



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (August 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: October 02, 2017

TIME: 8:44 AM

WSR 17-20-062

Agency: Department of Health

Subject of possible rule making: WAC 246-224-0010, Definitions, WAC 246-224-0040, What if we have separate locations with radiation machines, WAC 246-254-010, Definitions, and WAC 246-254-053, Radiation machine facility registration fees. The Department of Health (department) is considering revising the fee structure for the registration of all X-ray radiation machines, which includes a facility base fee and a fee per tube.

Statutes authorizing the agency to adopt rules on this subject: RCWs 43.70.250, 43.20B.020, 70.98.080, and 43.70.110.

Reasons why rules on this subject may be needed and what they might accomplish: The department is considering revising the fee structure for WAC 246-254-053, Radiation machine facility registration fees. Fees are for the registration of all X-ray radiation machines, which includes a facility base fee and a fee per tube. WAC 246-254-053 allows an exception to the per tube fee for registrants with multiple facilities on a contiguous site, under one administrative control and a single business license, who employ at least two full-time radiation safety personnel. Under these circumstances, the registrants pays a "flat" facility base fee. The department's X-ray program is completely supported through fees. An X-ray inspector must inspect every registered facility. The department is considering changing the rule language to allow the department to remove the exception allowing a "flat" facility base fee and instead charge a fee per tube for every X-ray machine. This change would allow the department to adequately charge for its services and to cover the cost of administering the program. As part of this rule making, the department is considering clarifying the definition of "facility" and adding a definition for "contiguous" in WAC 246-224-0010 and WAC 246-254-010 to support assessment of the facility base fee. Similarly, the department is also considering changing WAC 246-224-0040 to simplify and explain facility and machine registration.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The department will coordinate with the Department of Revenue's Business Licensing Service throughout the rule making process, because the potential changes could affect the Business Licensing Service's registration and fee collection processes.

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

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe) The department will use the collaborative rule making approach. The department will inform stakeholders and interested parties with e-mail and web postings. Stakeholders and interested parties will have the opportunity to provide comments throughout the rule making process, during the formal comment period, 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:

Name: Michelle K Austin, Rules Coordinator
Address: PO Box 47820, Olympia WA 98504-7820
Phone: 360-236-3250
Fax: n/a
TTY: (360) 833-6388 or 711
Email: michelle.austin@doh.wa.gov
Web site: www.doh.wa.gov

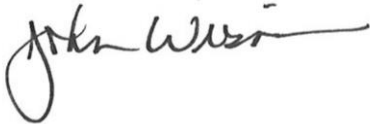
(If necessary)

Name: Daniel Van Gent, Manager for the X-ray Section
Address: PO Box 47827, Olympia, WA 98504-7820
Phone: 360-236-3231
Fax: n/a
TTY: (360) 833-6388 or 711
Email: daniel.vangent@doh.wa.gov
Web site:
<http://www.doh.wa.gov/CommunityandEnvironment/Radiation>

Other:

Other:

Additional comments:

Date: 09/29/2017	Signature: 
Name: John Wiesman, DrPH, MPH	
Title: Secretary of Health	