



PROPOSED RULE MAKING

CR-102 (July 2022)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

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OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 15, 2024

TIME: 1:49 PM

WSR 24-07-064

Agency: Department of Health

Original Notice

Supplemental Notice to WSR

Continuance of WSR

Preproposal Statement of Inquiry was filed as WSR 23-17-072 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) Audiologist and Speech-Language Pathology Interstate Compact (ASLP-IC) fees and renewal cycle. The Department of Health (department), in consultation with the Board of Hearing and Speech, is proposing a new section of rule, WAC 246-828-991, to implement House Bill (HB) 1001, (chapter 53, Laws of 2023). HB 1001 entered Washington into the ASLP-IC interstate licensure compact for audiologists and speech-language pathologists and gives member states the discretion to charge a fee for granting compact privileges. The proposed rule specifies the fees and renewal cycle for compact practice privileges in Washington state.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
May 2, 2024	2:30pm	Physical location: WA State Department of Health 111 Israel Rd SE Town Center 2 Room 166 Tumwater, WA 98501 Virtual: Register in advance for this webinar: https://us02web.zoom.us/webinar/register/WN_BgJzo2V7TMOAyF8YGUG2LA After registering, you will receive a confirmation email containing information about joining the webinar.	The Department of Health will be offering a hybrid hearing. You may attend virtually or in person. You may also submit comments in writing.

Date of intended adoption: May 9, 2024 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Kim-Boi Shadduck, Program Manager
Address: Department of Health
PO Box 47852
Olympia, WA 98504-7852
Email: <https://fortress.wa.gov/doh/policyreview>
Fax: 360-236-2901
Other:
By (date) May 2, 2024

Assistance for persons with disabilities:

Contact Kim-Boi Shadduck, Program Manager
Phone: 360-236-2912
Fax: 360-236-2901
TTY: 711
Email: kimboi.shadduck@doh.wa.gov
Other:
By (date) April 18, 2024

Purpose of the proposal and its anticipated effects, including any changes in existing rules: HB 1001, codified in chapter 18.35A RCW, entered Washington state into the ASLP-IC interstate compact for audiologists and speech-language pathologists. The ASLP-IC is a formal agreement enacted into law among participating states. The ASLP-IC allows member states to grant practice privileges to licensed audiologists and speech-language pathologists from other states with the purpose of improving public access to audiology and speech-language pathology services. Under the ASLP-IC, audiologists and speech-language pathologists who live outside of Washington state but wish to practice in Washington may obtain privilege to practice in Washington or any other participating member state.

RCW 18.35A.030(10) allows the state of Washington to collect fees for granting the compact privilege of practicing in the state. The purpose of the proposed rule is to set a fee and renewal cycle for granting the practice privilege in Washington through the compact.

Reasons supporting proposal: The proposed rule supports the ASLP-IC by setting fees and a renewal cycle for compact privileges in Washington state. RCW 43.70.250 requires that the costs of each professional licensing program be fully borne by members of that profession. The Office of Financial Management also requires professions to maintain a reasonable cash reserve to cover fluctuations in cash flow and operating expenses. The proposed rule is needed to ensure the department is in line with RCW 43.70.250, and to ensure that there is sufficient funding to recover the costs of issuing a license for compact privileges in Washington state.

Statutory authority for adoption: House Bill 1001 (chapter 53, Laws of 2023), RCW 43.70.110, 43.70.250, and 43.70.280.

Statute being implemented: Chapter 18.35A RCW

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

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

Type of proponent: Private Public Governmental
Name of proponent: (person or organization) Department of Health

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Kim-Boi Shadduck	111 Israel Rd SE, Tumwater, WA 98501	360-236-2912
Implementation:	Kim-Boi Shadduck	111 Israel Rd SE, Tumwater, WA 98501	360-236-2912
Enforcement:	Kim-Boi Shadduck	111 Israel Rd SE, Tumwater, WA 98501	360-236-2912

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name:
Address:
Phone:
Fax:

TTY:
Email:
Other:

No: Please explain: As defined in RCW 34.05.328(5)(b)(vi), the department has determined that no significant analysis is required because the rule sets fees.

Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:

[RCW 34.05.310](#) (4)(b)
(Internal government operations)

[RCW 34.05.310](#) (4)(e)
(Dictated by statute)

[RCW 34.05.310](#) (4)(c)
(Incorporation by reference)

[RCW 34.05.310](#) (4)(f)
(Set or adjust fees)

[RCW 34.05.310](#) (4)(d)
(Correct or clarify language)

[RCW 34.05.310](#) (4)(g)
(i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#) (does not affect small businesses).

This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of how the above exemption(s) applies to the proposed rule: The proposed rule establishes the fees and schedule.

(2) Scope of exemptions: *Check one.*

The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.

The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):

The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs.

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:

Email:
Other:

Date: 3/15/2024

Name: Kristin Peterson, JD for Umair A. Shah, MD, MPH

Title: Chief of Policy for Secretary of Health

Signature:

A handwritten signature in cursive script that reads "Kristin Peterson".

NEW SECTION

WAC 246-828-991 Audiologist and speech-language pathologist licensure compact privilege fees and renewal cycle. (1) The compact privilege must be renewed no later than the expiration date of the home state license. The compact privilege holder must comply with all audiology and speech-language pathology interstate compact eligibility requirements in chapter 18.35A RCW to maintain the compact privilege.

(2) The following nonrefundable fees will be charged:

Title of Fee	Fee
Application - Original license	\$80.00
Compact renewal	\$80.00