WSR 26-17-020
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed August 7, 2026, 7:50 a.m.]

Subject of Possible Rule Making: The department of health (department) is considering rule amendments to update fees for medical test sites, WAC 246-338-990. The department may also consider changes to clarify and standardize language.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.70.110, 43.70.250, and 70.42.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering amendments to WAC 246-338-990 regarding a potential adjustment to initial license, renewal, and other charges for medical test sites to address funding requirements. The requirement in RCW 43.70.250 states that fees must cover regulatory program expenses, which necessitates the program to be self-funding, and changes to rules are the only way to make fee adjustments.

Revenue from medical test site fees must support mandated licensing and regulatory activities, such as issuing licenses and ongoing inspections and investigations. In addition to covering current expenses, the revenue level must also provide a reserve for unexpected program costs. The office of financial management recommends a reserve level of two months of expenditures. Based on a regular review, it was discovered that current revenue may not be adequate to support regulated activities and ensure sufficient reserve levels. Fees were last adjusted in 2023.

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.

Additional comments: The department will use existing email lists and other known contact information to inform interested parties of opportunities to provide input on proposed rule language. To find out more information about our rule making, visit www.doh.wa.gov. To subscribe, visit www.doh.wa.gov, and select the "Sign up for Updates From DOH" button at the bottom of the page. After signing in, please select the box labeled "Health Systems Quality Assurance." Next, select the box labeled "Medical Test Site Notifications."

August 6, 2026
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