

WSR 26-04-100

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed February 2, 2026, 7:58 a.m., effective July 1, 2026]

Effective Date of Rule: July 1, 2026.

Purpose: Birthing center fees; the department of health (department) is adopting rule amendments to update the existing fees and adding a fee and fee structure to include accreditation status for birthing centers in WAC 246-329-990.

Citation of Rules Affected by this Order: Amending WAC 246-329-990.

Statutory Authority for Adoption: RCW 18.46.030, 43.70.110, and 43.70.250.

Adopted under notice filed as WSR 25-24-078 on December 1, 2025.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: January 30, 2026.

Kristin Peterson, JD
Chief of Policy
for Dennis E. Worsham
Secretary of Health

RDS-6631.4

AMENDATORY SECTION (Amending WSR 25-15-078, filed 7/15/25, effective 8/15/25)

WAC 246-329-990 Fees. The purpose of the fees section is to describe the fees associated with licensing, renewal, and other charges assessed by the department.

(1) A birthing center recognized as a charitable, nonprofit, or government-operated institution is exempt from fees under RCW 18.46.030.

(2) A birthing center shall submit a \$3,000 application fee to the department.

(3) A birthing center((s)) licensed under chapter 18.46 RCW ((must)) shall submit to the department an annual renewal fee of ((\$713 to the department unless a center is a charitable, nonprofit, or government-operated institution under RCW 18.46.030.

-(2)-) either:

(a) \$3,000 for a birthing center; or

(b) \$1,800 for an accredited birthing center under RCW 18.46.080.

~~(4)~~ A change of ownership fee of ~~(((\$178))~~ \$1,000. A new license will be issued and valid for the remainder of the current license period.

~~((+3))~~ (5) The department may charge and collect from a licensee a fee of ~~(((\$892))~~ \$3,000 for:

(a) An on-site follow-up compliance survey deemed necessary in order to complete the standard survey process;

(b) An on-site compliance survey deemed necessary due to failure of the licensee to adequately respond to a statement of deficiencies; or

(c) An on-site compliance survey deemed necessary due to a substantiated complaint investigation.

~~((+4))~~ (6) A licensee ~~((must))~~ shall submit an additional late fee in the amount of ~~(((\$29))~~ \$50 per day, not to exceed ~~(((\$595))~~ \$1,000, from the renewal date (which is 30 days before the current license expiration date) until the date of mailing the fee, as evidenced by the postmark, or electronic submission.

~~((+5))~~ (7) Refunds. The department ~~((must))~~ shall refund fees paid by the applicant for initial licensure as follows:

(a) If an application has been received but no on-site survey or technical assistance has been performed by the department, two-thirds of the fees paid, less a \$50 processing fee; or

(b) If an application has been received and an on-site survey or technical assistance has been performed by the department, one-third of the fees paid, less a \$50 processing fee.

(c) The department may not refund applicant fees if:

(i) The department has performed more than one on-site visit for any purpose;

(ii) One year has elapsed since an initial licensure application is received by the department, but no license is issued because applicant failed to complete requirements for licensure; or

(iii) The amount to be refunded as calculated by (a) or (b) of this subsection is \$10 or less.