

HOUSE BILL REPORT

HB 1753

As Passed Legislature

Title: An act relating to requiring a statement of inquiry for rules affecting fees related to health professions.

Brief Description: Requiring a statement of inquiry for rules affecting fees related to health professions.

Sponsors: Representatives Riccelli, Macri and Harris.

Brief History:

Committee Activity:

Health Care & Wellness: 2/15/19, 2/19/19 [DP].

Floor Activity:

Passed House: 3/8/19, 98-0.

Passed Senate: 4/15/19, 48-0.

Passed Legislature.

Brief Summary of Bill

- Requires a disciplining authority to file a statement of inquiry prior to initiating formal rulemaking to set or adjust fees affecting health professions.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: Do pass. Signed by 15 members: Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; Chambers, Davis, DeBolt, Harris, Jinkins, Maycumber, Riccelli, Robinson, Stonier, Thai and Tharinger.

Staff: Jim Morishima (786-7191).

Background:

Health Professions Fees.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Health professions are licensed and regulated by disciplining authorities, which charge licensing fees to license holders. These fees must be set in an amount to cover the costs of the licensing programs. A recent performance audit by the State Auditor found that revenues from some health professions have been covering the costs of licensing other professions.

Rulemaking Process.

Before initiating the formal rulemaking process, state agencies must file a statement of inquiry with the Code Reviser to solicit comments on the possible rulemaking. The statement of inquiry must identify the statutory authority for the rule, discuss why rules on the subject may be needed and what they will accomplish, identify other federal and state agencies that regulate the subject, discuss the possible rulemaking process, and specify the process by which interested parties may participate in the decision to adopt a new rule and formulation of a proposed rule prior to publication. An agency is not required to file a statement of inquiry under specific circumstances, including for rules that set or adjust fees pursuant to legislative standards.

Summary of Bill:

A disciplining authority must file a statement of inquiry prior to initiating formal rulemaking to set or adjust fees affecting health professions.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill puts rules affecting health profession fees in alignment with other types of rules. There is a long history around fee setting and the Health Professions Account. Some professions have extremely high fees. Requiring a statement of inquiry makes early engagement on these rules possible and makes these rules more like significant legislative rules. This bill will allow providers to engage in a collaborative and transparent process with the Department of Health before these rules go into effect.

(Opposed) None.

Persons Testifying: Representative Riccelli, prime sponsor; Katie Kolan, Washington State Medical Association; Carolyn Logue, Washington Denturist Association; and Courtney Smith, Kaiser Permanente.

Persons Signed In To Testify But Not Testifying: None.