



# PREPROPOSAL STATEMENT OF INQUIRY

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

Do **NOT** use for expedited rule making

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DATE: August 01, 2025

TIME: 3:46 PM

WSR 25-16-077

**Agency:** Department of Health

**Subject of possible rule making:** Birthing Center fees

The Department of Health (department) is considering rule amendments to update the fee and fee structure for Birthing Centers, WAC 246-329-990. The department may also consider changes to clarify and standardize language.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 18.46.030, 43.70.110, and 43.70.250, and 70.127.090

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

The department is considering amendments to WAC 246-329-990 regarding initial license, renewal, and other charges for birthing centers to address funding requirements. Recent legislation directs the department to make changes to inspection standards for state licensure. An update may be needed to restructure and adequately fund the birthing center inspection, investigation, and licensing programs to protect patients. The requirement in RCW 43.70.250 states that fees must cover regulatory program expenses which necessitates the program to be self-funding and changes to rules are the only way to make fee adjustments.

**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) Collaborative rulemaking

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

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Additional comments:

The department will use existing GovDelivery lists and other known contact information to inform interested parties of opportunities to provide input on proposed rule language. To find out more information about our rule making, visit [www.doh.wa.gov](http://www.doh.wa.gov). To subscribe to GovDelivery, please visit [www.doh.wa.gov](http://www.doh.wa.gov), and select the "Sign up for Updates From DOH" button at the bottom of the page. After signing in, please select the box labeled "Health Systems Quality Assurance." Next, select the box labeled "Community Health Systems," and then click "Facilities" and "Birthing Centers" for Birthing Centers rules or select the relevant facility type(s).

**Date:** August 1, 2025

**Name:** Kristin Peterson, JD for Dennis E. Worsham

**Title:** Chief of Policy for Secretary of Health

**Signature:**

A handwritten signature in black ink, appearing to read "Kristin Peterson", written in a cursive style.