



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (October 2017)  
(Implements RCW 34.05.310)**

Do **NOT** use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: January 27, 2023

TIME: 3:26 PM

WSR 23-04-060

**Agency:** Department of Health

**Subject of possible rule making:**

WAC 246-254-053, Radiation machine facility fees. The Department of Health (department) is considering amending registration and tube fees to cover operating costs. This may include updating or restructuring existing fees or creating new fees.

**Statutes authorizing the agency to adopt rules on this subject:**

RCW 43.70.110 and 43.70.250

**Reasons why rules on this subject may be needed and what they might accomplish:**

Per RCW 43.70.250, the Secretary of Health (secretary) shall from time to time establish the amount of all application fees, license fees, registration fees, examination fees, permit fees, renewal fees, and any other fee associated with licensing or regulation of professions, occupations, or businesses (licensees) administered by the Department of Health (department). Any and all fees or assessments, or both, levied on the state to cover the costs of the operations and activities shall be borne by the persons who hold licenses. In fixing said fees, the secretary shall set the fees for each program at a sufficient level to defray the costs of administering that program.

The department has completed an initial assessment of the radiation machine program fiscal resources and determined the program is not generating sufficient revenue to cover the cost of the program over the fiscal planning period. The program is also reviewing machine categories to better align with current classifications and may update or restructure existing fees and may propose new fees for radiation machine facilities. This rulemaking will not alter or change any professional license fees that radiation professionals currently pay (e.g., radiation technician, radiation technologist). This fee rule applies to facilities that pay registration fees for radiation machine facilities and tube fees for radiation machines.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

None

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

The department will use a collaborative rule making approach by keeping interested parties informed of the rule development through email, and posting information on the department's rulemaking websites. Interested parties will have the opportunity to provide comments throughout the rulemaking process and at the public hearing.

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

	(If necessary)
Name: Peter Beaton	Name: Richard Montemarano
Address: PO Box 47820, Olympia WA 98504-7820	Address: PO Box 47820, Olympia WA 98504-7820
Phone: 360 236-4031	Phone: 360 236-3238
Fax: N/A	Fax:
TTY:	TTY:
Email: peter.beaton@doh.wa.gov	Email: Richard.Montemarano@doh.wa.gov
Web site: www.doh.wa.gov	Web site: www.doh.wa.gov
Other:	Other:

**Additional comments:** Interested parties may receive rulemaking notices by signing up for our email list at <https://doh.wa.gov/community-and-environment/radiation/e-mail-lists>

**Date:** January 27, 2023  
**Name:** Kristin Peterson, JD for Umair A. Shah, MD, MPH  
**Title:** Chief of Policy for Secretary of Health

**Signature:**  
