PROPOSED RULE MAKING

CR-102 (June 2024)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: July 09, 2026
TIME: 7:15 AM

WSR 26-15-045

Agency: Department of Health

☒ **Original Notice**
☐ **Supplemental Notice to WSR**
☐ **Continuance of WSR**

☒ **Preproposal Statement of Inquiry was filed as WSR** 26-07-017**; 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: Updating dentist licensure fees in WAC 246-817-990 to add surcharge for impaired practitioner program.

The Department of Health (department), in consultation with the Dental Quality Assurance Commission (commission), is proposing rule amendments to WAC 246-817-990 to add the Washington Physicians Health Program (WPHP) impaired practitioner surcharge to initial licensure for dentists. Other general housekeeping is proposed removing outdated information concerning fees that expired in 2025.

Hearing location(s):

Date:	**Time:**	**Location:** (be specific)	**Comment:**
August 25, 2026	9:00 AM	Register in advance for this webinar: https://us02web.zoom.us/webinar/register/WN_Bq1N4BVNTgOQ1Z2gEISbLQ After registering, you will receive a confirmation email containing information about joining the webinar.	The Department of Health will be offering a virtual webinar hearing only. Individuals may attend virtually or submit comments in writing.

Date of intended adoption: September 01, 2026 (Note: This is **NOT** the **effective** date)

Submit written comments to:		**Assistance for persons with disabilities:**	
Name	Heather Cantrell	Contact	Heather Cantrell
Address	PO Box 47850, Olympia, WA 98504-7850	Phone	N/A
Email	HSQAfeerules@doh.wa.gov	Fax	N/A
Fax	N/A	TTY	711
Other	https://fortress.wa.gov/doh/policyreview	Email	HSQAfeerules@doh.wa.gov
Beginning (date and time)	The date and time of this filing.	Other	
By (date and time)	August 25, 2026 at 11:59 PM	By (date)	August 18, 2026

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The department, in consultation with the commission, is proposing amendments to WAC 246-817-990 regarding the WPHP surcharge. The proposed rule will be updated to add the WPHP surcharge for initial license applications. The amendment is needed to ensure that all licensees are eligible for WPHP services and to align with statute.

The propose rule also removes outdated information concerning fees that expired in 2025.

Reasons supporting proposal: The Washington legislature passed House Bill (HB) 1972 (chapter 15, Laws of 2024) which increased the WPHP surcharge and allows a surcharge of up to $70 per year to be collected. WAC 246-817-990 only provides for collection of the WPHP surcharge on license renewal. When the WPHP surcharge was originally implemented the phrase “each license issuance or renewal”, was interpreted by some professions to exclude the initial license, while other professions included it. The commission reviewed the WPHP charge in 2025 and decided to include the initial license to ensure all licensees are fully included and eligible for WPHP services.

Housekeeping changes are necessary to eliminate outdated fees that sunset December 31, 2025.

Statutory authority for adoption: RCW 18.32.534, 43.70.110, 43.70.250, and 43.70.280.

Statute being implemented: RCW 18.32.534

Is rule necessary because of a:

Federal Law?	☐ Yes	☒ No
Federal Court Decision?	☐ Yes	☒ No
State Court Decision?	☐ Yes	☒ No

If yes, CITATION:

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

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

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting	Heather Cantrell	111 Israel Road SE, Tumwater, WA 98501	n/a
Implementation	Debbie Gardner	111 Israel Road SE, Tumwater, WA 98501	n/a
Enforcement	Debbie Gardner	111 Israel Road SE, Tumwater, WA 98501	n/a

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: This rule is exempt from analysis according to RCW 34.05.328 (5)(b)(vi) because it is a rule that sets or adjusts fees pursuant to legislative standards.

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)(c) (Incorporation by reference)
- ☐ RCW 34.05.310 (4)(d) (Correct or clarify language)
- ☐ RCW 34.05.310 (4)(e) (Dictated by statute)
- ☒ RCW 34.05.310 (4)(f) (Set or adjust fees)
- ☐ 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 rules set and adjust fees for dentists under RCW 34.05.310 (4)(f).

(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: July 6, 2026 **Name:** Todd Mountin, PMP for Dennis E. Worsham **Title:** Deputy Chief of Policy for Secretary of Health	**Signature:**

AMENDATORY SECTION (Amending WSR 25-07-080, filed 3/17/25, effective 4/17/25)

WAC 246-817-990 Dentist fees and renewal cycle. (1) Licenses must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, except faculty and resident licenses.

(2) Faculty and resident licenses must be renewed every year on July 1 as provided in chapter 246-12 WAC.

(3) The following nonrefundable fees will be charged:

Title of Fee	((~~Fee through December 31, 2025~~))	Fee ((~~on and after January 1, 2026~~))
Original application by examination*		
Initial application	((~~$500.00~~))	$500.00
Surcharge - Impaired dentist		70.00
Original application - Without examination		
Initial application	((~~500.00~~))	500.00
Surcharge - Impaired dentist		70.00
Initial license	((~~500.00~~))	500.00
Faculty license application	((~~500.00~~))	500.00
Resident license application	((~~115.00~~))	115.00
Active license renewal		
Renewal	((~~365.00~~))	365.00
Surcharge - Impaired dentist	((~~50.00~~))	70.00
Late renewal penalty	((~~185.00~~))	185.00
Expired license reissuance	((~~300.00~~))	300.00
Inactive license renewal		
Renewal	((~~125.00~~))	125.00
Surcharge - Impaired dentist	((~~50.00~~))	70.00
Late renewal penalty	((~~50.00~~))	50.00
Retired active license renewal		
Renewal	((~~150.00~~))	150.00
Surcharge - Impaired dentist	((~~50.00~~))	70.00
Late renewal penalty	((~~75.00~~))	75.00
Duplicate license	((~~15.00~~))	15.00
Certification of license	((~~25.00~~))	25.00
Anesthesia permit		
Initial application	((~~150.00~~))	150.00
Renewal - (Three-year renewal cycle)	((~~160.00~~))	160.00
Late renewal penalty	((~~80.00~~))	80.00
Expired permit reissuance	((~~50.00~~))	50.00
On-site inspection fee	((~~To be determined by future rule adoption.~~))	To be determined by future rule adoption.

* In addition to the initial application fee above, applicants for licensure via examination will be required to submit a separate application and examination fee directly to the dental testing agency accepted by the dental quality assurance commission.