



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 10, 2019
TIME: 2:25 PM

WSR 19-21-052

Agency: Department of Health

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) 02/01/2020 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: WAC 246-919-990 Physician and surgeon fees and renewal cycle and 246-918-990 Physician assistant fees and renewal cycle. The adopted rules increase renewal fees and late renewal penalties for physicians and physician assistants. The Washington Medical Commission (commission) and Department of Health (department) project this program's fund balance to fall into a nearly -\$6.7 million deficit by the end of the 2019-21 biennium. RCW 43.70.250 requires licensing programs to be self-supporting and department policy and Office of Financial Management guidelines require professions to have a sufficient reserve to cover unexpected costs. The adopted fees are needed to generate sufficient revenue to align revenues with the costs of regulating allopathic physicians and physician assistants, correct the projected deficit, and maintain a reserve to cover unanticipated costs.

Citation of rules affected by this order:

- New: None
- Repealed: None
- Amended: WAC 246-919-990 and 246-918-990
- Suspended: None

Statutory authority for adoption: RCW 43.70.250 and 43.70.280

Other authority: RCW 43.70.250 and 43.70.280

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 19-08-090 on 04/03/2019 (date).

Describe any changes other than editing from proposed to adopted version: The adopted rule was changed from the proposed version in response to stakeholder comments and concerns. Due to significant feedback from licensees and stakeholders, the proposed fee increase for renewals was reduced from \$880 to \$824 for physicians and from \$265 to \$247 for physician assistants. Late penalties are calculated using set standards. Because of the adjustments to the renewal fees, it was necessary to adjust the late renewal fee for physician assistants from \$130 to \$124. The late renewal fee for the physicians did not need adjusting as the calculated amount did not change.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Web site:
- Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Federal rules or standards:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Recently enacted state statutes:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>

The number of sections adopted at the request of a nongovernmental entity:

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted in the agency's own initiative:

New	<u>0</u>	Amended	<u>2</u>	Repealed	<u>0</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted using:

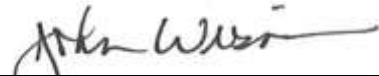
Negotiated rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Pilot rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Other alternative rule making:	New	<u>0</u>	Amended	<u>2</u>	Repealed	<u>0</u>

Date Adopted: 10/08/2019

Name: John Wiesman, DrPH, MPH

Title: Secretary of Health

Signature:



AMENDATORY SECTION (Amending WSR 15-20-050, filed 9/30/15, effective 1/1/16)

WAC 246-918-990 Physician assistants fees and renewal cycle.

(1) Licenses must be renewed every two years on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) The applicant or licensee must pay the following nonrefundable fees:

Title of Fee	Fee
Physician assistants:	
Original application (((annual))*	\$116.00))
<u>Application</u>	<u>\$50.00</u>
<u>UW HEAL-WA surcharge*</u>	<u>16.00</u>
<u>Washington physician health program surcharge</u>	<u>50.00</u>
Active license renewal	
Two-year renewal(((*	202.00))
	<u>247.00</u>
<u>UW HEAL-WA surcharge*</u>	<u>32.00</u>
<u>Washington physician health program surcharge*</u>	<u>100.00</u>
Late renewal fee	((50.00))
	<u>124.00</u>
Expired license reissuance	50.00
Retired active license renewal	
Two-year renewal(((**	135.00))
	<u>35.00</u>
<u>Washington physician health program surcharge*</u>	<u>100.00</u>
Late renewal fee	35.00
Duplicate license	15.00

* ((Includes)) The Washington physician health program surcharge (RCW 18.71A.020(3)) is assessed at \$50.00 per year, and the University of Washington (UW) HEAL-WA web portal access fee (RCW 43.70.110) assessed at \$16.00 per year.

** ((Includes)) The Washington physician health program surcharge is assessed at \$50.00 per year.

WAC 246-919-990 Physician and surgeon fees and renewal cycle.

(1) Licenses must be renewed every two years on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2, except postgraduate training limited licenses.

(2) Postgraduate training limited licenses must be renewed every year to correspond to the program's date.

(3) A retired active physician who resides and practices in Washington and obtains or renews a retired active license is exempt from all licensing fees except for the impaired physician program surcharge authorized by RCW 18.71.310.

(4) The applicants and licensees must pay the following nonrefundable fees:

<u>(Title of Fee</u>	<u>Fee</u>
Physicians and surgeons: Chapter 18.71 RCW	
Application (annual)*	\$491.00
Two-year renewal*	657.00
Late renewal penalty	262.50
Expired license reissuance	262.50
Certification of license	50.00
Duplicate license	15.00
Temporary permit	50.00
Application fee for transitioning from a postgraduate training limited license (annual)*	166.00
Retired active physicians and surgeons: (Two-year cycle)	
Retired active physician who resides and practices in-state per RCW 18.71.080 and 18.130.250 (Washington physician health program surcharge)	100.00
Retired active physician license renewal *(does not meet in-state exemption)	332.00
Retired active late renewal penalty	50.00
Postgraduate limited license fees: RCW 18.71.095 (One-year cycle)	
Limited license application*	391.00
Limited license renewal*	391.00
Limited duplicate license	15.00))
<u>Title of Fee</u>	<u>Fee</u>
<u>Original application</u>	
<u>Application</u>	<u>\$425.00</u>
<u>UW HEAL-WA surcharge*</u>	<u>16.00</u>
<u>Washington physician health program surcharge*</u>	<u>50.00</u>
<u>Active license renewal</u>	
<u>Two-year renewal</u>	<u>824.00</u>
<u>UW HEAL-WA surcharge*</u>	<u>32.00</u>

<u>Title of Fee</u>	<u>Fee</u>
<u>Washington physician health program surcharge*</u>	<u>100.00</u>
<u>Late renewal penalty</u>	<u>300.00</u>
<u>Expired license reissuance</u>	<u>262.50</u>
<u>Retired active license renewal</u>	
<u>(resides and practices in-state per RCW 18.71.080 and 18.130.250)</u>	
<u>Two-year renewal (only includes Washington physician health program surcharge)**</u>	<u>100.00</u>
<u>Retired active license renewal</u>	
<u>(does not meet in-state exemption)</u>	
<u>Two-year renewal</u>	<u>200.00</u>
<u>UW HEAL-WA surcharge*</u>	<u>32.00</u>
<u>Washington physician health program surcharge*</u>	<u>100.00</u>
<u>Late renewal penalty</u>	<u>100.00</u>
<u>Verification of license</u>	<u>50.00</u>
<u>Duplicate license</u>	<u>15.00</u>
<u>Temporary permit</u>	<u>50.00</u>
<u>Transitioning from postgraduate training limited license</u>	
<u>Application fee</u>	<u>100.00</u>
<u>UW HEAL-WA surcharge*</u>	<u>16.00</u>
<u>Washington physician health program surcharge*</u>	<u>50.00</u>
<u>Postgraduate limited license: RCW 18.71.095</u>	
<u>(One-year cycle)</u>	
<u>Original application</u>	
<u>Application</u>	<u>325.00</u>
<u>UW HEAL-WA surcharge*</u>	<u>16.00</u>
<u>Washington physician health program surcharge*</u>	<u>50.00</u>
<u>Limited license renewal</u>	
<u>(One-year cycle)</u>	
<u>Renewal</u>	<u>325.00</u>
<u>UW HEAL-WA surcharge*</u>	<u>16.00</u>
<u>Washington physician health program surcharge*</u>	<u>50.00</u>
<u>Limited duplicate license</u>	<u>15.00</u>

* ((The application or renewal fee includes:)) The Washington physician health program surcharge (RCW 18.71.310(2)) is assessed at \$50.00 per year, and the University of Washington (UW) HEAL-WA web portal access fee (RCW 43.70.110) is assessed at \$16.00 per year.