

Multiple Agency Fiscal Note Summary

Bill Number: 6506 SB	Title: Medical professions
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Estimated Cash Receipts

Agency Name	2007-09		2009-11		2011-13	
	GF- State	Total	GF- State	Total	GF- State	Total
Office of State Treasurer	Non-zero but indeterminate cost. Please see discussion."					
Office of Attorney General	0	176,121	0	242,166	0	132,090
Washington State Patrol	0	615,000	0	1,230,000	0	1,230,000
Department of Health	0	(7,573,826)	0	(11,359,432)	0	(11,359,432)
Total \$	0	(6,782,705)	0	(9,887,266)	0	(9,997,342)

Local Gov. Courts *						
Local Gov. Other **						
Local Gov. Total						

Estimated Expenditures

Agency Name	2007-09			2009-11			2011-13		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Administrative Office of the Courts	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Office of State Treasurer	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	.6	0	176,121	.8	0	242,166	.4	0	132,090
Washington State Patrol	1.0	69,000	164,300	2.0	122,600	291,800	2.0	122,600	291,800
Department of Health	(22.2)	0	(5,061,836)	(44.3)	0	(10,123,672)	(44.3)	0	(10,123,672)
Total	(20.6)	\$69,000	\$(4,721,415)	(41.5)	\$122,600	\$(9,589,706)	(41.9)	\$122,600	\$(9,699,782)

Local Gov. Courts *	Non-zero but indeterminate cost. Please see discussion.								
Local Gov. Other **									
Local Gov. Total									

Because this bill was identified as a proposal governed by the requirements of Initiative 960, this fiscal note has an attachment showing the ten-year cost to taxpayers of the proposed taxes or fees.

Prepared by: Brian Enslow, OFM	Phone: 360-902-0539	Date Published: Final 2/11/2008
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* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

FNPID: 19819

Judicial Impact Fiscal Note

Bill Number: 6506 SB	Title: Medical professions	Agency: 055-Admin Office of the Courts
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

FUND	FY 2008	FY 2009	2007-09	2009-11	2011-13
Counties					
Cities					
Total \$					

Estimated Expenditures from:

Non-zero but indeterminate cost. Please see discussion.

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.

Legislative Contact:	Phone:	Date: 01/18/2008
Agency Preparation: Gil Austin	Phone: 360-705-5271	Date: 01/30/2008
Agency Approval: Jeff Hall	Phone: 360-357-2131	Date: 01/30/2008
OFM Review: Garry Austin	Phone: 360-902-0564	Date: 01/31/2008

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

Section 210 - New Section amending Title 18 RCW and creating a misdemeanor offense under RCW 9A.20.010 for failure to surrender a temporary practice permit.

Section 221 - New Section to Title 18 RCW that allows appeal to superior court of board order of a summary suspension.

Section 222 – New Section to Title 18 RCW provides that a person who has been disciplined or whose license has been denied by the board or medical review panel may appeal the decision as provided in RCW 34.05.

Section 225 –New Section to Title 18 RCW that provides when an order for the payment of a fine is made pursuant to this act and the payment is not made in a timely manner the board may seek to enforce the order for payment in superior court, in the county where the hearing was held.

Section 230 - New section to Title 18 RCW that provides that the AG, PA, board or “any other person” may bring an action to enjoin persons from committing violations pursuant to Sections 226 or 229 or this act.

Section 231 – New Section to Title 18 RCW that in paragraph (6) provides that the AG, PA , board or “any person” may bring an action to superior court to enjoin a person practicing medicine without a license from doing so until a license is acquired.

Paragraph (7) makes a single violation of practicing without a license a gross misdemeanor, and a subsequent violation a Class C felony All fees, fines, forfeitures and penalties collected or assessed by the court in violation of this section are deposited to the “medical professional account.”

Section 232 - New Section to Title 18 RCW that provides a person violating a court injunction shall pay a civil penalty as set by the court of not more than \$25,000, to be deposited in the medical professional account. The superior court issuing the injunction shall retain jurisdiction and the cause shall be continued.

Section 233 - New section to Title 18 RCW creates a new gross misdemeanor for a person who attempts to obtain, obtains or maintains a license by willful misrepresentation or fraudulent misrepresentation.

II. B - Cash Receipts Impact

II. C - Expenditures

It is assumed that the overall impact could be greater than \$50,000 per year. This level of impact would result from this bill creating 3 new misdemeanors or gross misdemeanors, one new felony, two new actions to appeal administrative board decisions to superior courts four new actions in superior courts seeking the enforcement of board administrative actions and the cost to AOC for changes to the JIS. (See detail below.)

The \$50,000 expenditure level represents approximately 79 hours (0.07 FTE) of superior court judicial officer time annually cumulative for all superior courts in the state with associated support staff and operational costs. It is therefore assumed that this bill would require more than 79 hours of judicial officer time statewide on an annual basis.

Section 210 creates a new section under Title 18 RCW to create a new misdemeanor in RCW 9A.20.010 which is not expected to have a significant impact on the superior courts' workload.

Section 221 creates a new section to Title 18 RCW and provides for an appeal to superior court of the board’s order of summary suspension that is not anticipated to significantly impact the superior courts’ caseload.

Section 222 under Title 18 RCW provides for an appeal of a board discipline action or license denial. It is expected these actions will not significantly increase the workload of superior courts.

Section 225 a new section under Title 18 RCW that allows the board to seek enforcement in superior court of the board’s order for payment of a fine. These actions are not expected to have a significant impact on the superior courts’ caseload.

Section 230 a new section under Title 18 RCW provides that the Attorney General, a Prosecuting Attorney, board or any other person

may bring an action in superior court. The action would ask the court to enjoin persons from committing violations specified in Sections 226 and 229 relating to the board's concern about a person's mental, physical or professional capacity to practice. The numbers of actions in this section are expected to be few and will have minor impact on the workload of the superior courts.

Section 231 is a new section to Title 18 RCW and allows actions in superior court to enjoin a person from practicing medicine without a license. This provision is not expected to have a significant number of actions result and the impact on the courts' workload is anticipated to be minimal.

Paragraph (7) makes it a gross misdemeanor to practice medicine without a license for the first violation. Subsequent violations are considered class C felonies. Together these provisions are expected to impact the work of the courts minimally.

Section 232 adds a new section to Title 18 RCW so that a person in violation of a court injunction under this chapter is liable for a civil fine and that the superior court issuing the injunction shall retain jurisdiction and the cause shall be continued. Although actions under this provision could accumulate it is not expected these actions would have a large impact on the superior courts' workload.

Section 233 is a new section to Title 18 RCW that creates a gross misdemeanor for attempting to obtain or maintain a license by willful misrepresentation or fraudulent misrepresentation. The number of filings should be few in number and would not have a significant impact on the courts' workload.

The AOC estimates the cost to implement changes to the Judicial Information System (JIS) in order to establish a medical professions account for remittances required by this bill at \$14,640 (122 hours @ \$120 per hour).

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Individual State Agency Fiscal Note

Bill Number: 6506 SB	Title: Medical professions	Agency: 090-Office of State Treasurer
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

Non-zero but indeterminate cost. Please see discussion.

Estimated Expenditures from:

	FY 2008	FY 2009	2007-09	2009-11	2011-13
Fund					
Total \$					

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/18/2008
Agency Preparation: Dan Mason	Phone: 360-902-9090	Date: 01/28/2008
Agency Approval: Dan Mason	Phone: 360-902-9090	Date: 01/28/2008
OFM Review: Mike Woods	Phone: 360-902-9819	Date: 01/28/2008

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

SB 6506 creates the medical professions account and physician education and improvement account. This bill directs the earnings from investments for the medical professions account to be retained by the medical professions account. The earnings from investments for the physician education and improvement account will be credited to the general fund.

Assumption: Earnings from investments will be credited to the medical professions account even though

1. RCW 43.84.092 is not amended if the medical professions account is created as a treasury fund

or

2. RCW 43.79A.040 is not amended if the medical professions account is created as a treasury trust fund.

Earnings from investments:

The amount of earnings by an account is a function of the average daily balance of the account and the earnings rate of the investment portfolio. The average daily balance is a function of the beginning balance in the account and the timing & amount of receipts, disbursements, & transfers during the time period in question. Accordingly, even with a beginning balance of zero, two accounts with the same overall level of receipts, disbursements, and transfers can have different average balances, and hence different earnings.

There will be an impact to the earnings; however, the actual earnings will be determined more by the impact to the average daily balance than the amount of increases or decreases in receipts, disbursements, and transfers. Currently, estimated earnings are indeterminable. Without projected monthly estimates of receipts, disbursements, and transfers, OST is unable to estimate the changes to the average balance of the account and the impact to earnings.

Based on the November 2007 Revenue Forecast, the net rate for estimating earnings for FY 08 is 4.15% and FY 09 is 4.00%. Approximately \$41,500 in FY 08 and \$40,000 in FY 09 in net earnings and \$5,000 in OST management fees would be gained or lost annually for every \$1 million increase or decrease in average daily balance.

Debt Limit:

There may be an impact on the debt service limitation calculation. Any change to the earnings credited to the general fund will change, by an equal amount, general state revenues.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

SB 6506 creates the medical professions account and physician education and improvement account. This bill directs the earnings from investments for the medical professions account to be retained by the medical professions account. The earnings from investments for the physician education and improvement account will be credited to the general fund.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years					
Total:					

Part IV: Capital Budget Impact

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 6506 SB	Title: Medical professions	Agency: 100-Office of Attorney General
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

FUND	FY 2008	FY 2009	2007-09	2009-11	2011-13
Legal Services Revolving Account-State 405-1		176,121	176,121	242,166	132,090
Total \$		176,121	176,121	242,166	132,090

Estimated Expenditures from:

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	0.0	1.2	0.6	0.8	0.4
Fund					
Legal Services Revolving Account-State 405-1	0	176,121	176,121	242,166	132,090
Total \$	0	176,121	176,121	242,166	132,090

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

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- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/18/2008
Agency Preparation: Noella Rawlings	Phone: (206) 389-2994	Date: 01/30/2008
Agency Approval: Sarian Scott	Phone: (360) 586-2104	Date: 01/30/2008
OFM Review: John Shepherd	Phone: 360-902-0538	Date: 01/31/2008

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

This bill would create a system for enforcing discipline in medical professions. It would establish a Medical Board for Safety and Quality. Members of the board would be immune from suit in an action, civil or criminal, based on its disciplinary proceedings or official acts performed in good faith.

The bill would authorize the board to adopt rules and guidelines to carry out the purposes of the act and rules related to sedation and anesthesia in the offices of persons licensed under chapter 18.71 RCW.

The bill would provide that physicians and physician assistants are responsible for all costs associated with the licensing, regulation, and discipline pursuant to the medical disciplinary act and authorize the board to establish and set fees associated with licensing, regulation, or discipline of the profession. The board also would be authorized to establish by rule the procedures, requirements, and fees for the initial issue, renewal, and reissue of a license to practice medicine under chapter 18.71 RCW.

The bill moves numerous responsibilities to the board from other entities.

The bill requires the board to file an annual report of its activities with the Legislature.

The bill would create a Physician Education and Improvement Program.

The bill would create the Medical Disciplinary Act to improve patient safety. The board would be authorized to grant or deny licenses based on the conditions and criteria established in the act and chapters 18.71 and 18.71A RCW. The board would be authorized to adopt rules as are necessary to carry out the Medical Disciplinary Act.

The bill would address the disciplinary authority of the medical review panel and medical law judge. It would authorize summary suspensions if the board makes a good faith determination that the license holder poses an immediate threat to the public health and safety.

The bill would require the board to adopt rules requiring the mandatory reporting of unprofessional conduct. It also addresses the voluntary reporting of professional conduct.

The bill would require the board to adopt uniform procedural rules to respond to public inquiries about complaints and their disposition, active investigations, statements of charges, findings of fact, and final orders involving a licensee, applicant, or unlicensed person. The bill would require the settlement process for all licensees to be uniform.

The bill would require the board to suspend the license of any person who has been certified for non-payment or default on a federally or state-guaranteed education loan or service-conditional scholarship or as not in compliance with a child support order.

The bill would authorize the board, after a hearing, to impose sanctions on a license holder or applicant who has committed unprofessional conduct or is unable to practice with reasonable skill and safety due to a physical or mental condition.

The bill would authorize the board to enforce an order imposing fines in the superior court of the county in which the hearing was held.

The bill would authorize the board to refer a license holder to a voluntary substance abuse monitoring program approved by the board in lieu of disciplinary action.

The bill would establish a list of actions that would constitute unprofessional conduct. The bill would authorize the attorney general, any prosecuting attorney, the board, or any other person to maintain an action to enjoin a person regulated under section 226 or 229 of the act from committing the violations.

The bill would require the board to investigate complaints concerning the practice of medicine by unlicensed persons.

The bill would authorize the imposition of a penalty of not more than \$25,000 on a person who violates an injunction issued under the act and authorize the attorney general to petition for recovery of civil penalties.

The bill would authorize the board to adopt rules to authorize a retired active license status.

The board, medical review panel, medical law judges, or individuals acting on their behalf would be immune from suit based on disciplinary proceedings or other official acts performed in the course of their duties.

The bill would create an independent medical review panel.

The board would be required to establish requirements for each applicant for an initial license to obtain a state background check through the state patrol prior to the issuance of any license.

The bill would abolish the Medical Quality Assurance Commission. It would transfer all powers, duties, and functions of the Department of Health (DOH) pertaining to licensing and disciplining of physicians and physicians assistants to the board.

Based upon past experience with the creation of new agencies, the Attorney General's Office (AGO) anticipates a legal services workload increase in the Agriculture and Health Division of 0.3 attorney FTE and 0.2 legal assistant FTE \$66,045 for the first two years. During the first two years the AGO expects substantial legal work related to the transfer of administrative roles from the DOH (contracts, IT procurement, fiscal/budget, public records, freedom of information, privacy, etc.) and the development of new agency rules.

Also, based upon past experience with the creation of new agencies, the AGO anticipates a legal services workload increase in the Labor and Personnel Division of 0.5 attorney FTE and 0.2 legal assistant FTE at a cost of \$110,076 for the first two years, and 0.3 attorney FTE and 0.1 legal assistant FTE at a cost of \$66,045 thereafter. During the first two years the AGO expects more legal work related to transfer of personnel to the new agency, and potential litigation related to union representation/unit clarification issues. After the first two years, there would be a need for ongoing legal advice and representation related to labor, personnel, and disciplinary issues for the new agency.

For the purposes of this fiscal note the AGO is assuming that legal services provided for advice and enforcement activities being transferred from the DOH to the new agency will remain at current levels. The AGO further assumes those resources will be transferred at the same time as the effective date of the bill. If the new agency undertakes a different level of enforcement activity, then the amount of legal services required to support those efforts would be different.

The sections of the bill creating the new agency are assumed to be effective July 1, 2008.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

Legal services costs incurred by the AGO will be billed through the revolving fund to the new client agency--the Medical Board for Safety and Quality.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

The AGO anticipates a legal services workload increase of 0.8 attorney FTE and 0.4 legal assistant FTE at a cost of \$176,121 for the first two years, and 0.3 attorney FTE and 0.1 legal assistant FTE at a cost of \$66,045 thereafter. During the first two years the AGO expects more legal work to establish the new agency, and after the first two years there would be a need for ongoing legal advice and representation.

For the purposes of this fiscal note the AGO is assuming that legal services provided for advice and enforcement activities being transferred from the DOH to the new agency will remain at current levels. The AGO further assumes those resources will be transferred at the same time as the effective date of the bill. If the new agency undertakes a different level of enforcement activity, then the amount of legal services required to support those efforts would be different.

The sections of the bill creating the new agency are assumed to be effective July 1, 2008.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years		1.2	0.6	0.8	0.4
A-Salaries & Wages		83,755	83,755	113,034	58,558
B-Employee Benefits		23,452	23,452	31,650	16,396
C-Personal Serv Contr					
E-Goods and Services		59,914	59,914	84,482	49,136
G-Travel		5,000	5,000	7,000	4,000
J-Capital Outlays		4,000	4,000	6,000	4,000
M-Inter Agency Fund Transfers					
N-Grants, Benefits Services					
P-Debt Service					
S-Interagency Reimbursement					
T-Intra-Agency Reimbursement					
Total:	\$0	\$176,121	\$176,121	\$242,166	\$132,090

III. B - Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2008	FY 2009	2007-09	2009-11	2011-13
Attorney	83,400		0.8	0.4	0.6	0.3
Legal Assistant	42,588		0.4	0.2	0.3	0.1
Total FTE's			1.2	0.6	0.8	0.4

III. C - Expenditures By Program (optional)

Program	FY 2008	FY 2009	2007-09	2009-11	2011-13
Agriculture and Health (AHD)		66,045	66,045	66,045	
Labor and Personnel (LPD)		110,076	110,076	176,121	132,090
Total \$		176,121	176,121	242,166	132,090

Part IV: Capital Budget Impact

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

This new agency would be required to establish rules and the legal services provided by the AGO in support of that effort

are included in the cost estimate provided.

Individual State Agency Fiscal Note

Bill Number: 6506 SB	Title: Medical professions	Agency: 225-Washington State Patrol
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

FUND	FY 2008	FY 2009	2007-09	2009-11	2011-13
Fingerprint Identification Account-State 225-1		615,000	615,000	1,230,000	1,230,000
Total \$		615,000	615,000	1,230,000	1,230,000

Estimated Expenditures from:

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	0.0	2.0	1.0	2.0	2.0
Fund					
General Fund-State 001-1	0	69,000	69,000	122,600	122,600
Fingerprint Identification Account-State 225-1	0	95,300	95,300	169,200	169,200
Total \$	0	164,300	164,300	291,800	291,800

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/18/2008
Agency Preparation: Brian Wright	Phone: (360)753-0626	Date: 01/31/2008
Agency Approval: Bob Maki	Phone: (360) 753-0588	Date: 01/31/2008
OFM Review: Garry Austin	Phone: 360-902-0564	Date: 01/31/2008

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Proposed SB 6506 would create a system for enforcing discipline in medical professions by establishing the Medical Board for Safety and Quality (Board) to regulate physicians and physician assistants. Washington physicians and physician assistants would be responsible for all costs related to licensing, regulation, and discipline of the medical professions. Part of the licensing requirement for these individuals will be to have a background check which may be fingerprint based for a state and national search at the discretion of the Department of Health.

DOH regulates approximately 19,000 physicians and 1,500 physician assistants (20,500 total health professionals). It is unknown the number of fingerprint based background checks DOH would require therefore this fiscal note is based on the total number (20,500) of health professionals.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

The cost for a state and national fingerprint based background check is \$49.25 per background check (\$30.00 for WSP; \$19.25 for FBI). Based on 20,500 fingerprint background checks each year, a total of \$1,009,625 (\$49.25 x 20,500) will be generated each year. \$615,000 (\$30 x 20,500) will be received as revenue in the Fingerprint Identification account; the remaining \$394,625 (\$19.25 x 20,500) will be passed on to the FBI for the national fingerprint background check.

Additionally, the WSP assumes that the receipts collected from the DOH will offset the costs for the FTEs. The receipts will be deposited as revenue into the Fingerprint Identification Account.

The fees do not include the actual cost of fingerprinting applicants which typically ranges from \$10 - \$25 depending on where the fingerprints are taken.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

The Washington State Patrol assumes that the data will be received electronically. Based on that assumption, two Fingerprint Technician 2 FTEs would be required to process the requests.

Additionally, the WSP assumes that the receipts collected from the DOH will offset the costs for the FTEs.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years		2.0	1.0	2.0	2.0
A-Salaries and Wages		89,400	89,400	178,800	178,800
B-Employee Benefits		32,400	32,400	65,400	65,400
C-Personal Service Contracts					
E-Goods and Services		20,100	20,100	40,200	40,200
G-Travel		2,400	2,400	4,800	4,800
J-Capital Outlays		20,000	20,000	2,600	2,600
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
Total:	\$0	\$164,300	\$164,300	\$291,800	\$291,800

III. B - Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2008	FY 2009	2007-09	2009-11	2011-13
Fingerprint Technician 2	89,424		2.0	1.0	2.0	2.0
Total FTE's			2.0	1.0	2.0	2.0

III. C - Expenditures By Program (optional)

Program	FY 2008	FY 2009	2007-09	2009-11	2011-13
Investigative Services (020)		159,300	159,300	289,200	289,200
Support Services (030)		5,000	5,000	2,600	2,600
Total \$		164,300	164,300	291,800	291,800

Part IV: Capital Budget Impact

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Ten-Year Analysis

Bill Number: SB 6506	Title: Medical Disciplinary Act
Agency: Washington State Patrol - 225	

NOTE: This ten-year analysis is limited to the estimated cash receipts associated with the tax or fee increases proposed in this bill and the associated administrative costs of those increased taxes or fees.

Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

Account and Title of Fee or Tax	Fiscal Year 08	Fiscal Year 09	2007-09 Total	Fiscal Year 10	Fiscal Year 11	2009-11 Total
225 - Fingerprint Identification Account		615,000	615,000	615,000	615,000	1,230,000
			0			0
			0			0
			0			0
			0			0
Total	0	615,000	615,000	615,000	615,000	1,230,000

Estimated Expenditures from:

	Fiscal Year 08	Fiscal Year 09	2007-09 Total	Fiscal Year 10	Fiscal Year 11	2009-11 Total
FTE Staff Years			0.0			0.0
Fund						
GF-State			0			0
GF-Federal			0			0
Other (specify)			0			0
			0			0
			0			0
Total	0	0	0	0	0	0

Ten-Year Analysis

Bill Number: SB 6506
Agency: Washington State Patrol - 225

Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts

Account and Title of Fee or Tax	Fiscal Year 12	Fiscal Year 13	2011-13 Total	Fiscal Year 14	Fiscal Year 15	2013-15 Total
225 - Fingerprint Identification Account	615,000	615,000	1,230,000	615,000	615,000	1,230,000
			0			0
			0			0
			0			0
			0			0
Total	615,000	615,000	1,230,000	615,000	615,000	1,230,000

Estimated Expenditures 1

	Fiscal Year 12	Fiscal Year 13	2011-13 Total	Fiscal Year 14	Fiscal Year 15	2013-15 Total
FTE Staff Years			0.0			0.0
Fund						
GF-State			0			0
GF-Federal			0			0
Other (specify)			0			0
			0			0
			0			0
Total	0	0	0	0	0	0

Ten-Year Analysis

Bill Number: SB 6506
Agency: Washington State Patrol - 225

Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts

Account and Title of Fee or Tax	Fiscal Year 16	Fiscal Year 17	2015-17 Total	2008-17 TOTAL
225 - Fingerprint Identification Account	615,000	615,000	1,230,000	5,535,000
			0	0
			0	0
			0	0
			0	0
Total	615,000	615,000	1,230,000	5,535,000

Estimated Expenditures 1

	Fiscal Year 16	Fiscal Year 17	2015-17 Total	2008-17 TOTAL
FTE Staff Years			0.0	
Fund				
GF-State			0	0
GF-Federal			0	0
Other (specify)			0	0
			0	0
			0	0
Total	0	0	0	0

Individual State Agency Fiscal Note

Bill Number: 6506 SB	Title: Medical professions	Agency: 303-Department of Health
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

FUND	FY 2008	FY 2009	2007-09	2009-11	2011-13
Health Professions Account-State 02G-1		(6,641,746)	(6,641,746)	(9,864,572)	(9,864,572)
Impaired Physician Account-Non-Appropriated 821-6		(932,080)	(932,080)	(1,494,860)	(1,494,860)
Total \$		(7,573,826)	(7,573,826)	(11,359,432)	(11,359,432)

Estimated Expenditures from:

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years	0.0	(44.3)	(22.2)	(44.3)	(44.3)
Fund					
Health Professions Account-State 02G-1	0	(5,061,836)	(5,061,836)	(10,123,672)	(10,123,672)
Total \$	0	(5,061,836)	(5,061,836)	(10,123,672)	(10,123,672)

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact:	Phone:	Date: 01/18/2008
Agency Preparation: Danny Howard	Phone: (360) 236-4625	Date: 02/11/2008
Agency Approval: Patty Steele	Phone: 360-236-4530	Date: 02/11/2008
OFM Review: Brian Enslow	Phone: 360-902-0539	Date: 02/11/2008

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Sections 1, 102-103: Establishes an independent medical board (disciplining authority) with control over its fiscal and staff resources.

Section 104: The Department of Health (DOH), Medical Quality Assurance Commission (MQAC) is abolished and the Medical Board for Safety and Quality is established. The board will consist of thirteen members, and to the extent possible, the existing members of MQAC will be appointed to the new board.

Sections 107, 142, 303 & 304: Removes MQAC from the uniform disciplinary act.

Section 112: Shifts license fee settings from the Secretary of Health to the board and requires the Medical Board for Safety and Quality and its functions to be self-supporting.

Section 118: Transfers licensing activities from DOH to the Medical Board for Safety and Quality, including the application form for licensure, procedures and requirements for licensure by rule, and the duration of a medical license.

Section 126: Removes authorization of expenditures for the Impaired Physician Account from the Secretary of Health and transfers it to the Medical Board for Safety and Quality.

Section 130: Creates a Medical Professions Account, separate from the Health Professions Account that would be funded by medical licensing, renewals, and disciplinary revenues. All funds not appropriated but deposited in the medical professions account prior to July 2007 will be transferred into the Medical Professions Account by the state treasurer.

Sections 301 & 302: Abolishes the Medical Quality Assurance Commission (MQAC) and transfers all powers, duties and functions to the Medical Board for Safety and Quality. Transfers all employees, reports, documents, surveys, books, records, files, papers, written material, cabinets, furniture, office equipment, motor vehicles, and other tangible property from DOH to the Medical Board for Safety and Quality. All rules and pending business before MQAC shall be continued and acted upon by the Medical Board for Safety and Quality. All existing contracts and obligations shall remain in force and shall be performed by the Medical Board for Safety and Quality. Transfers and credits any appropriations made to DOH for carrying out the powers, functions, and duties to the Medical Board for Safety and Quality.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

An implementation date of July 1, 2008, is assumed for this bill.

Section 126: Transfers allotment authority from DOH for the Impaired Physician Account (Fund 821) to the Medical Board for Safety and Quality. Based on the beginning revenue balance, projected revenues, and projected expenditures in FY 2008, DOH estimates \$184,650 for FY 2009.

Sections 130: Transfers all existing revenues (Fund 02G) for Physicians and Physician Assistants programs to the Medical Board for Safety and Quality. Based on the beginning revenue balance, projected revenues, and projected expenditures in FY 2008, DOH estimates a one-time transfer of \$1,709,460 in FY 2009; however the actual amount will be determined on date of transfer.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

An implementation date of July 1, 2008, is assumed for the reduction of appropriations and FTEs to DOH.

Sections 1, 102-104, 107, 142, 303, 304, 112, 118, 126, 301, 302: Transfers and credits any appropriations made to DOH for carrying out the powers, functions, and duties to the Medical Board for Safety and Quality. For purposes of this fiscal note, current estimates are based on projected spending in the medical program. Starting in FY 2009, ongoing reductions include (44.3) FTEs and (\$5,061,836) each year. The actual amount of reductions will be determined on date of transfer.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2008	FY 2009	2007-09	2009-11	2011-13
FTE Staff Years		(44.3)	(22.2)	(44.3)	(44.3)
A-Salaries and Wages		(2,397,609)	(2,397,609)	(4,795,218)	(4,795,218)
B-Employee Benefits		(653,557)	(653,557)	(1,307,114)	(1,307,114)
C-Personal Service Contracts		(98,438)	(98,438)	(196,876)	(196,876)
E-Goods and Services		(1,705,096)	(1,705,096)	(3,410,192)	(3,410,192)
G-Travel		(167,159)	(167,159)	(334,318)	(334,318)
J-Capital Outlays		(6,590)	(6,590)	(13,180)	(13,180)
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services		(734)	(734)	(1,468)	(1,468)
P-Debt Service					
S-Interagency Reimbursements		42,430	42,430	84,860	84,860
T-Intra-Agency Reimbursements		(75,083)	(75,083)	(150,166)	(150,166)
Total:	\$0	\$(5,061,836)	\$(5,061,836)	\$(10,123,672)	\$(10,123,672)

III. B - Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2008	FY 2009	2007-09	2009-11	2011-13
Administrative Assistant 1	34,260		(1.0)	(0.5)	(1.0)	(1.0)
Administrative Assistant 2	36,756		(1.3)	(0.7)	(1.3)	(1.3)
Customer Svs Specialist 2	36,756		(3.0)	(1.5)	(3.0)	(3.0)
Fiscal Analyst 2	45,828		(5.0)	(2.5)	(5.0)	(5.0)
Hearings Examiner 3	78,900		(6.4)	(3.2)	(6.4)	(6.4)
Hearings Scheduler	36,756		(0.7)	(0.4)	(0.7)	(0.7)
Hlth Care Investigator 2	57,240		(10.0)	(5.0)	(10.0)	(10.0)
Hlth Services Consultant 1	44,712		(4.3)	(2.2)	(4.3)	(4.3)
Hlth Services Consultant 3	61,632		(1.7)	(0.8)	(1.7)	(1.7)
Hlth Services Consultant 4	68,016		(0.8)	(0.4)	(0.8)	(0.8)
Legal Secretary 1	39,516		(0.2)	(0.1)	(0.2)	(0.2)
Legal Secretary 2	42,588		(1.8)	(0.9)	(1.8)	(1.8)
Legal Secretary 3	45,828		(0.2)	(0.1)	(0.2)	(0.2)
Office Assistant 3	33,468		(3.4)	(1.7)	(3.4)	(3.4)
Paralegal 2	58,656		(1.0)	(0.5)	(1.0)	(1.0)
Secretary Administrative	40,524		(1.4)	(0.7)	(1.4)	(1.4)
Senior Staff Attorney (WMS2)	84,984		(0.6)	(0.3)	(0.6)	(0.6)
WMS3	101,004		(0.8)	(0.4)	(0.8)	(0.8)
WMS5	104,040		(0.9)	(0.5)	(0.9)	(0.9)
Total FTE's			(44.3)	(22.2)	(44.3)	(44.3)

III. C - Expenditures By Program (optional)

Program	FY 2008	FY 2009	2007-09	2009-11	2011-13
Hlth Systems Quality Assurance (060)		(4,500,382)	(4,500,382)	(9,000,764)	(9,000,764)
Administration (090)		(561,454)	(561,454)	(1,122,908)	(1,122,908)
Total \$		(5,061,836)	(5,061,836)	(10,123,672)	(10,123,672)

Part IV: Capital Budget Impact

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None.

OFM Notes:

Because this bill was identified as a proposal governed by the requirements of Initiative 960, this fiscal note has an attachment showing the ten-year cost to taxpayers of the proposed taxes or fees.

Ten-Year Analysis

Bill Number: SB 6506	Title: Medical Professions
Agency: Department of Health	

NOTE: This ten-year analysis is limited to the estimated cash receipts associated with the tax or fee increases proposed in this bill and the associated administrative costs of those increased taxes or fees.

Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

Account, Major Source and Source Code, Title of Fee or Tax	Fiscal Year 08	Fiscal Year 09	2007-09 Total	Fiscal Year 10	Fiscal Year 11	2009-11 Total
Professions			0			0
02-52		-6,641,746	-6,641,746	-4,932,286	-4,932,286	-9,864,572
821 Impaired Physician			0			0
02-52		-932,080	-932,080	-747,430	-747,430	-1,494,860
			0			0
Total	0	-7,573,826	-7,573,826	-5,679,716	-5,679,716	-11,359,432

Estimated Expenditures from:

	Fiscal Year 08	Fiscal Year 09	2007-09 Total	Fiscal Year 10	Fiscal Year 11	2009-11 Total
FTE Staff Years			0.0			0.0
Fund						
GF-State			0			0
GF-Federal			0			0
Other (specify)			0			0
02G Health Profession			0			0
			0			0
Total	0	0	0	0	0	0

Ten-Year Analysis

Bill Number: SB 6506

Agency: Department of Health

Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts

Account, Major Source and Source Code, Title of Fee or Tax	Fiscal Year 12	Fiscal Year 13	2011-13 Total	Fiscal Year 14	Fiscal Year 15	2013-15 Total
Professions			0			0
02-52	-4,932,286	-4,932,286	-9,864,572	-4,932,286	-4,932,286	-9,864,572
821 Impaired Physician			0			0
02-52	-747,430	-747,430	-1,494,860	-747,430	-747,430	-1,494,860
			0			0
Total	-5,679,716	-5,679,716	-11,359,432	-5,679,716	-5,679,716	-11,359,432

Estimated Expenditures 1

	Fiscal Year 12	Fiscal Year 13	2011-13 Total	Fiscal Year 14	Fiscal Year 15	2013-15 Total
FTE Staff Years			0.0			0.0
Fund						
GF-State			0			0
GF-Federal			0			0
Other (specify)			0			0
02G Health Profession			0			0
			0			0
Total	0	0	0	0	0	0

Ten-Year Analysis

Bill Number: SB 6506

Agency: Department of Health

Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts

Account, Major Source and Source Code, Title of Fee or Tax	Fiscal Year 16	Fiscal Year 17	2015-17 Total	2008-17 TOTAL
Professions			0	0
02-52	-4,932,286	-4,932,286	-9,864,572	-46,100,034
821 Impaired Physician			0	0
02-52	-747,430	-747,430	-1,494,860	-6,911,520
			0	0
Total	-5,679,716	-5,679,716	-11,359,432	-53,011,554

Estimated Expenditures 1

	Fiscal Year 16	Fiscal Year 17	2015-17 Total	2008-17 TOTAL
FTE Staff Years			0.0	
Fund				
GF-State			0	0
GF-Federal			0	0
Other (specify)			0	0
02G Health Profession			0	0
			0	0
Total	0	0	0	0

LOCAL GOVERNMENT FISCAL NOTE

Department of Community, Trade and Economic Development

Bill Number: 6506 SB	Title: Medical professions
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Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- ☐ Cities:
- ☐ Counties:
- ☐ Special Districts:
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

Part II: Estimates

- ☒ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☐ Legislation provides local option:
- ☐ Key variables cannot be estimated with certainty at this time:

Part III: Preparation and Approval

Fiscal Note Analyst: Linda Bradford	Phone: 360-725-5035	Date: 02/06/2008
Leg. Committee Contact:	Phone:	Date: 01/18/2008
Agency Approval: Steve Salmi	Phone: (360) 725 5034	Date: 02/06/2008
OFM Review: Brian Enslow	Phone: 360-902-0539	Date: 02/06/2008

Part IV: Analysis

A. SUMMARY OF BILL

Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.

See attached.

B. SUMMARY OF EXPENDITURE IMPACTS

Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.

See attached.

C. SUMMARY OF REVENUE IMPACTS

Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.

See attached.

Part IV. Analysis (Attachment to Fiscal Note Template)

A. SUMMARY OF BILL

Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.

Section 210--New Section--would amend Title 18 RCW and create a misdemeanor offense under RCW 9A.20.010 for failure to surrender a temporary practice permit.

Section 221--New Section--would amend Title 18 RCW to allow appeal to superior court of board order of a summary suspension.

Section 222--New Section--would amend Title 18 RCW to provide that a person who has been disciplined or whose license has been denied by the board or medical review panel may appeal the decision as provided in RCW 34.05.

Section 225 --New Section--would amend Title 18 RCW to provide that when an order for the payment of a fine is made pursuant to this act, and the payment is not made in a timely manner, the board might seek to enforce the order for payment in superior court, in the county where the hearing was held.

Section 230--New Section--would amend Title 18 RCW to provide that the Attorney General (AG), Prosecuting Attorney (PA), board, or “any other person” might bring an action to enjoin persons from committing violations pursuant to Sections 226 or 229 of this act.

Section 231--New Section--would amend Title 18 RCW (6) to provide that the AG, PA, board or “any person” may bring an action to superior court to enjoin a person practicing medicine without a license from doing so until a license is acquired.

Paragraph (7) would make a single violation of practicing without a license *a gross misdemeanor*, and a subsequent violation *a Class C felony*. All fees, fines, forfeitures and penalties collected or assessed by the court in violation of this section would be deposited to the “medical professional account.”

Section 232--New Section--would amend Title 18 RCW to provide that a person that violates a court injunction should pay a civil penalty as set by the court of not more than \$25,000, to be deposited in the medical professional account. The superior court issuing the injunction should retain jurisdiction and the cause should be continued.

Section 233--New Section--would amend Title 18 RCW to create *a new gross misdemeanor* for a person who attempts to obtain, obtains, or maintains a license by willful misrepresentation or fraudulent misrepresentation.

Section 246--New Section--would require each applicant to take a background check prior to the issuance of a license, and (2) and at the discretion of the board may be required to obtain an electronic fingerprint-based national background check.

B. SUMMARY OF EXPENDITURE IMPACTS

Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.

Overall costs to local government from this bill would be considered minimal to none.

Since this bill would create *three new misdemeanors or gross misdemeanors, one new felony, and four new actions in superior courts seeking the enforcement* of board administrative actions, it would appear that it could have significant impact on local government prosecutors, indigent defense, and jail time. However, the Administrative Office of the Courts believes

- that there will be very few criminal charges filed,
- that most of the enforcement and prosecution would be by the board and state prosecutors, and
- that although there could be some jail time for the misdemeanors and gross misdemeanors, most of the penalties will be fiscal in nature, rather than incarceration.

The requirement from Section 246 for an electronic fingerprint-based background check could cause some expenditure to local governments if they chose to perform a “rolled print” at an individual’s request. The actual cost varies by agency, but most local agencies would charge a fee to cover those costs.

The Department of Health (DOH) estimates about 20,500 applications per year. Neither DOH nor the Washington State Patrol, however, know how many of those applicants might be required to do the fingerprint-based check. Apparently, though, there are other way to obtain the electronic print besides through local government as well: WSP (local), DoH (local), and through private agencies. Local governments can refuse to perform them.

C. SUMMARY OF REVENUE IMPACTS

Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.

There would be no revenue impacts, since all fines and penalties would be directed to the medical professions account (Section 231 (8)). Fines and penalties were formerly directed to DoH, so there would be no loss of revenue to local governments.

D. SOURCES CONSULTED:

Administrative Office of the Courts
 Department of Health
 Office of Financial Management
 Washington State Patrol
 Washington Association of Sheriffs and Police Chiefs