&P exam as a requirement for licensure. In response to this update, the department is considering an amendment that removes the OP&P exam and re-exam fee from rule.

Impaired practitioner WPHP surcharge: As required by RCW 18.57.015, the board contracts with the WPHP to implement and operate an impaired practitioner program. Contracts with WPHP are financed by a surcharge applied to the osteopathic physician license. Currently, WAC 246-853-990 only provides for collection of the WPHP surcharge on license renewal. To adequately fund the board's contract with WPHP, the department is considering adding the surcharge to initial licensure as authorized by RCW 18.57.015.

Osteopathic licensing fees: RCW 43.70.250 requires that licensing fees cover regulatory program expenses which necessitates the program to be self-funding. Limited fee adjustments may be made to ensure revenue is adequate to support regulated activities and maintain sufficient reserve levels without generating a surplus.

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 rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Heather Cantrell, P.O. Box 47850, Olympia, WA 98504-7850, TTY 711, email HSQAfeerules@doh.wa.gov, website doh.wa.gov, <https://public.govdelivery.com/accounts/WADOH/subscriber/new>.

Additional comments: Rule-making notices will be delivered via the GovDelivery program name list. To receive notices, interested persons may sign up for any or all of the lists. Go to <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. After signing in, click open the box labeled "Health Systems Quality Assurance." Next, click open the box labeled "Health Professions" and then, click on "Osteopath." You may also check the box next to one or more of the other professions listed to receive information related to that specific profession.

January 30, 2026
Kristin Peterson, JD

Chief of Policy
for Dennis E. Worsham
Secretary of Health