



EXPEDITED RULE MAKING

CR-105 (December 2017) (Implements RCW 34.05.353)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 02, 2024

TIME: 1:23 PM

WSR 24-14-126

Agency: Department of Health

Title of rule and other identifying information: Nursing fee rule housekeeping correction to totals. The Department of Health (department), in consultation with the Washington State Board of Nursing (board), is proposing amendments to WAC 246-840-990 to make a housekeeping change to correct fee total amounts.

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

In January 2024, the Department of Health (department) in consultation with the Washington State Board of Nursing (board), adopted amendments to WAC 246-840-990. These amendments were introduced to establish the multistate nursing license fee and increase the nursing center surcharge fee as directed by Substitute Senate Bill (SSB) 5499 (chapter 123, Laws of 2023). The nursing center surcharge fee increased from five to eight dollars per year for all initial licenses and renewal licenses for registered nurses (RN) and licensed practical nurses (LPN).

It was discovered that the fee totals for retired active and inactive licenses in WAC 246-840-990 were incorrect and did not include the increased surcharge fee. The department, in consultation with the board, is proposing further amendments to WAC 246-840-990 to correct these amounts and ensure the fee totals accurately reflect the updated surcharge fee. There is no change to the actual fees being charged; this correction only impacts a math error in the total lines.

Reasons supporting proposal: The proposed amendments ensure accuracy in the nurse license fee structure. By correcting the fee totals for retired active and inactive RN and LPN licenses to include the increased nursing center surcharge, the department and board are aligning the nurse license fees with legislative directives established by SSB 5499. The proposed amendments will avoid confusion regarding the correct fee amounts, promoting transparency and clarity in the board's licensing process.

Statutory authority for adoption: RCW 43.70.110, 43.70.250, and 43.70.280

Statute being implemented: RCW 18.79.202

Is rule necessary because of a:

- Federal Law? Yes No
- Federal Court Decision? Yes No
- State Court Decision? Yes No

If yes, CITATION:

Name of proponent: Department of Health

- Private
- Public
- Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Jessilyn Dagum	111 Israel Rd SE, Tumwater, WA 98501	360-236-3538
Implementation:	Amber Zawislak-Bielaski	111 Israel Rd SE, Tumwater, WA 98501	360-236-4785

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None

Expedited Adoption - Which of the following criteria was used by the agency to file this notice:

- Relates only to internal governmental operations that are not subject to violation by a person;
- Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- Content is explicitly and specifically dictated by statute;
- Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- Is being amended after a review under RCW 34.05.328.

Expedited Repeal - Which of the following criteria was used by the agency to file notice:

- The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- The rule is no longer necessary because of changed circumstances; or
- Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4): This expedited proposal is in accordance with RCW 34.05.533(1)(c) and corrects typographical totaling errors in WAC 246-840-990.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: Jessilyn Dagum
 Agency: Department of Health – Washington State Board of Nursing
 Address: PO Box 47864, Olympia, WA 98504-7866
 Phone: 360-236-3538
 Fax: 360-236-4738
 Email: WABONRules@doh.wa.gov
 Other: HSQAFeeRules@doh.wa.gov

AND RECEIVED BY (date) midnight on 9/3/2024

Date: July 2, 2024

Name: Todd Mountin, PMP for Umair A. Shah, MD, MPH

Title: Deputy Chief of Policy for Secretary of Health

Signature:



WAC 246-840-990 Fees and renewal cycle. (1) A licensed practical nurse (LPN) or a registered nurse (RN) must renew their single or multistate license every year on the licensee's birthday.

(2) When applying for a license an applicant for an initial or renewal LPN license or RN license must pay, in addition to the application fee, the University of Washington (UW) health sciences online library access (HEAL-WA) surcharge and the central nursing resource center (nursing center) surcharge, as required in RCW 43.70.110.

(3) An advanced registered nurse practitioner (ARNP) must renew their license every two years on the licensee's birthday. An ARNP must also hold a valid single or multistate RN license and pay all associated fees every year on the licensee's birthday.

(4) A nursing technician must renew their registration every year on the practitioner's birthday. The renewal must be accompanied by an attestation as required in RCW 18.79.370 that includes the nursing technician's anticipated graduation date. If the anticipated graduation date is within one year, the registration will expire 30 days after the anticipated graduation date. The expiration date may be extended to 60 days after graduation if the nursing technician can show good cause as defined in WAC 246-840-010(15).

(5) A practitioner who holds more than one credential will be charged separate fees for each credential, in compliance with WAC 246-12-020 through 246-12-051 and RCW 43.70.110.

(6) The following nonrefundable fees will be charged:

Application Fees

	Registered Nurse	Multistate Registered Nurse ²	Licensed Practical Nurse	Multistate Licensed Practical Nurse ²	Advanced Registered Nurse Practitioner ¹	Nursing Technician
Application Fee	114	114	69	69	130	25
HEAL-WA Surcharge	16	16	16	16	0	0
Nursing Center Surcharge	8	8	8	8	0	0
Multistate License Fee	0	65	0	65	0	0
Total	138	203	93	158	130	25

¹ Pays a \$130 application fee per specialty license. If not currently a licensed RN, must also pay RN application fees.

² Providers currently licensed in Washington state pay the \$65 multistate license fee to convert their existing license to a multistate license.

On-Time Renewal

	Registered Nurse	Multistate Registered Nurse	Licensed Practical Nurse	Multistate Licensed Practical Nurse	Advanced Registered Nurse Practitioner ²	Nursing Technician
Renewal Fee	114	114	69	69	130	25
HEAL-WA Surcharge	16	16	16	16	0	0

On-Time Renewal

	Registered Nurse	Multistate Registered Nurse	Licensed Practical Nurse	Multistate Licensed Practical Nurse	Advanced Registered Nurse Practitioner ²	Nursing Technician
Nursing Center Surcharge	8	8	8	8	0	0
Multistate License Fee	0	20	0	20	0	0
Total	138	158	93	113	130	25

²Pays a \$130 renewal fee per specialty license once every two years. Must also renew RN license every year.

Late Renewal - Up to One Year Past the Expiration

	Registered Nurse	Multistate Registered Nurse	Licensed Practical Nurse	Multistate Licensed Practical Nurse	Advanced Registered Nurse Practitioner ³	Nursing Technician
Renewal Fee	114	114	69	69	130	25
HEAL-WA Surcharge	16	16	16	16	0	0
Nursing Center Surcharge	8	8	8	8	0	0
Late Renewal Penalty	50	50	50	50	50	25
Multistate License Fee	0	20	0	20	0	0
Total	188	208	143	163	180	50

³Pays \$50 per specialty license in late fees.

Late Renewal - One Year or More Expired

	Registered Nurse	Multistate Registered Nurse	Licensed Practical Nurse	Multistate Licensed Practical Nurse	Advanced Registered Nurse Practitioner	
Renewal Fee	114	114	69	69	130	
HEAL-WA Surcharge	16	16	16	16	0	
Nursing Center Surcharge	8	8	8	8	0	
Late Renewal Penalty	50	50	50	50	50	
Expired Licenses Reissuance	70	70	70	70	0	
Multistate License Fee	0	20	0	20	0	
Total	258	278	213	233	180	

Retired Active Renewal

	Registered Nurse		Licensed Practical Nurse			
Renewal Fee	44		44			
HEAL-WA Surcharge	16		16			

Retired Active Renewal

	Registered Nurse		Licensed Practical Nurse			
Nursing Center Surcharge	8		8			
Total	<u>((65)) 68</u>		<u>((65)) 68</u>			

Retired Active Renewal—Late Renewal - Up to One Year Past the Expiration

	Registered Nurse		Licensed Practical Nurse			
Renewal Fee	44		44			
HEAL-WA Surcharge	16		16			
Nursing Center Surcharge	8		8			
Late Renewal Penalty	45		45			
Total	<u>((110)) 113</u>		<u>((110)) 113</u>			

Retired Active Renewal—Late Renewal - One Year or More Expired

	Registered Nurse		Licensed Practical Nurse			
Renewal Fee	44		44			
HEAL-WA Surcharge	16		16			
Nursing Center Surcharge	8		8			
Late Renewal Penalty	45		45			
Expired License Reissuance	70		70			
Total	<u>((180)) 183</u>		<u>((180)) 183</u>			

Inactive License Renewal

	Registered Nurse		Licensed Practical Nurse		Advanced Registered Nurse Practitioner	
Renewal Fee	44		44		40	
HEAL-WA Surcharge	16		16		0	
Nursing Center Surcharge	8		8		0	
Total	<u>((65)) 68</u>		<u>((65)) 68</u>		40	

Inactive License Renewal—Late Renewal - Up to One Year Past the Expiration

	Registered Nurse		Licensed Practical Nurse		Advanced Registered Nurse Practitioner	
Renewal Fee	44		44		40	
HEAL-WA Surcharge	16		16		0	

Inactive License Renewal—Late Renewal - Up to One Year Past the Expiration

	Registered Nurse		Licensed Practical Nurse		Advanced Registered Nurse Practitioner	
Nursing Center Surcharge	8		8		0	
Late Renewal Penalty	45		45		40	
Total	((110)) 113		((110)) 113		80	

Inactive License Renewal—Late Renewal - One Year or More Expired

	Registered Nurse		Licensed Practical Nurse		Advanced Registered Nurse Practitioner	
Renewal Fee	44		44		40	
HEAL-WA Surcharge	16		16		0	
Nursing Center Surcharge	8		8		0	
Late Renewal Penalty	45		45		40	
Expired License Reissuance	40		40		40	
Total	((150)) 153		((150)) 153		120	

Other fees

	Registered Nurse		Licensed Practical Nurse		Advanced Registered Nurse Practitioner	Nursing Technician
Duplicate Licensee or Registration	20		20		20	15
Verification Licensure	25		25		25	25